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**DISSERTATION: THE POLITICAL STATUS IN SERBIA AFTER
THE WAR OF 1999**

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TABLE OF CONTENTS

INTRODUCTION	3
POLITICAL TRANSITION	7
I.EVENTS PRECEDING THE ELECTIONS	7
II.PRESIDENTIAL ELECTIONS 2000.....	8
III.DEMOCRATIC OPPOSITION OF SERBIA(DOS).....	9
IV.PROTESTS AND THE OVERTHROW OF SLOBODAN MILOCEVIC	10
THE TRIAL OF FORMER YUGOSLAV PRESIDENT MILOCEVIC	11
ASSASSINATION OF ZORAN DJINDJIC	12
PARLIAMENTARY ELECTIONS 2003.....	13
PRESIDENTIAL ELECTIONS 2004.....	15
SERBIA AND MONTENEGRO:THE UNION AND THE END OF A STATE	16
SERBIAN CONSTITUTIONAL REFERENDUM 2006.....	17
THE CONSTITUTION	17
PARLIAMENTARY ELECTIONS 2007.....	19
PRESIDENTIAL ELECTIONS 2008.....	20
INDEPENDENCE OF KOSOVO	21
UN GENERAL ASSEMBLY RESOLUTION	24
EUROPEAN UNION RULE OF LAW MISSION TO KOSOVO (EULEX)	24
SERBIA AND EUROPEAN UNION	26
ORGANIZED CRIME AND CORRUPTION	30
CO-OPERATION WITH ICTY	32
PARLIAMENTARY ELECTIONS 2008.....	33
PARTY SYSTEM OF SERBIA	35
FRAMEWORK OF PARTY SYSTEM	37
MAJOR POLITICAL PARTIES	39
OTHER POLITICAL PARTIES	41
SOCIAL CLEAVAGES IN SERBIA	44
CONCLUSION	45
BIBLIOGRAPHY-REFERENCES	48

INTRODUCTION

When on October 7 2000, Vojislav Kostunica was sworn in as president of Yugoslavia, it was the culmination of two weeks of dramatic developments. Results from the elections held on September 24 showed that Kostunica, the candidate of the 18-member coalition known as the Democratic Opposition of Serbia, had defeated Pres. Slobodan Milosevic. The Milosevic government, however, was unwilling to accept defeat, claiming that Kostunica had not received a majority of the votes and that a runoff would thus be necessary. Citizens took to the streets; workers went on strike; and on October 5 protesters set fire to the parliament building in Belgrade. When it became clear that he was being abandoned by government agencies, including the police, Milosevic announced on October 6 that he would step down. Kostunica and his supporters then began to assume the control of key ministries and institutions and to undertake the governing of Yugoslavia.

According to John Cox¹, the decision to extradite Slobodan Milosevic in 2001 to stand trial at the UN War Crimes Tribunal in the Hague -had indicted him on 66 counts of genocide and other crimes, for his role in prosecuting ethnic cleansing and wars in the Balkans - marked an important turning point in Serbia's international prospects although it did little to end political instability within Serbia itself. The assassination only two years later in 2003 of the then Serbian Prime Minister, Zoran Djindjic, carried out by Serbian intelligence officers served to highlight the dangerous divides within and between Serbia's ruling political and security elites.

The election of Boris Tadic to the Presidency in 2004, along with his commitment to EU integration, helped to ensure that by 2005 Serbia's political and international fortunes were looking better, aided in no small measure by the European Commission's decision to open negotiations on a Stabilization and Association Agreement—an important first step towards EU integration. However, the EU's subsequent decision to suspend talks on 3 May 2006 because of Serbia's failure to co-operate fully with the International Criminal Tribunal for the Former Yugoslavia (ICTY), by capturing or identifying the whereabouts of former Bosnian Serb military commander Ratko Mladic, was a significant blow to Serbia's progress.

Meanwhile, Slobodan Milosevic died of a heart attack in 11 March 2006 at the UN detention center at The Hague. His death precluded a verdict in his four-year trial, leaving open wounds and dashed hopes that he would be held accountable for the death of more than 200,000 people.

On 21 May 2006 Montenegrins voted by 55.5% to 44.5% to terminate their three

¹ Cox K. John, *THE HISTORY OF SERBIA*, "After Milosevic: A new beginning" (2004), pp 175-195

year State Union with Serbia. The Union had been formed in 2003 from the break-up of the former Yugoslavia with the option for both parties to leave after three years. Brad Blitz² noted that nevertheless the result came as a shock to the people of Serbia, and their leaders, and added another layer of complexity to Belgrade's already turbulent political set-up. While Serbia's President Boris Tadic congratulated the Montenegrins, the Prime Minister Vojislav Kostunica was unhappy with result. Montenegro's formal declaration of independence on 3 June 2006 and Serbia's formal declaration of independence on 5 June ended what was effectively a loose political confederation.

