

## Serbia

**Country:**

[Serbia](#)

**Year:**

2016

**Freedom Status:**

Free

**Political Rights:**

2

**Civil Liberties:**

2

**Aggregate Score:**

78

**Freedom Rating:**

2.0

**Overview:**

In 2015, the Serbian Progressive Party (SNS) continued to govern with an absolute majority in the Serbian National Assembly. The SNS, a center-right party with a mandate focused on economic and social reform, has implemented an austerity program meant to revitalize the Serbian economy. In 2015, pensions were lowered and public-sector salaries were cut under new reform policies.

During the year, an influx of refugees and migrants fleeing sectarian violence and instability in North Africa, the Middle East, and elsewhere reached Serbia. The crisis placed a significant humanitarian and financial strain on Balkan countries, and contributed to tensions between them. In the fall, Croatian and Serbian officials traded insults, and Serbia implemented restrictions on Croatian goods while Croatia closed a number of its border crossings with Serbia. The row was eventually calmed by officials from the European Union (EU).

While disagreements over the status of Kosovo have slowed Serbia's path to EU membership, progress was registered in 2015. The first EU negotiation chapters, including one involving the normalization of relations with Kosovo, were opened in December. In 2015, the Serbian and Kosovo governments also reached an agreement on the status of ethnic Serbs in northern Kosovo, a step seen as the biggest move forward since the 2013 Brussels Agreement.

On a number of occasions in 2015, government officials including Prime Minister Aleksandar Vučić verbally harassed critical journalists and outlets. Several journalists experienced physical attacks during the year.

**Political Rights and Civil Liberties:**

**Political Rights: 30 / 40 (-1) [Key]**

## **A. Electoral Process: 10 / 12**

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 Nikolić, a former SNS leader, defeated incumbent president and Democratic Party (DS) leader Boris Tadić in a presidential runoff with 51 percent of the vote.

Early legislative elections took place in 2014 following a request from the SNS, which cited a need for a stronger mandate to implement political and economic reforms that would hasten the EU accession process. Critics claimed that the SNS rushed elections to capitalize on its lead in public opinion polls. In a field of 19 competing electoral lists, a five-party alliance led by the SNS won by a landslide, with 48 percent of the vote. The victory gave the SNS-led alliance 158 seats in the 250-seat National Assembly and propelled Vučić to the post of prime minister. Outgoing prime minister Ivica Dačić's Socialist Party of Serbia (SPS) and its junior partners took 44 seats, the DS won 19 seats, and a new party led by former president Tadić—the New Democratic Party—captured 18 seats. Three parties representing ethnic minorities took the remaining 11 seats. The elections were considered free and fair by international monitors.

In 2015, local elections took place in a number of smaller municipalities. General elections are scheduled for 2018. However, Prime Minister Vučić announced in August 2015 that elections could be called earlier.

The Republic Electoral Commission administers elections. Political parties must submit candidate lists to the commission at least fifteen 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 (-1)**

Since the ouster of authoritarian leader Slobodan Milošević in 2000, Serbian politics have witnessed a healthy rotation of power between left-wing and right-wing 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.

The strength of the political opposition has waned since 2012, with the fragmentation of the once-ruling DS a significant factor in the decline. New parties are able to form without restriction. Serbian voters can generally vote for the party they prefer without facing intimidation or coercion.

The country's five-percent electoral threshold does not apply to parties representing ethnic minorities. Parties representing the Albanian, Bosniak, and Hungarian ethnic groups won seats in the 2014 elections. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice.

## **C. Functioning of Government: 7 / 12**

Corruption remains a problem in many sectors, 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 agencies that combat corruption include the Anti-Corruption Agency and the ombudsman, known as the Protector of Citizens of Serbia. In December 2015, 80 people were arrested on corruption charges, including a former cabinet minister accused of abuse of office. Some saw the arrests, which took place after

Serbia opened an EU negotiation chapter on financial control, as part of a general push to deal with pervasive corruption and meet criteria for EU membership. Others suggested that political motivations prompted the sweep, as many of those arrested were members of opposition parties. Serbia was ranked 71 out of 168 countries and territories surveyed in Transparency International's 2015 Corruption Perceptions Index.

An initiative called Open Parliament launched a website in 2012 that documents parliamentary debates and legislative drafts, and aims to inform the public about legislation affecting people's lives. An Open Parliament report released in September 2015 said that less than a third of survey respondents were interested in politics, or believed in the effectiveness of civic engagement.

