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Freedom in the World 2010 - 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.

Ratings Change

Serbia's political rights rating improved from 3 to 2 due to the consolidation of a stable multiparty system after several rounds of elections in the post-Milosevic period.

Overview

The parliament in November approved a new statute regulating the autonomy of the northern province of Vojvodina, ending a long political debate over the issue and demonstrating the effectiveness of the Democratic Party-led government elected in 2008. The country also made progress in its relations with the European Union, securing visa-free travel rights and the implementation of a trade agreement in December. However, press freedom groups criticized a media law adopted in August, and tensions involving the ethnic Albanian population in the Presevo Valley remained a problem.

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 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, 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 civilian 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 driven 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, 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 within the Kostunica government, which ultimately resigned in March 2008, 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 Sandzak (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, in this case the DS, controlled the presidency, the premiership, and a working majority in 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 a long-awaited statute that defined and expanded Vojvodina's autonomy in November, and legislation to improve conditions for nongovernmental organizations (NGOs) in July. 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.

Meanwhile, Serbia continued to challenge Kosovo's secession through legal and diplomatic means, most importantly by bringing a suit before the International Court of Justice in The Hague. The court began hearings on the case in December 2009.

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 by party list to serve 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.

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. A new Law on Political Parties, passed in May 2009, increased the number of signatures needed to form a party to 10,000, or 1,000 for ethnic minority parties.

Serbia has made some progress in reducing corruption since the ouster of former president Slobodan Milosevic, but it remains a serious concern. Problem areas include public procurement, privatization, taxation, customs, and licensing. An official Anti-Corruption Agency is due to become operational in 2010. Serbia was ranked 83 out of 180 countries surveyed in Transparency International's 2009 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. In August 2009, the parliament passed a new media law despite opposition from press freedom groups, which objected to its high fines and other provisions. 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 constitution guarantees freedom of religion, which is generally respected in practice. However, increases in ethnic tension often take the form of religious intolerance. Critics have complained 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. Students are required to receive instruction in one of the seven traditional faiths or opt for a civic education class. There were no reports that the government attempted to restrict academic freedom during 2009.

Citizens enjoy freedoms of assembly and association. However, in May 2009 the parliament adopted legislation that bans meetings of neo-Nazi or fascist organizations and their use of neo-Nazi symbols. A September gay pride parade in Belgrade was cancelled because the government claimed it could not guarantee the security of the participants. Foreign and domestic NGOs are generally free to operate without government interference, and a new Law on Associations clarifying the legal status of NGOs was adopted in July 2009. The laws and constitution allow workers to form or join unions, engage in collective bargaining, and strike. In November 2008, a new agreement between the government, trade unions, and employers' associations was signed, but the global economic crisis has prevented it from being implemented.

Judicial reform has proceeded slowly in recent years. The Council of Europe's Venice Commission has criticized the degree of control the Serbian parliament has over judges, and in April 2009, two new bodies – the High Judicial Council and the State Prosecutorial Council – were created to supervise the election and promotion of judges and prosecutors. While these bodies have reformed Serbia's judicial system somewhat, critics claim there is still too much room for political interference, especially concerning the reappointment procedure. 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. The new criminal procedure code adopted in 2006 is scheduled to enter into force at the end of 2010, after being delayed twice. Prisons are generally considered to meet international standards, although overcrowding, drug

abuse, and violence among inmates remain serious problems.

Serbian cooperation with the ICTY has improved significantly in recent years. All but two of the tribunal's⁴⁶ Serb indictees have been arrested, leaving only former Bosnian Serb military commander Ratko Mladic and a former Croatian Serb leader at large. Serbia has also begun to prosecute war crimes more vigorously in domestic courts, as demonstrated by a Belgrade court's March 2009 decision to impose prison sentences of up to 20 years on 13 Serbs convicted of a massacre of Croatian civilians in 1991.

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 Sandzak 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. In June 2009, two Serbian police officers were attacked and wounded in the area. In August, ethnic Albanian officials initiated an effort to create a formal "Presevo Valley district" within Serbia. In addition, there are concerns about the spread of extreme forms of Islam and internal political rivalries in the Sandzak. Serbia is also home to a significant Romany community, which often faces police harassment and other forms of discrimination. In March 2009 the parliament adopted legislation that would establish an independent commissioner to protect ethnic, religious, and other vulnerable groups – including sexual minorities – from discrimination.

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. Domestic violence remains a serious problem. The 2005 Law on the Family criminalized physical and psychological abuse, but its implementation has been hampered by the reluctance of victims to report such abuse and by 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.

**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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