Although tensions and differences between the Serbian President and Prime Minister pre-dated the referendum, the break with Montenegro aggravated existing grievances. It also served to shift the political focus away from everyday policies onto constitutional issues, personnel changes and elections, thus removing any residual momentum for internal reform which had already slowed following the EU's decision to freeze the Stabilization agreement.

In October 2006 Serbia agreed a new constitution by referendum. Over the next year Serbia faced further difficulties. On 26 February 2007 the International Court of Justice announced its ruling on Serbia's role in the 1992-95 Bosnian war. The Court cleared Serbia³ of direct involvement in genocide during the war, but ruled that Belgrade had breached international law by failing to prevent the 1995 Srebrenica genocide, and for failing to try or transfer the persons accused of genocide to the ICTY, in order to comply with its obligations under the UN's genocide convention, in particular in respect of General Ratko Mladic.

In the 2007 National Assembly elections, the nationalist Serbian Radical Party (SRS) became the largest party in parliament, winning 81 of the 250 seats. However, it was not able to form a government on its own. Consequently in May, a coalition government was formed that comprised the Democratic Party (DS) of pro-European President Tadic, the moderate nationalist Democratic Party of Serbia (DSS), the New Serbia (NS) party and the "G17 Plus party". The coalition controlled 130 seats in all and the new government was led by Prime Minister Kostunica of the DSS.

Central to Serbia's political life in 2008 has been the status of Kosovo and its relationship with Serbia. The Final Status Talks on Kosovo to determine Kosovo's future governance arrangements started in Vienna in 2006 under the auspices of the UN. During the talks Serbian negotiators stuck to their original position, as

² Blitz K. Brad, *WAR AND CHANGE IN THE BALKANS*, " Nationalism, conflict and cooperation" (2006), pp 13-30 and 239-267

³ Bideleux Robert and Ian Jeffries, *THE BALKANS: A POST-COMMUNIST HISTORY* " Serbia: from Serbdom to pariahdom" (2007), pp 233-321

outlined in Serbia's amended 2006 Constitution, that Kosovo⁴—which many Serbs regard as the cradle of their heritage and civilization—was entitled to substantial autonomy as an autonomous province of Serbia, but not full independence. With a negotiated settlement unlikely and Kosovan authorities threatening to issue a unilateral declaration of independence, Maarti Ahtisaari, who was chairing the negotiations, presented a proposal for the future status of Kosovo in February 2007.

The “Comprehensive Proposal for the Kosovo Status Settlement” recommended a form of independence for Kosovo supervised by the international community. On 3 April 2007, at the beginning of a debate in the UN Security Council, Prime Minister Kostunica declared that Serbia rejected the Proposal (following a vote in the Serbian legislature in February), and requested that a new mediator be appointed. On 5 April Ahtisaari's plan was approved by 100 of 101 votes cast in the Kosovo Assembly. In August 2007, after Russia obstructed the adoption of a resolution based on Ahtisaari's plan at the UN Security Council, a further series of negotiations began between the Serbian and Kosovo delegations, with mediation by the USA, the EU and Russia.

Ultimately, Kosovo declared independence on 17 February 2008. A Resolution of the Assembly of Kosovo declared Kosovo a sovereign state independent from Serbia. The decision was based on Ahtisaari's Comprehensive Proposal for the Kosovo Status Settlement in accordance with UN Security Council Resolution 1244 of 1999.

Serbia, with the continued support of Russia, immediately protested that the declaration of independence contravened international law and demanded that it be annulled. The NATO Kosovo force, KFOR, reinforced the border with Serbia, after the destruction of two border posts by Serb protesters and reports that Serbian security forces had entered northern Kosovo. Several states, including Albania, France, the USA and the United Kingdom, extended recognition to Kosovo on 18 February, followed by others; Serbia immediately recalled its ambassadors based in those countries. On 21 February Serb protesters rioted in Belgrade, attacking several embassies, including that of the United Kingdom and the USA.

Tadic was reelected in February 2008. Shortly thereafter, Kosovo declared its independence, an act that Serbia refused to recognize. Tensions in the government over joining the EU, many of whose members had recognized Kosovo, led Kostunica (who objected to proceeding with EU membership) to resign, and new elections were called for May, 2008. Tadic's Democratic Party placed first, and after negotiations formed a government (July) with the Socialists, who favored entering the EU; Democrat Mirko Cvetkovic became prime minister. One apparent effect of the new government's installation was the arrest (July) in Serbia of

⁴ King Iain and White Masow, *PEACE AT ANY PRICE HOW THE WORLD FAILED KOSOVO*, “Why the world failed to transform Kosovo” (2006), pp 189-233

Radovan Karadzic, the former Bosnian Serb leader wanted on war crimes charges, and his extradition to the Hague.

Finally, Serbia is a potential candidate country for EU accession⁵ following the Thessaloniki European Council of June 2003. On 29 April 2008, the EU and Serbia signed the Stabilization and Association Agreement (SAA) and the Interim Agreement on Trade and Trade-related issues . The SAA will be submitted to parliaments for ratification and the implementation of the Interim Agreement will start as soon as the Council decides that Serbia fully co-operates with the International Criminal Tribunal for the former Yugoslavia (ICTY). On 1 January 2008, a visa facilitation and a readmission agreement between Serbia and the EU came into force. On 15 July 2009 the European Commission proposed to grant visa liberalization to Serbia.

