

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	435
Land:	Serbien
Kilde:	Freedom House
Titel:	Freedom in the World - Serbia (2008)
Udgivet:	28. maj 2008
Optaget på baggrundsmaterialet:	12. september 2008



FREEDOM HOUSE

[Print](#)

Freedom in the World - Serbia (2008)

Capital: Belgrade

Population:
9,500,000

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.

Overview

Parliamentary elections in January 2007 were followed by three months of bitter negotiations among pro-Western parties over the formation of a new government. Throughout the year, the political atmosphere was dominated by diplomatic talks on the status of Kosovo. Despite these problems, however, Serbia registered enough progress in fighting corruption and improving its cooperation with the International Criminal Tribunal for the former Yugoslavia to initial a Stabilization and Association Agreement (SAA) with the European Union in November.

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, and 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, a party functionary named Slobodan Milosevic rose to power in the League of Communists of Serbia (renamed the Socialist Party of Serbia, or SPS, in 1990). Following the disintegration of Yugoslavia in 1991, the former Yugoslav republics of Serbia and Montenegro in April 1992 formed the Federal Republic of Yugoslavia (FRY). Serbia under Milosevic was extensively involved in the 1991–95 ethnic 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 and monetary 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. Since June 1999, a NATO-led force has occupied Kosovo, and the United Nations has overseen its government.

The end for Milosevic's regime came on October 5, 2000, when his attempt to steal the September Yugoslav presidential election from opposition candidate Vojislav Kostunica drew hundreds of thousands of people to Belgrade in protest and he was forced from office. An anti-Milosevic coalition, the Democratic Opposition of Serbia (DOS), took power following Serbian parliamentary elections in December 2000. Zoran Djindjic of the Democratic Party (DS), part of the DOS, became Serbia's prime minister. Djindjic, considered a strong pro-European reformer, was assassinated in Belgrade on March 12, 2003, by organized crime groups allied with Milosevic-era security structures. Meanwhile, the FRY proved largely dysfunctional, and a looser State Union of Serbia and Montenegro was formed in 2003, with each state guaranteed the option of an independence referendum after three years. In May 2006, Montenegro voted for independence, and Serbia involuntarily became an independent state in June.

Elections to the Serbian parliament in December 2003 resulted in a plurality for the ultranationalist Serbian Radical Party (SRS), which had been a bulwark of Milosevic's regime. However, the parties considered to be reformist and democratic were able to form a coalition government and keep the SRS from coming to power. Former FRY president Kostunica, leader of the Democratic Party of Serbia (DSS), became Serbia's new prime minister.

Three presidential elections in 2002–03 were annulled after failing to meet a 50 percent turnout requirement, but Serbia finally elected a president in June 2004, when Djindjic's successor as head of the DS, Boris Tadic, defeated Tomislav Nikolic of the SRS. In November 2005, the European Union (EU) approved the beginning of negotiations for a Stabilization and Association Agreement (SAA) with Serbia and Montenegro, but the talks were broken off in May 2006 due to Belgrade's failure to apprehend and extradite former Bosnian Serb military leader Ratko Mladic, who was wanted by the UN International Criminal Tribunal for the former Yugoslavia (ICTY) for alleged war crimes in the 1990s.

The January 2007 parliamentary elections again confirmed the basic division of Serbian politics and society between the 55–60 percent majority that supports the parties that overthrew Milosevic in 2000 and the 35–45 percent segment that supports either the SRS or the SPS. Three months of postelectoral wrangling finally produced a government in May, less than half an hour before a constitutional deadline that would have triggered new elections. The new government consisted of all the main democratic parties—including Tadic's DS, Kostunica's DSS, and the G17 Plus—as well as smaller parties representing ethnic minorities. In November, Serbia received a vote of confidence when the EU agreed to initial an SAA.

Apart from the effort to keep Milosevic-era political forces from coming back to power, the dominant theme in Serbian politics in recent years has been the fate of Kosovo, where the 90 percent ethnic Albanian majority is intent on gaining independence. UN-led negotiations on the issue began in Vienna in February 2006 and lasted through March 2007, at which point the UN mediator, former Finnish president Martti Ahtisaari, proposed that Kosovo be granted "conditional independence." Russia then blocked several attempts to have Ahtisaari's proposal endorsed by the UN Security Council. Another effort to reach a compromise began in September 2007, when a troika of diplomats representing the EU, the United States, and Russia were given a three-month mission to conduct further negotiations. On December 10, the troika submitted its final support to the Security Council, noting that the negotiation process was deadlocked, and that it had been unable to bridge the differences between Belgrade and Pristina.

