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Serbia and Montenegro (2006)

Overview

Polity:

No polity available

Political Rights:

3

Civil Liberties:

2

Status:

Free

Population:

10,700,000

GNI/Capita:

\$1,910

Life Expectancy:

73

Religious Groups:

Orthodox (65 percent), Muslim (19 percent), Roman Catholic (4 percent), other (12 percent)

Ethnic Groups:

Serb (63 percent), Albanian (17 percent), Montenegrin (5 percent), Hungarian (3 percent), other (12 percent)

Capital:

Belgrade

Additional Info:

[Freedom in the World 2005](#)

[Freedom of the Press 2005](#)

[Nations in Transit 2004](#)

[Countries at the Crossroads 2005](#)

Five years after the overthrow of Slobodan Milosevic, Serbia and Montenegro faced a number of serious issues in 2005: the continued dysfunctional existence of the state union itself in the face of a strong independence movement in the junior republic of Montenegro; the possible loss of the internationally occupied and administered province of Kosovo; strong pressure from the International Criminal Tribunal for the former Yugoslavia (ICTY) to arrest and extradite one of the most wanted fugitives from the Bosnian conflict, General Ratko Mladic; and a split within the ranks of pro-Western parties and the concurrent increasing strength of political forces that had ruled Serbia in the 1990s. Meanwhile, in November, the European Union (EU) approved the beginning of negotiations for a Stability and Association Agreement with Serbia and Montenegro.

In April 1992, the former Yugoslav republics of Serbia and Montenegro jointly proclaimed the formation of the Federal Republic of Yugoslavia (FRY) after the 1991 disintegration of Josip Broz Tito's Socialist Federal Republic of Yugoslavia (SFRY). Slobodan Milosevic's Socialist Party of Serbia (SPS) ruled the country during the 1990s through its control over the country's security forces, financial and monetary institutions, and state-owned media. During the wars accompanying the breakup of Yugoslavia, Serbia under Milosevic was extensively involved in the fighting in both Bosnia-Herzegovina and Croatia. In 1997, a younger generation of politicians in Montenegro renounced their ties to Milosevic, setting Montenegro on a slow course toward independence.

In 1998-1999, an Albanian insurgency in Serbia's Kosovo Province provoked increasingly violent reprisals by FRY forces against the guerrillas and the Albanian civilian population in regions affected by the fighting. In March 1999, NATO launched a 78-day bombing campaign against the FRY to force the withdrawal of Yugoslav and Serbian military and paramilitary forces from the province. Since June 1999, a NATO-led force has occupied Kosovo.

The end for the Milosevic regime came on October 5, 2000, when an attempt to steal the September presidential elections resulted in hundreds of thousands of people converging on Belgrade to overthrow Milosevic and his regime. The Democratic Opposition of Serbia (DOS), a coalition of 18 political parties and an

independent trade union, took power following parliamentary elections in December 2000. Milosevic's overthrow and the DOS's victory, however, did not improve relations between Serbia and its federal partner. In March 2002, under strong pressure from the European Union (EU), the two republics signed the "Belgrade Agreement," which created a new state union simply called "Serbia and Montenegro." However, the new state continues to suffer from numerous problems, largely the result of the great disparity in size between the two republics. Montenegro is only one-tenth the size of Serbia in population and constitutes a negligible part of the overall Serbia-Montenegro economy, while at the same time enjoying parity representation in most institutions of government. The union of the two republics preserved some vestiges of a common state but also provides each republic with its own central bank, currency-the euro is the official currency in Montenegro, while Serbia uses the dinar-and customs and taxation system.

Within Serbia itself, the dominant parties and political leaders of the DOS coalition for most of the post-Milosevic period were the Democratic Party of Serbia (DSS), led by former law professor Vojislav Kostunica, and the Democratic Party (DS), led by the late Serbian premier Zoran Djindjic. On March 12, 2003, Djindjic was assassinated by a group of organized crime figures associated with members of Milosevic-era security structures.