⁵ Djelic, B, *ADRESS TO THE EUROPEAN PARLIAMENT*, "Foreign affairs committee" (2008), pp 82-95 Strasbourg, France

POLITICAL TRANSITION

I. EVENTS PRECEDING THE ELECTIONS

A series of events occurred in 2000 in the Federal Republic of Yugoslavia, following the presidential elections and culminating in the downfall of Slobodan Milošević's regime on 5 October 2000. It is sometimes referred to as the '5th October Overthrow' and sometimes colloquially called as Bulldozer Revolution.

Prior to this, Milošević was cracking down on opposition, non-government organizations and independent media. As the end of his first term in office of the president of Yugoslavia approached (he had previously been elected president of Serbia in two terms, from 1990 to 1997), on 6 July 2000, the rules of the election of the president were changed. Whilst the president of Yugoslavia had previously been chosen for one term only by the legislature, in the Yugoslav parliament, it was now to be directly elected via the two-round voting system of presidential elections with a maximum of two terms. Many onlookers believed that Milošević's intentions for supporting such reforms had more to do with keeping his own power than with improved democracy.⁶ On 27 July 2000, the authorities announced that the early elections were to be held 24 September 2000, although Milošević's term wouldn't expire until June 2001. The elections for the upper house of the federal parliament, as well as the local elections were also scheduled to be held on the same date.

Soon after the announcement, the anti-regime youth movement Otpor led the campaign to topple the regime and bring in a more democratic one. To have a unified opposition, eighteen opposition parties in Serbia formed the Democratic Opposition of Serbia (DOS) coalition, with Vojislav Kostunica as the candidate to confront Milošević. Apart from this, two major opposition parties, Serbian Radical Party and Serbian Renewal Movement also had their candidates (Tomislav Nikolić and Vojislav Mihailović, respectively), but the main battle of the elections was the one between Milošević and Kostunica. The election campaign lasted for about two months, and was extremely tense, with numerous incidents, accusations of treason, independent media shutdowns and even murders. Ivan Stambolić, former president of the Presidency of Serbia, and former Milošević's associate, but now a DOS supporter, was kidnapped and murdered by Special Operations Unit officers 25 August 2000, one month prior to the elections. (In 2005, the court found that the order for Stambolić's assassination came from Milošević.⁷)

⁶ "Milosevic: No signs of bowing out" BBC News. 6 July 2000

⁷ "Timeline of un uprising" BBC News 18 July 2005

II. PRESIDENTIAL ELECTIONS 2000

The vote took place on 24 September 2000. The DOS coalition reported that Vojislav Kostunica won over half of the votes. The regime-controlled Federal Electoral Committee claimed that no candidate won over 50% of the votes and that a second round between Kostunica and Milosevic would take place. The vote was largely boycotted in Montenegro and by Kosovo Albanians. Yet, Milosevic officially won by large margin in these parts of the country. This obvious discrepancy and numerous irregularities made the accusations of a systematic election fraud stronger and have led DOS to call for peaceful protest to topple the regime. Some obvious irregularities could be found in the Federal Electoral Committee official results. For example, the



sum of the numbers of valid and invalid votes wasn't equal to the number of voters; the sum of the numbers of the voters voting at the polling stations and the voters voting at home exceeded the total number of voters; the sum of the numbers of the used and the unused ballot papers was short by 117,244 in comparison to the number of eligible voters, the number of eligible voters was different from the one announced before the elections and has differed in the presidential, federal and local elections results, etc. All of these discrepancies provoked massive outrage. The results were declared false immediately after the 5 October overthrow and the new official results were declared shortly afterwards.

OFFICIAL RESULTS OF PRESIDENTIAL ELECTIONS 2000 IN SERBIA			
CANDIDATES	NOMINATING PARTIES	VOTES	%
VOJISLAV KOSTUNICA	DEMOCRATIC OPPOSITION OF SERBIA	2,470,304	50.24
SLOBODAN MOLOSEVIC	SOCIALIST PARTY OF SERBIA	1,826,799	37.15
TOMOSLAV NIKOLIC	SERBIAN RADICAL PARTY	289,013	5.88
VOJISLAV MIHAILOVIC	SERBIAN RENEWAL MOVEMENT	145,019	2.95
MIODRAG VIDOJKOVIC	AFFIRMATIVE PARTY	45,964	0.93
TOTAL VALID VOTES (PERCENTAGE OF TOTAL VOTES)		4,778,929	97.19
INVALID VOTES (PERCENTAGE OF TOTAL VOTES)		137,991	2.81
TOTAL VOTES (TURNOUT))		4,916,920	71.55
ELIGIBLE VOTES		6,871,595	-

III. DEMOCRATIC OPPOSITION OF SERBIA (DOS)

The Democratic opposition of Serbia (DOS)⁸ – formed in January 2000 – is a heterogeneous coalition both in terms of size and political platforms of its members.