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.

The latest parliamentary elections, held in January 2007, were conducted freely and fairly, but independent watchdog groups harshly criticized the organization and conduct of an October 2006 referendum on a new constitution. 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. It was barely passed in two days of voting, with just over 50 percent of the electorate turning out. Kosovo's ethnic Albanian majority did not participate. Although critics found several flaws in the new charter, most observers considered it an improvement over the previous document, which dated to the era of late Yugoslav president Slobodan Milosevic.

Numerous political parties compete for power. The main parties are Prime Minister Vojislav Kostunica's DSS; the SRS, officially headed by ICTY defendant Vojislav Seselj but led on a day-to-day basis by Tomislav Nikolic; President Boris Tadic's DS; the G17 Plus; and Milosevic's SPS. A host of smaller parties also exist, but their influence is minimal.

Serbia has made significant strides in the battle against corruption in recent years. In 2006, the World Bank's Doing Business report named Serbia the world's leading economic reformer. Despite such progress, however, corruption remains a serious concern. Serbia was ranked 79 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The press is generally free and operates with little government interference, although most media outlets are considered to be aligned with specific political

parties. In April 2007, a prominent journalist for the weekly *Vreme*, Dejan Anastasijevic, was the target of a failed assassination attempt, and in May the Organization for Security and Cooperation in Europe (OSCE) warned that freedom of expression in Serbia was being threatened by a rise in attempts to intimidate journalists. Libel remains a criminal offense punishable by fines, but not imprisonment. In September 2007, a court fined the weekly *Kurir* one million dinars (\$17,250) for libeling the head of the G17 Plus party. There were no reports of the government restricting access to the internet, although in the past there have been allegations that the government was selectively monitoring e-mail correspondence.

According to the 2006 constitution, all citizens are guaranteed 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 2007.

Citizens enjoy freedom of association and assembly. Foreign and domestic nongovernmental organizations (NGOs) have the freedom to pursue their activities, although laws governing NGOs have not been updated since the Milosevic era, and many NGO leaders feel that state officials and political elites do not adequately understand the role of NGOs in a democracy. The laws and constitution allow workers to form or join unions, engage in collective bargaining, and strike. In November 2007, members of the Judicial Employees Syndicate initiated a work slowdown to protest low wages, opting to deal only with cases involving arrest warrants and appeals to be released from prison.

Legal and judicial reform has been slow in recent years because of the complicated political situation. In May 2006, the parliament overwhelmingly approved a new "National Strategy for Reform of the Judiciary" intended to bring Serbian criminal legislation in line with EU standards, rationalize the court system, and improve the training of judges and prosecutors. Corruption in the courts is serious problem. The judicial system suffers from a large backlog of cases, underpaid judges and prosecutors, an excess of judges left over from the Milosevic era, long delays in filing formal charges against suspects, and the failure of legislative institutions to heed judicial rulings. While prisons are generally considered to meet international standards, there were riots and protests in various facilities in 2006, with inmates demanding better conditions.

Serbian cooperation with the ICTY improved significantly in 2007, especially after

the new government was formed in May. ICTY chief prosecutor Carla Del Ponte issued two favorable reports on the matter during the year. At year's end, 42 out of 46 Serb indictees were in custody, although the two most important—former Bosnian Serb leaders Radovan Karadzic and Ratko Mladic—remained at large.

Cultural and ethnic minorities have their own political parties, access to media in their mother tongues, 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 fundamentalist Wahhabi Islam in the Sandzak could lead to other problems. There are frequent complaints of police harassment and unfair treatment of the Romany (Gypsy) community.

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

Although women are legally entitled to equal pay for equal work, traditional attitudes often limit women's roles in the economy. Figures for 2007 show that women account for 54 percent of the unemployed in Serbia and 80 percent of the illiterate population. According to electoral regulations, at least 30 percent of a party's candidate list has to be made up of women. In the parliament elected in January 2007, only 51 out of the 250 members were women, though that was an increase of 24 over the previous parliament. 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 remains difficult. Some towns in southern Serbia have become an important part of the network trafficking women from the former Soviet Union to Western Europe for the purpose of forced prostitution.