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Freedom in the World 2009 - Serbia

Capital: Belgrade
Population: 9,600,000

Political Rights Score: 3
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

Kosovo's February 2008 declaration of independence led to snap parliamentary elections in Serbia, and Belgrade recalled its ambassadors from countries that recognized Kosovo's statehood. Parties that favored European Union integration won the May elections, and almost all of Serbia's envoys had returned to their posts in foreign capitals by year's end. Serbia also considerably improved its cooperation with the United Nations war crimes tribunal by arresting and extraditing two key fugitives during the summer, including former Bosnian Serb leader Radovan Karadzic.

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, it 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.

After Tito's death in 1980, Slobodan Milosevic, a functionary in the League of Communists of Serbia (renamed the Socialist Party of Serbia, or SPS, in 1990) began his gradual rise to power. Following the disintegration of Yugoslavia in 1991, the former Yugoslav republics of Serbia and Montenegro in 1992 formed the Federal Republic of Yugoslavia (FRY). Serbia under Milosevic was extensively involved in the 1991-95 wars that accompanied the old federation's breakup, both in Bosnia and Herzegovina and in Croatia. Milosevic and the SPS succeeded in ruling Serbia throughout the 1990s by controlling the country's security forces, financial institutions, and state-owned media.

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

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) drew hundreds of thousands of protesters to Belgrade. An anti-Milosevic coalition, the Democratic Opposition of Serbia (DOS), took power following Serbian parliamentary elections in December, and Zoran Djindjic of the Democratic Party (DS), part of the DOS, 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. DS leader Boris Tadic won the Serbian presidency – vacant since the Milosevic-era occupant stepped down in 2002 – in a June 2004 election, defeating Tomislav Nikolic of the ultranationalist Serbian Radical Party (SRS).

Montenegro held a successful referendum on independence in May 2006, formally breaking away the following month. Nevertheless, the main anti-Milosevic parties – including the DS, the DSS, and G17 Plus – managed to collectively outpoll the SRS and SPS in January 2007 parliamentary elections and form another coalition government led by Kostunica in May. Tadic won a second term as president in early February 2008, taking 51 percent of the vote in a runoff with Nikolic.

Later that month, after years of unsuccessful negotiations, Kosovo unilaterally declared its independence from Serbia. In response, the Serbian government strengthened its control over Serb-populated sections of northern Kosovo and recalled its ambassadors from countries that endorsed Kosovo's statehood. Days after the independence declaration, rioters in Belgrade attacked and burned the U.S. embassy and the diplomatic offices of other countries that had recognized Kosovo.

Debate over the proper approach to the Kosovo problem increased tensions within Prime Minister Kostunica's government, and in March he resigned and called for new parliamentary elections. The ensuing May polls resulted in an undisputed victory for the DS and its smaller allies, which favored economic reform and European Union (EU) integration. Significantly, the new coalition government, led by Mirko Cvetkovic, brought the SPS – now portraying itself as a mainstream center-left party – into power for the first time since 2000. It also marked the first time since 2000 that a single party, the DS, controlled the presidency, the premiership, and a working majority in parliament. This shift toward stability continued in September, when moderates within the SRS broke with the party's hard-liners, further marginalizing the country's ultranationalist factions.

The DS and its allies had been bolstered in part by the EU's decision to sign a Stabilization and Association Agreement (SAA) with Serbia in April, which held out the prospect of future EU membership if the country continued on a moderate course. By the fall, Belgrade had returned most of its ambassadors to their posts abroad and opted to challenge Kosovo's secession through legal and diplomatic means, rather than impose an embargo or provoke violence. The UN General Assembly in October endorsed Serbia's appeal to the International Court of Justice, though the case was expected to take several years to resolve.

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. 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.

Serbia adopted a new constitution in October 2006. The charter, which included a provision that reasserted Serbia's claim to Kosovo, was endorsed by ethnic minority leaders and representatives of the main religious communities. Although critics found several flaws in the new charter, most observers deemed it an improvement over the previous document, which dated to the era of late Yugoslav president Slobodan Milosevic. Regulating the status of the autonomous province of Vojvodina, home to a significant Hungarian population, remains a topic of considerable political debate.

Numerous political parties compete for power. The main parties are the DS, led by President Boris Tadic; the DSS, led by former prime minister Vojislav Kostunica; the SRS, officially headed by war crimes defendant Vojislav Seselj; G17 Plus, a party that emerged from an economic think-tank; and Milosevic's old SPS, which has sought to adopt a more moderate image. After SRS presidential candidate Tomislav Nikolic split with Seselj loyalists – partly due to his support of the SAA with the EU – in September 2008, he and other disaffected SRS members formed the new Serbian Progressive Party. A host of smaller parties also exist, but their influence is minimal.

