



Freedom in the World 2017 - Serbia

Publisher [Freedom House](#)

Publication Date 15 April 2017

Cite as Freedom House, *Freedom in the World 2017 - Serbia*, 15 April 2017, available at: <http://www.refworld.org/docid/58ff3e1bc.html> [accessed 28 August 2017]

Disclaimer This is not a UNHCR publication. UNHCR is not responsible for, nor does it necessarily endorse, its content. Any views expressed are solely those of the author or publisher and do not necessarily reflect those of UNHCR, the United Nations or its Member States.

Freedom Status: Free

Aggregate Score: 76/100 (0 = Least Free, 100 = Most Free)

Freedom Rating: 2.5/7 (1 = Most Free, 7 = Least Free)

Political Rights: 3/7 (1 = Most Free, 7 = Least Free)

Civil Liberties: 2/7 (1 = Most Free, 7 = Least Free)

Quick Facts

Population: 7,100,000

Capital: Belgrade

GDP/capita: \$5,235

Press Freedom Status: Partly Free

OVERVIEW

Serbia is a parliamentary republic in which political parties may form freely and compete in generally credible elections. However, political rights and civil liberties have eroded in recent years under Prime Minister Aleksandar Vucic and his Serbian Progressive Party (SNS), which took power in 2012. The government has drawn repeated criticism for imposing various forms of political pressure on independent media and civil society organizations. Nevertheless, the country has moved forward in its bid to join the European Union (EU).

Key Developments

- The governing SNS won snap parliamentary elections in April, but took 27 fewer seats than in the last elections in 2014, and the allied Socialist Party of Serbia (SPS) lost 15 seats. Left- and right-wing parties not seated in the previous parliament made gains.
- Voting was rerun at 15 polling stations due to reports of electoral irregularities and claims by the opposition that the SNS had stuffed ballot boxes, while international monitors raised a number of other concerns.
- Following the SNS's strong performance in elections for the legislature of the autonomous province of Vojvodina, a number of journalists were dismissed from the provincial public broadcaster in what many described as a politically motivated purge.

- In December a former police spokesman was acquitted of endangering members of a nongovernmental organization (NGO) that called attention to Serbian involvement in the Yugoslav wars of the 1990s. He had suggested in a social media post that members of the group should be attacked.

Executive Summary

In January, Prime Minister Vucic called snap parliamentary elections, which were held in April – the country's third such polls in four years. The SNS won the most seats, and the allied SPS, led by Foreign Minister Ivica Dacic, finished a distant second. However, the parties together lost 42 seats in the parliament, with the far-right Serbian Radical Party (SRS), the conservative and Euroskeptic Dveri–Democratic Party of Serbia, and the progressive Enough Is Enough grouping making up much of the difference. Vucic did not present a cabinet until August, leaving normal government activity at a near-standstill for the first half of the year.

Both domestic observers and international monitors expressed concern about the conduct of the elections. Voting was rerun at 15 polling stations amid reports of electoral irregularities and claims by the opposition that the SNS had stuffed ballot boxes. Opposition parties questioned the independence of the Republic Electoral Commission (RIK), and international monitors criticized its procedures for filing election-related complaints. The international monitors also expressed concern about voting pressure on public-sector workers by the SNS.

Vucic's government continued its campaign against critical and independent media in 2016, notably by hosting an exhibition at a Belgrade art gallery in which media outlets that had criticized the government were depicted as liars. Separately, following the SNS's strong performance in elections to the Vojvodina provincial assembly, a number of journalists, including top editors, were dismissed from the public broadcaster Radio Television Vojvodina (RTV), in what many called a politically motivated purge.

NGOs that have taken critical stances toward the government or addressed sensitive or controversial topics faced pressure during the year. In January, a brick was thrown through the window of a building where several NGO offices are located. In March, the director of the Center for Euro-Atlantic Studies was placed under police protection in response to repeated threats.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 29 / 40 (–1)

A. Electoral Process: 9 / 12 (–1)

A1. Is the head of government or other chief national authority elected through free and fair elections?

A2. Are the national legislative representatives elected through free and fair elections?

A3. Are the electoral laws and framework fair?

The Serbian National Assembly is a unicameral, 250-seat legislature, with deputies elected to four-year terms according to closed party lists in a proportional representation vote. The assembly elects the prime minister. The president, a largely ceremonial post, is popularly elected for up to two five-year terms. In 2012, Tomislav Nikolic, a former SNS leader, defeated incumbent president and Democratic Party (DS) leader Boris Tadic in a presidential runoff, taking 51 percent of the vote. The next presidential election was scheduled for 2017.