The latest elections to the Serbian parliament in December 2003 stabilized the Serbian political situation somewhat by eliminating a number of small, relatively weak parties from the ruling coalition. While the nationalist Serbian Radical Party (SRS) won the most seats in the elections, the parties loosely considered to be prodemocratic or "pro-Western" were able to form a coalition government to keep the SRS from coming to power. The new Serbian government, formed in March 2004 after two months of wrangling, made Kostunica Serbia's new prime minister. The minority coalition was composed of the DSS, the liberal, reformist G17 Plus party led by the economists Miroljub Labus and Mladjan Dinkic, and the center-right Serbian Renewal Movement-New Serbia coalition led by Vuk Draskovic and former Cacak mayor Velimir Ilic (with tacit support from Milosevic's former party, the SPS).

Following three unsuccessful attempts to hold presidential elections during the course of 2002-2003, Serbia finally managed to elect a president in June 2004. In a tight race, Djindjic's successor as head of the DS, Boris Tadic, succeeded in gaining a victory over Tomislav Nikolic, the leader of the SRS. In September 2004, municipal elections throughout Serbia confirmed the DS and the SRS as the republic's leading parties, although turnout for the municipal elections was a meager 23 percent.

Serbia remains precariously divided between the 50-55 percent majority of the electorate that supports parties that overthrew Milosevic in 2000 and the 40-45 percent segment of the voting public that supports either the SRS or the SPS. To many observers, the greatest threat to Serbia's democratic transition is the inability of the DSS and the DS to form a coalition government, and there is considerable concern that a downturn in the economy or a major foreign policy shock (such as the loss of Kosovo), could lead many people to start supporting

more extreme parties such as the SRS. Indicative of the level of discord between political parties in Serbia is the fact that in September, the DS began a boycott of parliament, ostensibly to protest two members of its parliamentary caucus joining the ruling coalition, but also conveniently removing itself from parliament when serious matters such as the future of Kosovo, cooperation with the International Criminal Tribunal for the former Yugoslavia (ICTY), and the future of the state union itself were being addressed.

In Montenegro, Milo Djukanovic, who served as president from 1998 to 2002, stepped down as president in 2002 and became Montenegro's prime minister. (Djukanovic has served as either president or prime minister of Montenegro continuously since 1991.) Two attempts to elect a new Montenegrin president in 2002 failed after the elections did not attract the required 50 percent voter turnout. In February 2003, a new presidential law that dropped the 50 percent rule came into force. Subsequently, in May, Filip Vujanovic, a Djukanovic ally, was elected with 64 percent of the votes, with 48.3 percent of eligible voters participating, although the elections were marred by the refusal of opposition parties to field candidates.

Montenegro remains split between a majority Orthodox Christian population that declares itself to be Montenegrin and/or Serb and wants to maintain ties with Belgrade, and a minority population, consisting of Orthodox Christians supported by ethnic Albanians in Montenegro, some Muslims in the mainly Muslim Sandzak region, and some Roman Catholics along Montenegro's Adriatic coast, who prefer independence. Many Sandzak Muslims, however, prefer maintaining the union because separation would mean the division of the Sandzak region, and consequently, their ethno-religious community, between two independent states. There are other questions about Montenegro's ultimate stability as an independent state, especially given the Djukanovic regime's reputed ties to organized crime organizations. Djukanovic himself has reportedly been indicted by an Italian court for smuggling, and since 2000, three high-ranking police officials in Montenegro have been assassinated, as has the editor of a Podgorica newspaper critical of Djukanovic.

In November 2004, the EU adopted a "two-track mechanism" to guide Serbia and Montenegro's road toward EU membership, essentially allowing each republic to chart its own course toward fulfilling EU accession requirements. The two-track mechanism, however, still foresees Serbia and Montenegro acceding to the EU as a joint state. In November 2005, the EU approved the beginning of negotiations for a Stability and Association Agreement with Serbia and Montenegro.