Serbia has made some progress in the battle against corruption since the Milosevic period, but it remains a serious concern. Serbia was ranked 85 out of 180 countries surveyed in Transparency International's 2008 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. During the February 2008 riots after Kosovo's declaration of independence, a prominent television and radio broadcaster that was generally considered to be "pro-Western," B-92, was besieged by the rioters. In March, several media outlets reported receiving threats for "unpatriotic reporting." Investigative journalism in Serbia remains weak, and businesspeople and government agencies often try to influence outlets through advertising purchases. Libel remains a criminal offense punishable by fines, but not imprisonment. There were no reports of the government restricting access to the internet.

The 2006 constitution guarantees freedom of religion, which is generally respected in practice. However, increases in interethnic tension often take the form of religious intolerance. The April 2006 Law on Churches and Religious Communities was intended to improve the independence and legal standing of religious communities in the aftermath of Communist rule, but critics have claimed that it privileges seven "traditional" religious communities by giving them tax-exempt status or by forcing other groups to go through cumbersome registration procedures. In May 2006, the parliament approved legislation on returning property that had been confiscated from religious communities during the Communist period. There were no reports that the government attempted to restrict academic freedom during 2008.

Citizens enjoy freedoms of assembly and association. Foreign and domestic nongovernmental organizations have the freedom to pursue their activities, although the legal structure governing such groups has not been updated since the Milosevic era. The laws and constitution allow workers to form or join unions, engage in collective bargaining, and strike. In April 2008, two representative trade unions and employers' organizations signed a new general collective agreement, which was seen as a major step in promoting social dialogue. The pact covered workers' rights and other topics, such as absence, fringe benefits, and workplace safety.

Legal and judicial reform has been slow in recent years because of the complicated political situation. The EU's 2008 progress report on Serbia noted that the quality and professionalism of judges is relatively high, and that pay for judges has improved, but it cited concerns over the investigative capacity of the prosecutorial service and political

influence in the selection of judges. The judicial system suffers from a large backlog of cases, long delays in filing formal charges against suspects, and the failure of legislative institutions to heed judicial rulings. Prisons are generally considered to meet international standards, although overcrowding, drug abuse, and violence among inmates remain serious problems.

Serbian cooperation with the UN International Criminal Tribunal for the former Yugoslavia (ICTY) improved significantly in 2008, especially after the arrests of two suspects who were wanted by the tribunal. Former Bosnian Serb police chief Stojan Zupljanin was arrested in June, and former Bosnian Serb leader Radovan Karadzic – a high-priority fugitive – was captured in July. Both men were quickly extradited to the ICTY. By year's end, 44 out of the tribunal's 46 Serb indictees had been arrested, leaving only former Bosnian Serb military commander Ratko Mladic and a former Croatian Serb leader at large.

Cultural and 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 ethnic minorities are the Bosniaks (Muslim Slavs), concentrated in the Sandzak region adjacent to Montenegro; an Albanian population in the Presevo Valley, adjacent to Kosovo; and the Hungarian community in Vojvodina. There are concerns that tensions in Kosovo could spill into Presevo, and that the spread of extreme forms of Islam in the Sandzak could lead to other problems. Tensions within the Bosniak community mounted in 2008 due to increasing rivalry between two leading Bosniak politicians, and separately, rival Bosniak clerics. There are frequent complaints of police harassment and unfair treatment of the Romany community.

Conditions in mental institutions are exceptionally poor. A report released in November 2007 by Mental Disability Rights International claimed that very serious cases of abuse and neglect of individuals with mental disabilities had been found in Serbia.

There are 53 women in the 250-seat parliament elected in May 2008, and five women currently serve as ministers in Serbia's 23-member government. According to electoral regulations, at least 30 percent of a party's candidate list has to be made up of women. Although women are legally entitled to equal pay for equal work, traditional attitudes often limit women's roles in the economy. A study released in 2007 showed that women account for 54 percent of the unemployed in Serbia and 80 percent of the illiterate population. Domestic violence remains a serious problem. The 2005 Law on the Family criminalized "behavior by one of the family members that endangers the bodily integrity, mental health or peace of another family member," although its implementation has been difficult due to the reluctance of victims to report such cases to the police and to prevailing patriarchal social norms. 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.

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