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[Home](#) > Serbia

Serbia

Country:

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Year:

2015

FIW Status:

F

PR Rating:

2

CL Rating:

2

Aggregate Score:

80

Combined Freedom Score:

2.0

Overview:

Amid tensions within the country's ruling coalition and a proposal for early elections initiated by the Serbian Progressive Party (SNS)—the leading party in the coalition—President Tomislav Nikolić scheduled legislative polls for March 2014, two years ahead of schedule. An SNS-led alliance won an absolute majority in the National Assembly, and SNS leader Aleksandar Vučić took the post of prime minister with an agenda of far-reaching reform.

In September, Serbian authorities permitted a pride parade in support of LGBT (lesbian, gay, bisexual, and transgender) rights to take place in Belgrade. This marked the first such parade to receive official permission since 2010, when counterdemonstrations led to widespread violence.

Despite concerns that Serbia would take a more nationalist tack after the 2012 elections, the country made notable progress on the path to European Union (EU) integration in 2014. In January, Serbia formally began accession negotiations following significant positive steps in an EU-led dialogue designed to improve relations between Serbia and Kosovo.

Explanatory Note:

The ratings for 2005 are for the State Union of Serbia and Montenegro. Kosovo is examined in a separate report.

Political Rights and Civil Liberties:

Political Rights: 31 / 40 (+1) [Key]

A. Electoral Process: 10 / 12 (+1)

The National Assembly is a unicameral, 250-seat legislature, with deputies elected to four-year terms according to party lists. The assembly elects the prime minister. The president, a largely ceremonial post, is popularly elected for up to two five-year terms. In 2012, Nikolić defeated incumbent president and Democratic Party (DS) leader Boris Tadić in a presidential runoff with 51.2 percent of the vote.

Early legislative elections took place in March 2014 following a request from the center-right SNS, which noted a need for a stronger mandate to implement political and economic reforms on the road to EU accession. 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 electoral alliance led by the SNS won by a landslide with 48.4 percent of the vote. The SNS captured 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 Democratic Party (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. The European Commission (EC) in its 2014 progress report noted that the elections were inclusive and transparent.

Despite the SNS bloc's absolute majority, Vučić formed a cabinet in April that also included members of smaller parties, as well as independent experts.

Elections are administered by the Republic Electoral Commission (REC), a permanent body. According to a 2011 Constitutional Court ruling, politicians elected on a party ticket are prohibited from filing a letter of resignation with the party before taking office. This practice had previously allowed party leaders to replace elected officials who proved disloyal.

B. Political Pluralism and Participation: 14 / 16

Under Serbia's multiparty system, the leading factions compete for influence. 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, with opposition coalitions boasting significant influence when not in power. 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. New parties are able to form without restriction; for example, former president Tadić formed the New Democratic Party in January 2014.

According to electoral regulations, women must account for at least 30 percent of a party's candidate list. The country's 5-percent electoral threshold does not apply to parties representing ethnic minorities. Of Serbia's 100 registered political parties, 70 represent 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

Serbia was ranked 78 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index. Corruption remains a serious concern, as implementation of anticorruption legislation is relatively weak, law enforcement agencies need to take a more proactive approach, and the judiciary has yet to establish a track record of convictions in corruption cases, according to the EC. However, the EC noted some improvements in its 2014 progress report. In August, the government announced plans to establish a coordinating body for implementing the anticorruption strategy and action plan, adopted in 2013 to last through 2018. The body, which held its first meeting in September, is headed by Prime Minister Vučić and includes Serbia's justice and finance ministers, as well as a representative of the Anti-Corruption Council. Throughout the year, the government worked on a number of legislative reform projects to increase transparency and accountability, including in public procurement, public administration, and the judiciary.

A Regional Police Coordination Centre for Serbia, Bosnia and Herzegovina, and Montenegro was opened in March 2014 to combat cross-border crime in the region. In June, an operational agreement to fight organized crime entered into force between Serbia and the European Police Office (Europol).