Before the ousting of the previous regime on October 5, 2000, DOS was dominated by the Democratic Party (DS), the most numerous and influential of all. Parties united in DOS belonged to various “political families”: liberals, nationalists and socialists (more precisely: social democrats). It was a wide alliance of political parties and formed as a coalition against the ruling Socialist Party of Serbia and its leader, Slobodan Milosevic in 2000. Its candidate, Vojislav Kostunica, won the September 2000 federal presidential elections and the coalition won the provincial parliamentary majority in December 2000. The coalition then formed the government which ruled Serbia until December 2003.

DOS was originally an 18-party coalition, including:

- Democratic Party (DS) (Zoran Djindjic)
- Democratic Party of Serbia (DSS) (Vojislav Kostunica)
- Civic Alliance of Serbia (GSS) (Goran Svilanovic)
- Demo-Christian Party of Serbia (DHSS) (Lladan Batic)
- New Serbia (NS) (Velimir Ilic)
- Social Democratic League of Vojvodina (LSV) (Nenad Canak)
- Social democratic Union (SDU) (Zarko Korac)
- Alliance of Hungarians from Vojvodina (SVM) (Jozsef Kasza)
- Reformist Democratic Party of Vojvodina (RDSV) (Mile Isakov)
- Vojvodina Coalition (KV) (Dragan Veselinov)
- Social democracy (SD) (Vuk Obradovic)
- Movement for Democratic Serbia (PDS) (Momcilo Perisic)
- Sandzak Democratic Party (SDP) (Rasic Ljajic)
- League for Sumadija (LS) (Branislav Kovacevic)
- Association of Independent Labour Unions of Serbia (ASNS) (Dragan Milovanovic)

⁸ Goati Vladimir (senior researcher of Institute of social sciences in Belgrade) “*Determinants of the transitional strategy of the DOS*”, July 2005

and 3-party DAN coalition:

- Democratic Alternative (DA) (Nebojsa Covic)
- New Democracy (ND) (Dusan Mihajlovic)
- Democratic Center (DC) (Dragoljub Micunovic)

The interparty relations in the coalition started to deteriorate in 2001 when Kostunica's party, the Democratic Party of Serbia, pulled out of the coalition. The remainder has split into the Democratic Party and the G17 Plus group.

IV. PROTESTS AND THE OVERTHROW OF SLOBODAN MILOCEVIC

The protest⁹ initially started with strikers at the Kolubara mines, which produce most of Serbia's electricity needs. The protest reached its height on 5 October 2000. Several hundred thousand protesters from all over Serbia arrived in Belgrade to protest. Unlike previous protests, there was no large scale police crackdown. The parliament was partially burned during the protests.

The protest is frequently named the "Bulldozer Revolution" after one of the most memorable episodes from the day long protest in which an engineering vehicle operator Ljudisav Dokic nicknamed *Joe* fired up his engine (actually neither an excavator nor bulldozer but a wheel loader, the event name is inaccurate out of convenience) and used it to charge the RTS building. Its tenant, Serbian state television RTS, had for a decade been a symbol and bastion of Milosevic's rule. When the RTS studios were taken over, the station was quickly renamed "Novi RTS" ("New RTS") as a sign that the regime had lost power.

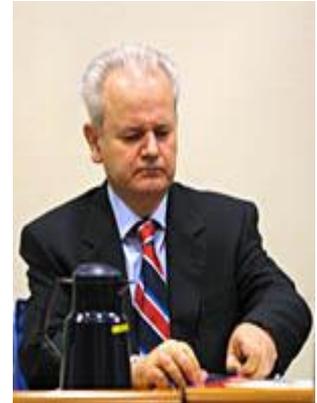
Although the protest was mostly peaceful, without a larger escalation of violence, two people died. Jasmina Jovanovic fell under a truck, and Momcilo Stakic succumbed to a fatal heart attack. 65 persons were injured in the riots.

In the time between elections and the protest, Milosevic said that he would gladly resign but only when his term expired in June of next year. Due to pressure caused by the protests, Milosevic resigned on 7 October 2000. In the end even his ally Russia did not recognize his government.

⁹ Wikipedia, the free encyclopedia (www.wikipedia.org)

THE TRIAL OF FORMER YUGOSLAV PRESIDENT MILOCEVIC

The Serbian Authorities arrested Slobodan Milosevic on 1 April 2001 and he was transferred to The Hague on 29 June 2001. The International Criminal Tribunal for the Former Yugoslavia (ICTY) issued three indictments against Milosevic¹⁰ for alleged war crimes committed in Bosnia and Herzegovina, Croatia and Kosovo accusing him of crimes against humanity, grave breaches of the Geneva Conventions, violations of the laws and customs of war and genocide. His arrest and detention was one of ICTY's biggest achievements as he was the first head of state to face an international court since the Nuremberg Trials for the atrocities during World War II.