In January 2016, Prime Minister Vucic called snap parliamentary elections. While he cited a need for a new government with a full four-year term in order to implement reforms that would prepare

the country for EU accession, critics characterized the move as an effort by the SNS, which had posted a landslide victory in 2014 polls, to further consolidate political power. The snap elections were eventually set to take place in April, alongside local and regional elections that were being held according to schedule, prompting speculation that Vucic sought to use his national campaign effort to bolster the SNS in local races.

While the SNS and its coalition partners won the largest portion of the vote in the 2016 polls – enabling Vucic to remain prime minister – they lost 27 seats in the parliament, falling from 158 to 131. Foreign Minister Dacic's SPS and its allies took 29 seats, 15 fewer than they had held before the polls. Flagging support for the SNS and SPS allowed for gains by right-wing and progressive parties that had not held seats in the previous parliament. The far-right Serbian Radical Party (SRS), led by Vojislav Šešelj – who was acquitted of war crimes by a UN tribunal just weeks before the elections – placed third with 22 seats, returning to the parliament after a four-year absence. The conservative and Euroskeptic Dveri–Democratic Party of Serbia, which supports stronger ties between Serbia and Russia, won 13 seats. The progressive Enough Is Enough movement, founded by former economy minister Saša Radulovic in 2014, took 16 seats.

A coalition led by the DS won 16 seats, down from 19 in the previous parliament. The pro-EU Alliance for a Better Serbia bloc, led by former president Tadic, won 13 seats, down from 18. The remaining seats went to smaller parties representing ethnic minorities. The SNS performed well in local elections, particularly in Vojvodina, where the DS had previously enjoyed broad support. Turnout was 56 percent, roughly the same as for the 2012 and 2014 parliamentary polls. After months of negotiations, Vucic presented his cabinet in August, which the parliament subsequently approved.

Both domestic observers and international monitors expressed concern about the conduct of the elections. In their aftermath, leaders of several opposition parties with widely varying political platforms banded together to accuse the SNS of rigging the polls, including by orchestrating the submission of ballots for dead or nonexistent people and otherwise tampering with ballot boxes. They also called into question the independence of the RIK, which is responsible for administering elections, noting that its president was an SNS member. Election observers from the Organization for Security and Co-operation in Europe (OSCE) noted pressure on public-sector workers to vote for the ruling party; an outsized presence at official events during the campaign by the SNS and SPS, which blurred the line between state and party activities; and self-censorship among media outlets, which was attributed to government pressure and effectively narrowed the coverage available to voters.

The RIK received dozens of appeals for reruns at various polling stations due to electoral irregularities. It ultimately upheld 15 of them. (The reruns resulted in the Dveri–Democratic Party of Serbia crossing the 5 percent threshold for representation in the parliament.) OSCE monitors criticized the RIK in a postelection report, which found that the 24-hour time period to file complaints about electoral violations was too short. It added that monitors had also received reports of citizens who wanted to file complaints, but either feared retribution or had no confidence that the relevant investigatory and judicial bodies would act on them. Courts had limited the RIK's authority in ways that created inefficiencies in addressing such complaints, the report noted.

Political parties must submit candidate lists to the commission at least 15 days ahead of a scheduled election, and the body has the right to return lists if they are not in compliance with electoral rules.

B. Political Pluralism and Participation: 13 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system open to the rise and fall of these competing parties or groupings?

B2. Is there a significant opposition vote and a realistic opportunity for the opposition to increase its support or gain power through elections?

B3. Are the people's political choices free from domination by the military, foreign powers, totalitarian parties, religious hierarchies, economic oligarchies, or any other powerful group?

B4. Do cultural, ethnic, religious, or other minority groups have full political rights and electoral opportunities?

Political parties may be established freely and can typically operate without encountering formal restrictions. Serbian voters are generally able to vote for the party they prefer without facing intimidation or coercion, though the ruling SNS was criticized for pressuring public-sector workers ahead of the 2016 polls. In addition, a group of DS supporters were attacked in March while participating in a voter outreach campaign in Belgrade. One person was injured, and several suspects were later arrested.

Since the ouster of authoritarian leader Slobodan Milošević in 2000, Serbian politics have featured orderly transfers of power between competing parties. In 2014, the landslide victory of the SNS bloc gave the party control of the executive and legislative branches of government – a rare occurrence in the usually contested political sphere. While the SNS retained control in 2016, it lost ground to smaller parties in the parliament.