## **Civil Liberties: 48 / 60 (-1)**

### **D. Freedom of Expression and Belief: 14 / 16 (-1)**

There has been growing government hostility toward independent and critical media in recent years. The Balkan Investigative Reporting Network (BIRN), a regional media organization partly funded by foreign grants, came under attack by Prime Minister Vučić and other officials on several occasions in 2015 after it published reports critical of the government. There were a number of instances in which journalists were physically attacked in 2015. Most such attacks go unprosecuted. Self-censorship is a worsening phenomenon that journalists attribute not only to harassment that can follow critical or investigative reporting, but also to economic pressures, such as the risk of losing advertising contracts, in connection with such reports.

While there is no official censorship in Serbia, media outlets are thought to be aligned with specific political parties, and the public broadcaster Radio Television of Serbia (RTS) remains subject to strong government influence. 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 few economic and political actors. Media ownership is not fully transparent, and ownership of large, influential print media outlets in Serbia is often unclear.

The Serbian Constitution guarantees freedom of religion, which is generally respected in practice. However, given the legacy of socialism, many people remain secular. Relations between factions within the Muslim community in the largely Bosniak region of Sandžak—and between one of the factions and the Serbian government—have deteriorated in recent years.

Academic freedom is generally respected and opposing views are tolerated. However, accusations that politicians had plagiarized academic documents they claimed to have written themselves have raised questions about the quality and integrity of the Serbian education system. Additionally, in 2014, two academics were attacked outside their homes, in separate incidents that were each considered politically motivated or otherwise connected to their work. Private discussion is free and vibrant, and many Serbs take strong, personal positions toward politics.

### **E. Associational and Organizational Rights: 11 / 12**

Citizens enjoy freedoms of assembly and association. The government once again permitted a parade in support of LGBT (lesbian, gay, bisexual, transgender) rights in September 2015—the second consecutive year that the LGBT community was given explicit permission for the event, following three years of denials. Around 300 people, including government officials such as

Belgrade mayor Siniša Mali and Jadranka Joksimović, the minister responsible for EU integration, participated. The marchers were protected by riot police, and no violent incidents took place.

Foreign and domestic nongovernmental organizations (NGOs) generally operate freely, and many of them take openly critical stances toward the government. Many such organizations 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 Serbia, such as the Journalist' Association of Serbia (UNS) and the Judges' Association of Serbia (JAS).

## **F. Rule of Law: 10 / 16**

The judiciary in Serbia operates independently but endemic problems continue to plague the judicial system. A February 2015 World Bank report criticized lengthy trials and pervasive corruption, and noted that Serbian courts are inaccessible to some citizens due to high fees and attorney costs, as well as due to the lack of uniformly available legal aid.

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 certain ethnic groups remain a serious concern. Ethnic minorities are underrepresented in government. The country's main minority groups are the Bosniaks, concentrated in the Sandžak region; and the Hungarian community, concentrated in Vojvodina. Serbia is also home to Roma, Albanian, Croat, Montenegrin, and other communities.

In 2015, Serbia became a transit country for refugees and migrants trying to gain entry to the EU. In general, Serbia was praised for its handling of a difficult situation, but the burden on the country increased after Hungary closed its border with Serbia in the fall.

The treatment of LGBT people remains problematic. While the attitude toward the LGBT community is changing as more and more LGBT people decide to live openly, Serbian society still remains somewhat traditional. Increasingly tolerant actions by the government appear to be influencing those holding more conservative views.

## **G. Personal Autonomy and Individual Rights: 13 / 16**

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 (officially around 20 percent, but in reality higher). Serbian citizens can enter the Schengen area of the EU without a visa since 2010.

In general, property rights are respected, but dispute arbitration is slow. Serbian citizens can start their own business, 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 34 percent

of seats in the parliament. However, women face 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. A recent report by the UN Development Programme found that more than 50 percent of women in Central Serbia surveyed said they had experienced domestic violence in their lives. Domestic violence was criminalized in 2000, and since then several NGOs and safe houses have been established to deal with the problem.

Serbia has made efforts to address human trafficking, but those efforts tapered off somewhat in 2015. Migrants and refugees passing through the country are particularly susceptible to traffickers, as are Roma children.

### **Scoring Key: X / Y (Z)**

**X = Score Received**

**Y = Best Possible Score**

**Z = Change from Previous Year**

### **Full Methodology**

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