While there is some debate within Serbia over whether it would be preferable for Serbia to go it alone in its efforts to gain EU accession (rather than maintaining ties with Montenegro), Serbian political parties advocating outright separation from Montenegro have fared poorly in recent elections. In Montenegro, public opinion between pro-independence and prounion supporters is almost evenly split—most public opinion polls suggest the pro-independence option gains 2 to 3 percentage points more support than the prounion option—but a considerable number of citizens (15-18 percent) remain undecided on the

issue. The Belgrade Agreement allowed for a Montenegrin referendum on independence within three years, and the government of Montenegrin prime minister Milo Djukanovic is planning to hold a referendum on this matter sometime in 2006.

Serbia continues to have considerable difficulties in its relations with the ICTY. In 2005, the Kostunica government's policy of facilitating "voluntary transfers" of indicted individuals to the ICTY was generally seen as successful in both satisfying the tribunal and preventing outbreaks of social discontent within the country. Fourteen such transfers were made during the course of the year, while six of those under indictment are believed to be at large in Serbia. Many citizens have opposed extraditing Serb military and political leaders to the ICTY, although the broadcast of a videotape on Serbian television in June showing a Serbian paramilitary unit executing six bound Muslim prisoners during the Bosnian war shocked many Serbs, and attitudes toward the ICTY changed significantly. Despite these overall improvements, Serbia's failure to apprehend and extradite one of the most wanted individuals from the Bosnian conflict, General Ratko Mladic, remains a major stumbling block in the country's quest for better relations with the EU and the United States.

In September, the World Bank named Serbia and Montenegro the leading reformer for 2005 of a group of 12 transition countries.

Political Rights and Civil Liberties

Citizens of Serbia and Montenegro can change their government democratically. The latest national elections were conducted freely and fairly. The chief executive in the state union of Serbia and Montenegro is the president, elected by the unicameral Assembly of Serbia and Montenegro, which is composed of 126 deputies (91 from Serbia and 35 from Montenegro). A major point of contention between the two republics has been the holding of direct popular elections for the state union Assembly as called for in the Belgrade Agreement (the current deputies have been nominated by their respective parliaments). Montenegro has consistently delayed scheduling elections in order to avoid the creation of popularly legitimized federal institutions.

Each republic elects its own president in direct popular elections, and each republican government also has its own prime minister. The Montenegrin National Assembly is a unicameral, 75-seat legislature, and the Serbian National Assembly is a unicameral, 250-seat legislature, with deputies in both assemblies elected to four-year terms of office.

Numerous political parties exist and compete for power in elections. The main parties in Serbia currently are the DS, the DSS, and the SRS. In Montenegro, the main parties are Montenegrin prime minister Milo Djukanovic's Democratic Party of Socialists (SDP), and the main opposition party, the Socialist People's Party of Montenegro (SNP-CG).

Corruption has decreased overall from the excesses of the Milosevic era. However, the popular perception, most probably due to greater media openness

of the problem, is that corruption remains at very high levels. Serbia and Montenegro was ranked 97 out of 159 countries surveyed in Transparency International's 2005 Corruption Perceptions Index.

Freedom of the press has improved significantly since the Milosevic period, when the regime controlled state-owned media and some prominent members of the independent media were assassinated by "unknown" assailants. In Montenegro, the publisher of a major opposition daily highly critical of the government, Dusko Jovanovic, was assassinated in May 2004. In August 2005, the Serbian parliament amended the broadcast law in such a way that critics claimed increased potential government control over the media. The amendments postponed privatization of local broadcast media until 2008. At the same time, the amendments allowed government-appointed members of the Broadcast Council to have six-year terms, while members appointed by nongovernmental organizations (NGOs) and professional journalist's organizations only have four-year terms.