The country's 5 percent electoral threshold for parliamentary representation does not apply to parties representing ethnic minorities. Groups centered on the ethnic Albanian, Bosniak, Slovak, and Hungarian communities won a total of 10 seats in the 2016 elections. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice. No party representing the interests of the Romany minority ran in the 2016 elections.

Political parties adhered to laws requiring mixed-gender party lists ahead of the 2016 polls. Vucic's government included for the first time a member of Serbia's LGBT (lesbian, gay, bisexual, and transgender) community, Ana Brnabic, who became minister of public administration and local self-government.

C. Functioning of Government: 7 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government?

C2. Is the government free from pervasive corruption?

C3. Is the government accountable to the electorate between elections, and does it operate with openness and transparency?

While freely elected officials are generally able to determine and implement laws and policies without interference, corruption remains a problem in many areas, including the security, education, housing, and labor sectors, as well as in privatization processes and the judiciary. The Anti-Corruption Council, made up of six members, was established in 2001 to handle corruption complaints. Other entities that combat corruption include the Anti-Corruption Agency and the ombudsman, known as the Protector of Citizens of Serbia. However, these institutions lack a track record of successful investigations and prosecutions. The ombudsman has faced attacks in progovernment media in connection with charges he brought against members of the military police in 2015.

Vucic's government has received sustained criticism for a lack of transparency surrounding the Belgrade Waterfront Project, an ambitious bid to develop property along the Sava River. Among other complaints, critics note that authorities unilaterally tapped a United Arab Emirates-based developer as the project's primary funder, and that plans for financing the project are generally unclear. Serbia's commissioner for information and personal data protection received threats after calling for an investigation of the demolition of homes in the capital's Savamala district, where the Belgrade Waterfront Project is to be constructed. The April demolitions were carried out at night by masked men who allegedly mistreated onlookers.

Civil Liberties: 47 / 60 (–1)

D. Freedom of Expression and Belief: 14 / 16

D1. Are there free and independent media and other forms of cultural expression?

D2. Are religious institutions and communities free to practice their faith and express themselves in public and private?

D3. Is there academic freedom, and is the educational system free of extensive political indoctrination?

D4. Is there open and free private discussion?

The government has shown growing hostility toward independent and critical media in recent years. Investigative journalists or those critical of the government frequently encounter aggressive rhetoric from senior officials, and are frequently smeared in progovernment media as criminals or members of foreign intelligence agencies. In July 2016, the government hosted an exhibition at a Belgrade art gallery in which media outlets that had criticized Vucic and his allies were depicted as liars.

While there is no official censorship in Serbia, many media outlets are thought to be aligned with specific political parties, and the public broadcaster Radio Television of Serbia (RTS) remains subject to heavy government influence. Following the SNS's strong performance in elections for the provincial assembly in Vojvodina in 2016, a number of journalists, including top editors, were dismissed from RTV, the provincial public broadcaster, in what many described as a politically motivated purge.

Changes to the criminal code in 2012 removed defamation as a criminal offense, though the code retains provisions criminalizing insult. Funds for media advertising are controlled by a small number of economic and political actors. Media ownership is not fully transparent, and ownership of large, influential print media outlets in Serbia is often unclear.

In January 2016, it was reported that SNS lawmakers had introduced legislation that would have prevented photographers from obtaining copyright protection for their work. The bill was abandoned after photojournalists protested.

The constitution guarantees freedom of religion, which is generally respected in practice. However, given the legacy of socialism, many citizens remain secular. Academic freedom is generally upheld, though accusations that politicians had plagiarized academic papers have raised questions about the quality and integrity of the Serbian education system.

The U.S. State Department has expressed concern about "credible reports" that Serbian authorities monitor private online communications without first obtaining the necessary legal permission to do so, which could affect citizens' right to open and free private discussion.

E. Associational and Organizational Rights: 10 / 12 (–1)

- E1. Is there freedom of assembly, demonstration, and open public discussion?
- E2. Is there freedom for nongovernmental organizations?
- E3. Are there free trade unions and peasant organizations or equivalents, and is there effective collective bargaining? Are there free professional and other private organizations?

Serbians enjoy freedoms of assembly and association. In 2016, for the third consecutive year, the government permitted a parade in support of LGBT rights. It proceeded without incident in September, with riot police providing security and some government officials participating. At least half a dozen large demonstrations against the Belgrade Waterfront Project also took place during the year.