Meanwhile, in September 2001 an important development had been noted about the state of Serbia. After many years, the United Nation Security Council lifts its arms embargo against Yugoslavia, abolishing the last remaining sanction by the international community. This marked a new beginning in the relations of Serbia with the NATO and especially the European Union since it wished to start the negotiations about its accession in the E.U.

His trial¹¹ started on 12 February 2002 with the prosecution presenting its case against Milosevic for alleged crimes committed in Kosovo, with the case for Bosnia and Herzegovina and Croatia following on 26 September 2002. The International Criminal Tribunal for the former Yugoslavia (ICTY) prosecution finished presenting evidence against Milosevic on 25 February 2004. On 31 August 2004, the trial resumed with Milosevic calling evidence in his defense.

Milosevic represented himself in his trial, and the trial was delayed many times due to his ill health. Because of this, in September 2004, the Trial Chamber assigned a defense counsel to represent him. Milosevic appealed this decision, and his appeal was upheld. However the Trial Chamber maintained the right to impose a defense counsel if Milosevic was unable to attend court. The trial was due to last four years (until 2006), but Milosevic died unexpectedly in custody on 11 March 2006 of natural causes. His case was subsequently terminated. Milosevic's body was returned to Serbia where he was buried in his home town, Pozarevac.

¹⁰ Pavlakovic Ramet, *SERBIA SINCE 1989* " Politics and society under Milosevic and after" (2006), pp 102-106, 227-244, 342-34

¹¹ Tara McCormack, " *The Milosevic trial: a travesty of justice*" June 2007

ASSASSINATION OF ZORAN DJINDJIC

Zoran Djindjic, (August 1, 1952 – March 12, 2003) was Serbian prime minister, opposition politician and philosopher by profession. Djindjic played a prominent role in the Presidential elections of Federal Republic of Yugoslavia in September 2000 and in the October 5 uprising that overthrew the Milosevic's regime, and then led the broad-based 18-party Democratic Opposition of Serbia coalition to a victory at the Serbian elections of December 2000. He became Premier of Serbia on January 25, 2001. He played a key role in sending former President of Federal Republic of Yugoslavia and Serbia Slobodan Milosevic to the UN War Crimes Tribunal in The Hague. However, Djindjic said that he became disillusioned with the protracted trial of Milosevic, and later condemned it as an expensive "circus". Djindjic said the court in The Hague was "allowing Milosevic to behave like a demagogue and to control the trial".



Djindjic was received favourably by Western nations. His meetings with western leaders George Bush, Tony Blair, Jacques Chirac and others strongly indicated that the West supported his politics. Djindjic had constant disagreements with federal president Vojislav Kostunica. On the other hand, he had a close relationship with Montenegrin president Milo Djukanovic. The power struggle with Mr. Kostunica finally went Djindjic's way with the replacement of Yugoslavia by the union of Serbia and Montenegro over the past month. This left Mr. Kostunica without a job. Djindjic was assassinated¹² in Belgrade on the stairway of the main Serbian government building on March 12, 2003.

The assassination of Prime Minister Zoran Djindjic was preceded by several unsuccessful attempts to end his life forcefully. Most notable was an attempt several days before March 12, 2003, a truck driven by Dejan Milenkovic, a known member of the criminal "Zemun Clan", tried to force the Prime Ministers car off the highway in New Belgrade. Djindjic escaped injury only due to the outstanding reaction of his driver and his security detail.

According to the official government statement, Djindjic was not conscious and did not have a pulse upon arriving at the emergency ward. He had made many enemies for his pro-Western stance, reformist policies which had seen unemployment rise to over 30%, for arresting Milosevic, for relinquishing him to the Hague, and for clamping down on organized crime. The murder was allegedly organized by Milorad Ulemek, an ex-Commander of the special police, also known

¹² Pettifer James, *SUDOST EUROPA* "The death of Zoran Djindjic- a time for realism" (2003), pp 487-493 (magazine)

as Legija, who ordered Jovanovic to carry out the assassination. Legija was connected with the powerful Zemun clan of Serbian mafia, blamed for planning of assassination. Vojislav Seselj, ultra-nationalist and foe of Djindjic, was suspected to have played a role in inspiring the assassination plot.

His solemn state procession and funeral on March 15, 2003 was attended by many civilians as well as by foreign delegations. Djindjic's death represented political and moral tragedy to many Serbs who saw in him a man who guaranteed coexistence with neighboring nations, integration to Europe and economic recovery.

PARLIAMENTARY ELECTIONS 2003

Parliamentary elections were held in the Republic of Serbia on December 28, 2003. The Republic of Serbia then was one of the two federal units of Serbia and Montenegro, formerly known as the Federal Republic of Yugoslavia.

Serbia has been in a state of political crisis since the overthrow of the post-communist ruler, Slobodan Milosevic, in 2001. The reformers, led by former Yugoslav President Vojislav Kostunica, have been unable to gain control of the Serbian presidency because three successive presidential elections have failed to produce the required 50% turnout. The assassination in March 2003 of the reforming Prime Minister, Djindjic, was a major setback.

