

FREEDOM IN THE WORLD 2021

Serbia

PARTLY FREE

64

/100

<u>Political Rights</u>	22 /40
<u>Civil Liberties</u>	42 /60

LAST YEAR'S SCORE & STATUS

66 /100 **Partly Free**

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



Overview

Serbia is a parliamentary democracy with competitive multiparty elections, but in recent years the ruling Serbian Progressive Party (SNS) has steadily eroded political rights and civil liberties, putting pressure on independent media, the political opposition, and civil society organizations.

Key Developments in 2020

- An electoral list headed by the SNS won the June parliamentary elections, securing a parliamentary supermajority. Opposition parties that held seats during the previous legislative term largely boycotted the contest, saying they were unfairly conducted; in February, weeks before the contest was originally scheduled, legislators lowered the voting threshold to win seats in an apparent effort to lessen the effectiveness of a boycott.
- Riot police responded forcefully to protests in Belgrade in July, with demonstrators rallying against the announcement of a COVID-19 lockdown, other government policies, and of President Aleksandar Vučić's conduct in office. Police were observed attacking protesters, bystanders, and journalists while seeking to disperse the demonstrations, which lasted several days.
- Officials responded to the COVID-19 pandemic opaquely, withholding information on pandemic-related deaths in social care institutions despite calls to release the information in July. Medical professionals who criticized the government's handling of the pandemic faced retaliation and dismissal, with signatories of an open letter published in July subsequently facing disciplinary proceedings.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

3/4

The president is directly elected for up to two five-year terms. In 2017, then prime minister Aleksandar Vučić won the election with 55 percent of the vote in a field of 11 candidates. The campaign was characterized by media bias and allegations of misuse of public resources and vote buying. Vučić remained prime minister throughout that election period, blurring the line between official and electoral activities.

The prime minister is elected by the parliament. Vučić named Ana Brnabić, then the local government minister, to succeed him as prime minister following the 2017 presidential election. In October 2020, Brnabić was again confirmed to the post, after the SNS retained power in the June parliamentary elections.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

2/4

The National Assembly is a unicameral, 250-seat legislature whose deputies are elected to four-year terms under a system of proportional representation with a single nationwide constituency. Parliamentary elections were held in Serbia, together with elections in the Autonomous Province of Vojvodina and several municipalities, in June 2020. Initially scheduled for April, they were postponed by a state of emergency put in place due to the COVID-19 pandemic.

The Aleksandar Vučić–For Our Children electoral list, led by the SNS, won 60.7 percent of the vote and 188 seats. The allied Socialist Party and its electoral-list partner, United Serbia, won a combined 32, while the Serbian Patriotic Alliance won 11. Ethnic minority lists, which did not have to surpass the parliamentary threshold to attain representation, won the remaining seats.

Opposition groups that held seats in the previous parliament largely boycotted the June poll, saying the electoral environment was neither free nor fair. Several weeks before the poll was originally scheduled, the parliament reduced the voting threshold to win seats from five percent to three, in what was considered an effort to reduce the effectiveness of the opposition boycott. Turnout was 48.9 percent, the lowest since the introduction of multiparty elections in 1990.

Observers reported numerous irregularities during the campaign and on election day. The Organization for Security and Co-operation in Europe’s (OSCE) Office for Democratic Institutions and Human Rights (ODIHR) noted that President Vučić’s “continued engagement” as head of state and SNS leader “afforded him unparalleled public exposure, without clear differentiation of his roles.” Progovernment parties benefited from a preponderance of television coverage, while voters—especially public-sector workers—were pressured to support the government, according to citizen observers. Parallel voter lists were used to track voters during the poll, while vote buying and the casting of multiple ballots voters were also reported.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?	2/4
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Electoral laws largely correspond to international standards, but aspects of the electoral process are poorly regulated, and implementation of existing rules is flawed in some respects. In its report on the June 2020 elections, ODIHR noted long-running concerns over electoral administration, dispute resolution, and the handling of electoral violations.

Electoral management is often nontransparent; laws, mechanisms, and regulations regarding voter-roll management, campaign finance, compliance with related financial restrictions, candidates’ use of their own funds, and the public hearing of electoral challenges are either opaque or lacking.