Civil Liberties: 49 / 60 (+1)

D. Freedom of Expression and Belief: 15 / 16

The press is generally free, although most 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, creating incentives for self-censorship, and media ownership is not fully transparent. Journalists face threats and even attacks, and media watchdogs noted an atmosphere of hostility between independent media and the Vučić administration throughout 2014. While internet access is generally unrestricted, the government faced allegations of online censorship in May after a number of websites criticizing the official response to severe flooding experienced attacks; some websites were temporarily disabled.

The constitution guarantees freedom of religion, which is generally respected in practice. Acts of religiously motivated discrimination remain a concern. Critics say the 2006 Law on Churches and Religious Communities privileges seven "traditional" religious communities by giving them tax-exempt status, while forcing other groups to go through cumbersome and inconsistent registration procedures. 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.

There were no reports of government restrictions on academic freedom in 2014. Private

discussion is generally free and vibrant, though the state of emergency declared after the floods in May empowered authorities to detain individuals for “inciting panic” or “disseminating false news,” including on social media platforms.

E. Associational and Organizational Rights: 11 / 12 (+1)

Citizens enjoy freedoms of assembly and association, though a 2009 law bans meetings of fascist organizations and the use of neo-Nazi symbols. Amid pressure from the EU and human rights groups, the government permitted a parade in support of LGBT rights to take place in September 2014, following three years of consecutive denials. Efforts were aided by an officer appointed by the Ministry of Interior in 2014 as a liaison for the LGBT community. The parade took place without major disturbances.

Foreign and domestic nongovernmental organizations (NGOs) generally operate freely. 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.

F. Rule of Law: 10 / 16

In 2012, the Constitutional Court abrogated a controversial reappointment procedure in effect during 2009 and 2010 that cost hundreds of judges and prosecutors their jobs; the officials who had appealed their “no reappointment” were reinstated. Many of these officials were reintegrated into the judiciary through an expansion of the system, initiated by legislation passed in 2013, that increased the number of basic courts to 66 in 2014. The legislation is part of the government’s 2013–18 judicial reform strategy to improve independence, competency, and efficiency in the government, including by strengthening the High Judicial and State Prosecutorial Councils. The legislation also mandates that Serbia no longer administer courts in northern Kosovo; negotiations on the issue between Serbian and Kosovar authorities were ongoing in 2014.

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. During a soccer match between Serbia and Albania held in Belgrade in October, confrontations at the stadium between the two teams, as well as between their respective fans, led to the suspension of the game. Following the suspension, violent groups attacked several businesses in Serbia owned by ethnic Albanians. Former ultranationalist leader Vojislav Šešelj, provisionally released from the International War Crimes Tribunal for Former Yugoslavia where he has been on trial for alleged war crimes, drew thousands of supporters to an antigovernment protest in November in Belgrade.

Ethnic minorities are underrepresented in government. The country’s main minority groups are the Bosniaks (Muslim Slavs), 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 2013, the government began implementation of a law enabling the roughly 6,500 people in Serbia without a birth certificate, most of them Roma, to

obtain documentation; implementation remained incomplete in 2014. In October, authorities adopted an action plan for Serbia's 2013–18 antidiscrimination strategy, which aims to address widespread prejudice and mistreatment of ethnic and other minorities, including LGBT people. In September, a German activist was brutally attacked in Belgrade, where he was attending a conference on LGBT rights.

G. Personal Autonomy and Individual Rights: 13 / 16

There are no restrictions on travel within Serbia or between Serbia and most other countries. However, taxes imposed on travelers between Serbia and Kosovo are steep and constrain freedom of movement for poorer residents. Corruption is rife in the education sector, and bribery to enter universities and obtain good marks is widespread, undermining the credibility and efficacy of higher education.

The state sector remains a large portion of Serbia's economy, as does the gray economy. Since 2009, Serbia has struggled with stagnation and recession, which worsened in 2014. Unemployment hovers around 25 percent, and youth unemployment is of particular concern. In May 2014, Serbia began negotiations with the International Monetary Fund (IMF) for a loan program to restore the country's economic growth; the IMF had not approved a deal by year's end.

Women comprise 34 percent of the parliament. Although women are legally entitled to equal pay for equal work, traditional attitudes often limit their economic role. A 2009 law on gender equality provides a range of protections in employment, health, education, and politics. Domestic violence remains a serious problem. Serbia is a source, transit, and destination country for the trafficking of men, women, and children.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

Full Methodology

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