At these elections¹³ the former reformist alliance, the Democratic Opposition of Serbia (DOS), had broken up into three parts: Kostunica's Democratic Party of Serbia, late Prime Minister Djindjic's Democratic Party (now led by Boris Tadic) and the G17 Plus group of liberal economists led by Miroljub Labus.

Opposing them were the nationalist Serbian Radical Party of Vojislav Seselj and Milosevic's Socialist Party of Serbia (descended from the former Communist Party). At the time of the election, both Seselj and Milosevic were in detention at ICTY, Milosevic accused of committing war crimes, Seselj of inspiring them.

The remaining candidate was the monarchist coalition Serbian Renewal Movement-New Serbia (SPO-NS), led by Vuk Draskovic was considered as part of the patriotic opposition: although an extreme Serb nationalist, he hates Seselj and is seen as more likely to support the reformist parties.

¹³ Republic of Serbia: Parliamentary elections December 2003, Report by TIME magazine

RESULTS OF THE PARLIAMENTARY ELECTIONS ON 28 DECEMBER 2003		
PARTY	% VOTES	AMOUNT OF SEATS
SERBIAN RADICAL PARTY (VOJISLAV SESELJ)	27.61	82
DEMOCRATIC PARTY OF SERBIA(VOJISLAV KOSTUNI-CA)	17.72	53
DEMOCRATIC PARTY (BORIS TADIC)	12.58	37
G17 PLUS (MIROLJUB LABUS)	11.46	34
SERBIAN RENEWAL MOVEMENT-NEW SERBIA (VUK DRASKOVIC-VELIMIR ILIC)	7.66	22
SOCIALIST PARTY OF SERBIA (SLOBODAN MILOSEVIC)	7.61	22

Overall turnout was 58.8%, with the Serbian Radical Party winning most votes and gaining 82 of the 250 seats in government. The overall result¹⁴ of this election is that despite the great increase in support for the Radicals, the four pro-reform parties (DS, DSS, G17 and SPO-NS) won 49.8% of the vote, compared with 34.8% for the two anti-western parties, the Radicals and the Socialists, and won 146 seats to 104.

The high vote for the Radicals reflects partly the collapse of the once-dominant Socialists and the transfer of their vote to the opposite, but equally anti-Western, pole of politics, and partly the inflamed state of Serbian nationalist sentiment, which sees Serbia as the victim of a Western conspiracy following the loss of the Serb-inhabited areas within Croatia and Bosnia and Herzegovina and the NATO-led occupation of Kosovo.

On 3 March 2004, the Serbian Assembly voted in a new minority government comprising the DSS, G17 Plus and SPO-NS, with support in the Assembly from the SPS. Former Yugoslav President Vojislav Kostunica was appointed Serbian Prime Minister.

¹⁴ Report by Foreign and Commonwealth Office (FCO), *Serbia profile*

PRESIDENTIAL ELECTIONS 2004

Serbia had been without an elected President since December 2002, when the International Criminal Tribunal for the Former Yugoslavia inductee Milan Milutinovic's term ended. Two sets of elections in 2002 and a third in 2003 were declared invalid because voter turnout failed to reach 50%. However in February 2004 (as a new state of Serbia-Montenegro –it is examined below), the Serbian Parliament removed the 50% minimum turnout requirement and on 27 June 2004 the former Defense Minister Tadic was elected President with 53.97% of votes in a second round run-off¹⁵. His SRS opponent, Tomislav Nikolic, won 46.03%.

RESULTS OF THE PRESIDENTIAL ELECTIONS ON 27 JUNE 2004			
CANDIDATES	NOMINATING PARTIES	VOTES OF 2 nd ROUND	%
BORIS TADIC	DEMOCRATIC PARTY	1.681.528	53.97
TOMOSLAV NIKOLIC	SERBIAN RADICAL PARTY	1.434.068	46.03

Citizens in Serbia voted¹⁶ in majority for a program focused on peace, tolerance, reforms and above all European values and European integration of Serbia and Montenegro . The turnout was 48.29 % of electoral body, with undisputable difference of 247,460 votes in favor of Tadic. One must point out that the number of votes for Mr. Tadic doubled between two rounds. Having to choose between democracy and nationalistic populism, Serbian citizens opted for European future and not retrograde nationalistic propaganda.

¹⁵In the first round of voting on June 13, no single candidate won a majority of the vote. Nikolic received the highest share of votes (30.60%), and Tadic came in second with 27.37%; both were assured of participation in the second round. A surprise third place showing with 18.23% was media mogul Bogoljub Karic

¹⁶ BRITANNICA ENCYCLOPEDIA (www.britannica.com)

SERBIA AND MONTENEGRO: THE UNION AND THE END OF A STATE

The union between Serbia and Montenegro¹⁷ was often referred to as being an unhappy marriage. On 4 February 2003, the name of the country changed from Federal Republic of Yugoslavia to "Serbia and Montenegro." Under the new Constitutional Charter, most federal functions and authorities devolved to the republic level. As a result, both republics already enjoyed substantial autonomy and many, especially in Montenegro, were eager to see the largely ceremonial State Union to end. The State Union could be seen as a product from the pressure of the international community and the EU in particular. In the aftermath of the breaking up of the former Yugoslavia, fears for further disintegration made keeping together the last pieces a priority.