In February 2020, the parliament enacted electoral amendments that reduced the threshold to win seats from five percent to three and introduced a 40 percent gender

quota for party lists. The parliament's decision to lower the threshold weeks before the parliamentary elections were originally scheduled was regarded as an attempt to weaken an opposition boycott.

Score Change: The score declined from 3 to 2 because the electoral framework was amended prior to a regularly scheduled parliamentary election in an attempt to thwart an opposition boycott.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

3/4

Political parties may be established freely and can typically operate without encountering formal restrictions. However, campaign finance regulations are weakly enforced and place no overall cap on the private funds raised and spent by parties and candidates. Following the 2017 presidential election, the OSCE reported that the Anti-Corruption Agency (ACA) had decreased the resources dedicated to proactively monitoring campaign funds and did not thoroughly investigate dubious donations. The Balkan Investigative Reporting Network found that the SNS had orchestrated the use of thousands of proxy donors to bypass legal limits on individual donations and disguise the true source of funding.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

2/4

There have been peaceful transfers of power between rival parties over the past two decades, and the political system remains competitive. However, the SNS has used various tactics to unfairly reduce the opposition's electoral prospects. These include manipulating the timing of snap elections, exerting pressure on independent state institutions, and mobilizing public resources to support its campaigns.

The SNS has expanded its influence over the media through both state-owned enterprises and an array of private outlets that are dependent on government funding, and has harnessed this influence to strengthen its political position and discredit its rivals, further reducing opposition parties' competitiveness. Opposition figures have also faced escalating harassment and violence in recent years.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?	2/4
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Voters enjoy a significant degree of freedom to make political decisions without undue interference, though the ruling party and allied private businesses allegedly use patronage networks to influence political outcomes.

Various incentives have also been employed in recent years to convince hundreds of local elected officials to form alliances with the SNS or change their party affiliation after elections. SNS electoral campaigns have allegedly benefited from the misuse of public resources, such as use of public buses to transport loyalists to rallies. Local observers reported that workers at state-owned enterprises were pressured to support the ruling SNS during the June 2020 elections. SNS operatives have also been known to intimidate voters directly, by appearing at their homes and pressuring them to support the party.

Separately, Russia has been accused of attempting to influence Serbian politics through its state-owned media and an array of small pro-Russian parties, media outlets, and civil society groups in Serbia.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

3/4

The country's electoral threshold for parliamentary representation does not apply to parties representing ethnic minorities. Groups centered on the ethnic Albanian, Bosniak, and Hungarian communities won 19 parliamentary seats in the June 2020 elections. Nevertheless, ethnic minorities have a relatively muted voice in Serbian politics in practice.

Women enjoy equal political rights and benefit from a party-list gender quota. Women won 38.8 percent of parliamentary seats in the June 2020 elections. Ana Brnabić became Serbia's first woman and first gay prime minister in 2017, but critics argued that her appointment was a superficial bid to showcase claims of openness toward the LGBT+ community without systematic engagement on issues important to LGBT+ people.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

2/4

Vučić's move to the presidency in 2017 raised new concerns about the personalization of governance and politicization of state institutions. Vučić has remained the dominant figure in government despite the presidency's limited executive powers under the constitution, creating a de facto presidential system. In October 2020, before a new government was finalized, Vučić announced that early parliamentary elections would be held in April 2022.

Moreover, the executive largely controls the legislative process, and opposition lawmakers are sidelined through the disproportionate use of disciplinary measures, frequent use of accelerated legislative procedures, and late changes to the legislative agenda, among other tactics.

C2 0-4 pts

Are safeguards against official corruption strong and effective?	1 / 4
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Although the number of arrests and prosecutions for corruption has risen in recent years, high-profile convictions are very rare. Critics have credibly accused Vučić and the SNS government of having ties to organized crime, and cronyism—in the form of jobs provided to allies of the president and the ruling party—is reportedly common. The responsibility for prosecuting corruption cases has been passed among different public prosecutors, who typically fault the police for supplying insufficient evidence in cases against government ministers. The work of the ACA is also undermined in part by the ambiguous division of responsibilities among other entities tasked with combating corruption.

Notable cases that came to light in recent years without being resolved include those of Nenad Popović, a minister without portfolio who was implicated in a questionable privatization that caused an electrical transformer manufacturer to declare bankruptcy; Finance Minister Siniša Mali, whom anticorruption agencies have investigated for suspected money laundering; and Health Minister Zlatibor Lončar, who allegedly has links to an organized crime group.