Foreign and domestic NGOs generally operate freely, though those that have taken openly critical stances toward the government or address sensitive or controversial topics have faced pressure. Members of Women in Black, an NGO that is critical of the legacy of Serbian involvement in the Yugoslav wars of the 1990s, are frequently harassed by both civilians and police. In December 2016, former antiterrorist police spokesman Radomir Pocuca was acquitted of endangering the group's members; he had been charged in connection with a 2014 post on Facebook in which he suggested that they should be attacked. Separately, in January, a brick was thrown through the window of Belgrade's Human Rights House, where several NGO offices are located. And in March, the director of the Center for Euro-Atlantic Studies was placed under police protection as a result of repeated threats against her. Many NGOs receive international funding.

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. There are numerous professional associations in the country, such as the Journalists' Association of Serbia (UNS) and the Judges' Association of Serbia (JAS).

F. Rule of Law: 10 / 16

- F1. Is there an independent judiciary?
- F2. Does the rule of law prevail in civil and criminal matters? Are police under direct civilian control?
- F3. Is there protection from political terror, unjustified imprisonment, exile, or torture, whether by groups that support or oppose the system? Is there freedom from war and insurgencies?
- F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population?

The judiciary operates independently, but endemic problems continue to plague the court system, including corruption, lengthy trials, and obstacles to equal treatment, such as high fees and a lack of uniform access to legal aid. In a 2016 report, the Anti-Corruption Council noted some small improvements, citing more complete staffing of courts and progress in some old cases, but concluded that there was little transparency in the judicial system and that the government "continues to violate the presumption of innocence."

Chief war crimes prosecutor Vladimir Vukcevic resigned his position in January 2016, and the post remained vacant at year's end. While eight people were indicted for war crimes in 2016, no prosecutions can move forward until the position is filled.

Prisons generally meet international standards, though overcrowding is an issue, and health care facilities are often inadequate. Radical right-wing organizations and violent sports fans who target ethnic minorities and others remain a serious concern.

In 2015, Serbia became a key transit country for refugees and migrants trying to reach Northern Europe. In general, the authorities were praised for their handling of a difficult situation, but the burden on the country increased after Hungary closed its border with Serbia that fall. Thousands of refugees aiming to seek asylum in the EU states to the north remained stuck in squalid camps in Serbia in 2016.

The treatment of LGBT people is problematic, with threats and attacks often going unsolved despite a law banning discrimination based on sexual orientation and gender identity. While public attitudes are changing as more LGBT people decide to live openly, Serbian society is still somewhat resistant to the trend. Increasingly tolerant actions by the government appear to be influencing those holding more conservative views.

G. Personal Autonomy and Individual Rights: 13 / 16

G1. Do individuals enjoy freedom of travel or choice of residence, employment, or institution of higher education?

G2. Do individuals have the right to own property and establish private businesses? Is private business activity unduly influenced by government officials, the security forces, political parties/organizations, or organized crime?

G3. Are there personal social freedoms, including gender equality, choice of marriage partners, and size of family?

G4. Is there equality of opportunity and the absence of economic exploitation?

Serbian citizens are free to choose their employment and education, and have the right to travel. Many of these choices are constrained by socioeconomic factors, such as slow economic growth and high unemployment rates. Serbian citizens have been able to enter the Schengen area of the EU without a visa since 2010.

In general, property rights are respected, but adjudication of disputes is slow. In 2016, a number of homes were demolished under highly questionable circumstances to make way for the Belgrade Waterfront Project. Serbian citizens can start their own businesses, although bureaucratic obstacles make the process difficult. There are instances of nepotism in higher education and employment.

Women enjoy legal equality with men as indicated in the Serbian constitution. There are several antidiscrimination and gender equality laws in place. According to electoral regulations, women must account for at least 33 percent of a party's candidate list, and women currently hold 38 percent of seats in the parliament. However, women face undue challenges on the job market, and those of childbearing age are often illegally asked if they plan to start a family. Domestic violence remains a problem.

Migrants and refugees passing through the country are particularly susceptible to sexual or labor exploitation, as are Romany children. Efforts to address human trafficking have tapered off in recent years, in part because government attention has been redirected toward management of the refugee crisis. In 2016, officials established a new office within the national police force intended to streamline antitrafficking efforts, but it has not been sufficiently staffed.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Copyright notice: © Freedom House, Inc. · All Rights Reserved

Search Refworld

by keyword
and / or country

[Advanced Search](#) | [Search Tips](#)

Countries

- [Serbia](#)

Topics

- [Corruption](#)
- [Elections](#)
- [Freedom of assembly and association](#)
- [Freedom of expression](#)
- [Freedom of movement](#)
- [Freedom of religion](#)
- [Independence of judiciary](#)
- [Political parties](#)
- [Rule of law / Due process / Procedural fairness](#)