The Politics of Serbia and Montenegro¹⁸ took place in a framework of a federal parliamentary republic, with a multi-party system. The President of Serbia and Montenegro was both head of state and, as chairman of the Council of Ministers of Serbia and Montenegro, head of government. Executive power was exercised by the government. Federal legislative power was vested in both the government and the Assembly of Serbia and Montenegro.

On 21 May 2006 the referendum, closely followed by the international community, took place. Official results¹⁹ showed that 55,5% Montenegrins voted for independence and 44,5% against. This was just over the 55 percent threshold needed to approve the referendum under rules set by the European Union.

Although some questions can be raised about the campaign for the referendum, most democratic commitments for a referendum were met and the results were widely recognized. EU's foreign policy chief, Javier Solana, congratulated Montenegro on a "successful referendum" and said the turnout of over 86 percent "confirms the legitimacy of the process."

With Montenegro independent, Serbia was forced to declare independence as well. This happened on 5 June at a low-key ceremony, which neither president Boris Tadic nor Prime Minister Vojislav Kostunica attended. Reportedly, Serbia and Montenegro began their process of separation with a reshuffle of the army and a pull-out of soldiers. In October 2006, the Serbian population by referendum approved a new constitution for their 'newly independent state', replacing the 1990 constitution approved during the reign of Milosevic.

¹⁷ Kovacevic Ile, *SURVEY OF SERBIA AND MONTENEGRO* "A record of facts and information", May 2003

¹⁸ www.infoplease.com

¹⁹ Recknagel Charles "Montenegro: Independence Referendum Turns Into Cliffhanger", May 2006

The relationship between Montenegro and Serbia nowadays can be characterized as quite good. However, Montenegro's recognition of Kosovo that seems to be on its way could worsen the relationship between the two countries.

SERBIAN CONSTITUTIONAL REFERENDUM, 2006

On October 1, 2006, followed by short negotiations among the largest parliamentary parties, the Parliament of Serbia unanimously adopted the draft of the new Constitution, with 242 MPs voting in favor. The other eight were not present. The draft was result of a compromise among the key political parties.

Some considered the way in which it had been drawn up to be fairly untransparent, and the result of political horse-trading. In the preamble, a statement that "Kosovo is an autonomous province of Serbia with significant autonomy" was included. It was decided that the constitutional referendum was to be held on October 28 and October 29.

All major political parties supported the draft and began a public campaign for the referendum. The only political bloc that campaigned against the draft and advocated public boycott was a group of liberal and social-democrat parties (Cedomir Jovanovic's Liberal Democratic Party, Nenad Canak's League of Vojvodina Social Democrats, Zarko Corac's Social Democratic Union, Natasa Mici's Civic Alliance of Serbia) and a number of NGOs. They objected to the lack of public discussion, argued that the claims to Kosovo in the preamble were a populist attempt to encourage the voters. Some were also dissatisfied with the level of autonomy given to Vojvodina. (On the 2007 election, those parties formed the coalition and entered the Parliament with about 5.3% support).

The constitution

In the first article, Serbia is defined as a "state of the Serb people and all its citizens", and in the preamble Kosovo is defined as an "integral part" of Serbia with "fundamental autonomy". Also, it defines Serbia as an independent state for the first time since 1918.²⁰ Among the constitution's 200 other articles are guarantees of minority rights, as well as human rights in general. It grants a form of self-rule for the province of Vojvodina. It also bans capital punishment and human cloning.

²⁰ "Parliament adopts Constitution proposal". B92 NEWS 1 October 2006.

In addition, it makes Cyrillic the only alphabet for official use, while making provisions for minority languages to be used at the local level.²¹

Differences between the new constitution²² and that adopted in 1990:

- Only private, corporate and public property is acknowledged; *social assets* cease to exist and shall be transferred to private.
- Foreign citizens will be able to become owners of properties
- Reappointment of judges
- The President is the Commander in Chief of the army
- For the first time constitution mentions "European values and standards"
- Full independence is granted to the National Bank of Serbia
- Decentralization process through granting ownership rights over municipal properties to local municipalities
- Vojvodina is granted economic autonomy
- Serbia has an official anthem
- Rights of consumers, mothers, children, minorities are specially protected
- Every citizen has the right to get information of public importance
- Marriage is defined as the "union of a man and a woman"

²¹ Katarina Kratovac "Serbia votes in referendum on Kosovo" 27 October 2006

²² The electorate approved the new Constitution with 53.04% voting in favour and the Parliament promulgated the new Constitution on 9 November 2006

PARLIAMENTARY ELECTIONS 2007

Following the dissolution of Serbia-Montenegro state and the adoption of a new Serbian constitution in 2006, parliamentary elections took place in Serbia on 21 January.