Senior officials' close relatives and associates have also faced corruption allegations. For example, a series of reports and leaked documents since 2018 tied the father of then interior minister—now Defense Minister—Nebojša Stefanović to an arms-trading scheme and other malfeasance. Aleksandar Obradović, a whistleblower who implicated Stefanović's father in the purchase of arms from the state at reduced rates, was arrested in September 2019, potentially deterring others with knowledge of corruption from coming forward. Obradović remained under investigation, and suspended from his place of work, as recently as September 2020.

C3 0-4 pts

Does the government operate with openness and transparency?

2/4

The government has received sustained criticism for a lack of transparency in large-scale infrastructure projects and for secrecy surrounding public tenders. For example, details about the state-funded Belgrade Waterfront project, which includes the construction of hotels and luxury apartments and has been beset by controversy since its announcement in 2012, have not been made available to the public. Serbian defense spending is also opaque. In August 2020, the International Monetary Fund (IMF) warned that government aid to the publicly owned Air Serbia was not sufficiently transparent in a regular report on IMF activity in the country.

Legislators do not have adequate opportunities to ask questions about government activities and legislation, and the vast majority of parliamentary questions go unanswered by the government.

Public officials are subject to asset disclosure rules overseen by the ACA, but penalties for violations are uncommon. While a 2004 freedom of information law empowers citizens and journalists to obtain information of public importance, authorities frequently obstruct requests in practice.

The government did release data on the spread of COVID-19, but did initially disclose deaths in social care institutions; it pledged to release those figures in late July 2020 after disability rights groups called for more transparency, but reportedly did not do so by year's end.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

Are there free and independent media?

2/4

Despite a constitution that guarantees freedom of the press and a penal code that does not treat libel as a criminal offense, media freedom is undermined by the threat of lawsuits or criminal charges against journalists for other offenses, lack of transparency in media ownership, editorial pressure from politicians and politically connected media owners, direct pressure and threats against journalists, and high rates of self-censorship. The Regulatory Body for Electronic Media has been criticized for a lack of independence. Journalists have faced physical attacks, smear campaigns, punitive tax inspections, and other forms of pressure.

The state and ruling party exercise influence over private media in part through advertising contracts and other indirect subsidies. Many private outlets are owned by SNS supporters. Some privately owned national broadcasters and popular tabloids regularly participate in smear campaigns against the political opposition and other perceived government opponents. The incumbent political parties generally receive the majority of media coverage from public broadcasters.

Several acts of violence were committed against journalists in 2020. The Independent Journalists' Association of Serbia counted 28 physical assaults and 33 incidents of intimidation directed at journalists during the first eight months of the year. In July, at least ten journalists who observed COVID-19-related protests in Belgrade were attacked by demonstrators and police officers.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

4/4

The constitution guarantees freedom of religion, which is generally respected in practice.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

3/4

Academic freedom has largely been upheld, though recent practice and legal changes have raised concerns about political influence. The Law on Higher Education, adopted by the National Assembly in 2017, increased the presence of state-appointed members on the National Council for Higher Education and a national accreditation body; another education law, also adopted in 2017, gave the education minister centralized control over the appointment of school principals.

Over the last several years, senior state officials have been accused of plagiarizing their doctoral theses, stirring debate within academia and casting doubt on the autonomy of university administrative bodies. The officials implicated include Defense Minister Stefanović, Finance Minister Mali, and National Bank Governor Jorgovanka Tabaković. The plagiarism controversies triggered a smear campaign against academics who expressed criticism of the government and the accused officials.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

3/4

Private discussion is generally free and vibrant, but a pattern of retribution against high-profile critics of the government has contributed to an increasingly hostile environment for free expression and open debate. Perceived government opponents, including journalists, university professors, civil society leaders, celebrities, and ordinary citizens, have faced smear campaigns in progovernment media outlets, criminal investigations, and other retaliatory measures in recent years. In some cases, the government's highest-ranking officials took part in discrediting nonpolitical figures based on their public criticism of government policies.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?	3/4
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Citizens are generally able to exercise freedom of assembly, though over 30 ongoing prosecutions were launched against activists associated with the protest movement Ne davimo Beograd (Don't Drown Belgrade), which had organized demonstrations against the contentious development project on Belgrade's waterfront, in the recent past.