Libel remains a criminal offense in Serbia. However, under the new Serbian criminal code adopted in September, libel can only be punished by fines, not by prison sentences. Media advocacy groups continue to call for libel to be decriminalized. In Montenegro as well, libel remains a criminal offense, but punishable by fines rather than prison terms. There were reports during the year that government officials in Montenegro threatened media outlets that covered governmental corruption. In 2004, the Serbian National Assembly passed the Law on Free Access to Information of Public Importance, although the Organization for Security and Cooperation in Europe (OSCE) has stated that improvements still need to be made to the law as it is now written. There were no reports of the government restricting access to the internet, although there were reports that the government was selectively monitoring e-mail correspondence.

According to the constitution, all citizens enjoy freedom of religious belief. However, with ethnic and religious identities closely intertwined in the region, increases in interethnic tensions often take on the appearance of religious intolerance. When Albanian extremists in Kosovo launched violent attacks against Serbs in Kosovo in March 2004, mobs in Belgrade and Nis responded by torching mosques in both cities. Restitution of church property nationalized by the Communists remains a point of dispute between church and state. Properties belonging to seven traditionally recognized religious communities in Serbia are tax-exempt, but the dozens of other religious groups operating in Serbia are required to pay taxes on their properties. There were no reports that the government attempted to restrict academic freedom during the year.

Citizens enjoy freedom of association and assembly. Foreign and domestic NGOs enjoy the freedom to pursue their activities. New laws that codify relations between trade unions and the government are currently being drafted.

Legal and judicial reform is under way, although progress has been slow because of the complicated political situation in the country. Five years after the fall of Milosevic, the Serbian government has still been unable to draft a new

constitution for the country, which is crucial for Serbia's EU accession plans. Corruption in the judicial system is perceived to be widespread. The judicial system is still plagued by a large backlog of cases, underpaid judges and state prosecutors, and an excess of judges left over from the Milosevic era, and the system takes an excessively long time in filing formal charges against suspects. Moreover, the authority and independence of the judicial system continue to suffer as a result of the failure of legislative institutions to heed judicial rulings. Prison conditions generally meet international standards.

The Montenegrin judicial system is also reported to lack independence from political authorities, and corruption within the judiciary remains a significant problem. In a case filed in October 2003, Prime Minister Djukanovic claimed that an opposition party member had committed libel by claiming that Djukanovic was engaged in human-trafficking operations. The judge fined the opposition leader in question, Miodrag Zivkovic, 8,000 euros after prohibiting Zivkovic from submitting any evidence to the court on his own behalf. The judge also refused to accept as evidence reports from the OSCE and the U.S. State Department. Defense requests for access to earlier investigations into the sex-trafficking scandal were also turned down.

Post-Milosevic reform of the military and security services continues to be an ongoing problem given the close ties between Milosevic-era security officials, networks supporting those indicted for war crimes, extreme nationalist forces, and some organized crime groups. Serbia and Montenegro officials maintain that one of their main foreign policy goals is to join NATO's Partnership for Peace program, and ultimately NATO itself, although these goals remain hotly debated in a country that was in conflict with NATO less than seven years ago.

Cultural and ethnic minorities have their own political parties, access to media in their mother tongue, and other types of associations. Nevertheless, the numbers of individuals from ethnic minorities participating in government do not represent their percentages in the entire population. There are frequent complaints of unfair treatment and police harassment of the Roma (Gypsy) community. During the March 2004 attacks against Serbs in Kosovo, mobs attacked mosques in Belgrade and Nis; however, senior government and political leaders quickly condemned the violence. In September 2005, the Kostunica government formed a National Minorities Council, whose task it will be to protect religious, linguistic, and other features of ethnic minorities living in Serbia.

Although women are legally entitled to equal pay for equal work, traditional patriarchal attitudes prevalent throughout the Balkans often limit women's roles in the economy. In general, women are underrepresented in higher levels of government. There are currently 13 women in the 126-seat state union parliament, 26 women in the 250-seat Serbian parliament, and 8 women in the 75-seat Montenegrin parliament. In October, the Serbian government set up a Council for Gender Equality to work on issues of importance to women. Domestic violence remains a serious problem. Some towns in southern Serbia have become an important part of the network trafficking women from the former Soviet Union to Western Europe for purposes of forced prostitution.