After the Vučić administration instituted a COVID-19-related lockdown in Belgrade in July 2020, thousands of demonstrators rallied against the announcement, the government's overall pandemic response, and Vučić's conduct as president. Riot police in Belgrade responded forcefully, targeting participants, bystanders, and journalists with physical attacks, chases, and tear gas. Protests, which were also held in several other cities, continued for several days after the government reversed its decision to initiate the lockdown.

Score Change: The score declined from 4 to 3 because protests held in July were met with excessive force by riot police, who attacked protesters, bystanders, and journalists.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work?	3/4
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Foreign and domestic nongovernmental organizations generally operate freely, but those that take openly critical stances toward the government or address sensitive or controversial topics have faced threats and harassment in recent years.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?	3/4
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Workers may legally join unions, engage in collective bargaining, and strike, but the International Trade Union Confederation has reported that organizing efforts and strikes are often restricted in practice, with employers allegedly retaliating against workers and union activists.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?	2/4
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The independence of the judiciary is compromised by political influence over judicial appointments, and many judges have reported facing external pressure regarding their rulings. Politicians regularly comment on judicial matters, including by discussing ongoing cases or investigations with the media.

F2 0-4 pts

Does due process prevail in civil and criminal matters?	2/4
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Due process guarantees are upheld in some cases, but corruption, lack of capacity, and political influence often undermine these protections. Among other problems, rules on the random assignment of cases to judges and prosecutors are not consistently observed, and mechanisms for obtaining restitution in civil matters are

ineffective. High-profile, politically sensitive cases are especially vulnerable to interference.

In July 2020, an appeals court overturned the convictions of four security officials for the 1999 killing of journalist Slavko Ćuruvija, after the court found that the 2019 verdicts violated criminal procedure. A new trial was pending at year's end.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?	3/4
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The population is generally free from major threats to physical security, though some prison facilities suffer from overcrowding, abuse, and inadequate health care. Radical right-wing organizations and violent sports fans who target ethnic minorities and other perceived enemies also remain a concern.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?	2/4
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Legal safeguards for socially vulnerable groups are poorly enforced. For example, women are legally entitled to equal pay for equal work, but this rule is not widely respected. The Romany minority is especially disadvantaged by discrimination in employment, housing, and education. LGBT+ people continue to face hate speech, threats, and even physical violence, and perpetrators are rarely punished despite laws addressing hate crimes and discrimination. The government has made some gestures of support for the rights of LGBT+ people, for example by sending representatives to pride events and ensuring adequate police protection for parades.

Individuals living with disabilities are among those who live in social care institutions, and have faced protracted periods of isolation as the COVID-19 pandemic progressed. In July 2020, disability rights groups signed a letter calling on the government to report on COVID-19 deaths in social-care settings and warned that the treatment of

residents with disabilities violated the Convention on the Rights of Persons with Disabilities, to which Serbia is a signatory.

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?	4/4
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There are no formal restrictions on freedom of movement. Serbians are free to change their place of employment and education, and have the right to travel.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?	3/4
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In general, property rights are respected, but adjudication of disputes is slow, and problems such as illegal construction and fraud persist. An estimated two million buildings in Serbia are not registered. Romany residents are often subject to forced evictions, and those evicted are generally not offered alternative housing or access to legal remedies to challenge eviction notices.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?	3/4
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Personal social freedoms are generally respected, and men and women have equal legal rights on personal status matters like marriage and divorce. A new law aimed at

preventing domestic violence took effect in 2017, but such violence remains a problem; Serbia has one of the highest rates of domestic violence in Europe.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

2/4

Residents generally have access to economic opportunity, but factors such as weak macroeconomic growth and a relatively high rate of unemployment contribute to labor exploitation in some industries. Several reports in recent years have described worsening conditions in factories, particularly those that produce shoes and garments, including low wages, unpaid overtime, and hazardous work environments. Legal protections designed to prevent such abuses are not well enforced. According to the Ministry of Labor, Employment, Veterans Affairs, and Social Affairs, 53 workers died in workplace accidents in 2018, and a similar number of occupational fatalities was reported for 2019.



On Serbia

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Country Facts

Global Freedom Score

64/100 Partly Free

Other Years

2020

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