Parties registering as ethnic minority parties did not need to surpass the 5% threshold to gain seats in the parliament, but instead needed to pass a natural threshold at 0.4%. For the first time in a decade, Albanian parties from the Presevo Valley participated in the elections, but Kosovo Albanian parties continued their boycott of Serbian elections. The 21 January parliamentary elections in Serbia provided a genuine opportunity for the citizens of Serbia to choose from a range of political platforms and were in line with OSCE²³ commitments and Council of Europe's standards for democratic elections. Still, a few issues in the election legislation remain to be addressed.

The ultra-nationalist Serbia Radical Party (SRS) of Tomislav Nikolic continued to be the majority party with 81 seats in the Parliament but was unable to form a ruling coalition. The Democratic Party (DS) of Boris Tadic won 64 seats, the Democratic Party of Serbia-New Serbia (DSS-NS) of Vojislav Kostunica won 47 seats and the G17 Plus of Mladan Dinkic won 19 seats. (the total turnout was 60.62%)

RESULTS OF THE PARLIAMENTARY ELECTIONS ON 21 JANUARY 2007		
PARTY	% VOTES	AMOUNT OF SEATS
SERBIAN RADICAL PARTY	28.59	81
DEMOCRATIC PARTY	22.71	64
DEMOCRATIC PARTY OF SERBIA-NEW SERBIA	16.55	47
G17 PLUS	6.82	19
SOCIALIST PARTY OF SERBIA	5.64	16
LIBERAL DEMOCRATIC PARTY	5.31	5
ALLIANCE OF VOJVODINA HUNGARIANS	1.30	3

After negotiations, on 15 May 2007 the leader of DSS-NS Vojislav Kostunica sworn as a Prime Minister for a second term, just before the deadline for forming a ruling coalition would have required new elections. The new ruling coalition comprised three EU-oriented parties: the G17 Plus bloc, the Democratic Party (DS), and the Democratic Party of Serbia-New Serbia (DSS-NS) (130 of 250 seats).

²³ OSCE/ODIHR Final Report, Republic of Serbia, Serbia and Montenegro, Parliamentary Election, 21 January 2007

PRESIDENTIAL ELECTIONS 2008

A pre-term presidential election was held in Serbia²⁴ on January 20 and February 3, 2008. Incumbent Pro-Western President Boris Tadic was reelected as President of Serbia in the second round with 50.31 percent of the votes cast, defeating his nationalist rival Tomislav Nikolic. So, Tadic won narrowly as the Serbs voted for more rapid integration in the E.U. The first round of elections was held on January 20, 2008, when none of the candidates secured an absolute majority of the votes cast²⁵. Thus, a run-off election took place on February 3, 2008 between Tomislav Nikolic of the *SRS* and Boris Tadic of the *DS* (the incumbent President) who finished first and second respectively in the first round.

RESULTS OF THE PRESIDENTIAL ELECTIONS ON 3 FEBRUARY 2008			
CANDIDATES	NOMINATING PARTIES	VOTES OF 2 nd ROUND	%
BORIS TADIC	DEMOCRATIC PARTY	2.304.467	50.31
TOMISLAV NIKOLIC	SERBIAN RADICAL PARTY	2.197.155	47.97

The process was transparent and offered voters a genuine choice between distinct political perspectives. Turnouts were high for both the first and second round, over 60 and 68 per cent respectively, the largest since the fall of the Milosevic regime in autumn 2000, demonstrating a significant level of public interest and participation in the democratic process. A revote of the second round was held in Dobro Polje due to some irregularities on 12 February 2008. Tadic was sworn in for his second term on 15 February 2008.

²⁴ “Serbian key presidential elections set for January 20” International Herald Tribune 12-12-2007

²⁵ First round voting took place on January 20. Final results gave Nikolic 39.99 per cent of the vote, followed by Tadic with 35.39 per cent. Since no candidate garnered more than 50 per cent of all cast ballots, a run-off voting took place on February 3

INDEPENDENCE OF KOSOVO

In an extraordinary parliamentary session in Pristina on 17 February 2008, Kosovo unilaterally declared its independence from Serbia. Kosovo's prime minister Hashim Thaci read the declaration, which states that Kosovo is dedicated to "peace and stability" in the region, and is looking for a "good relationship" with its neighbours.

The declaration furthermore states that Kosovo is created along the lines of the UN plan drawn up by special representative Martti Ahtisaari, and calls for Kosovo's supervised independence by an international presence. All 109 deputies present at the parliamentary session voted in favour with a show of hands. The remaining 11 deputies, including representatives from the ethnic Serb minority in Kosovo, were absent.

Serbia remains heavily opposed to Kosovo's independence. Serbian president Boris Tadic reacted with a statement, saying that Belgrade will react with all "peaceful, diplomatic, and legal" means to annul the declaration of independence.

On 15 February, the Serbian government had already adopted a resolution calling any unilateral declaration of independence by Kosovo "invalid and illegal." Some Serbs reacted emotional to Pristina's declaration of independence, taking to the streets to protest and attacking embassies in Belgrade of countries that recognized Kosovo's independence and several other buildings in the capital and posts along the new border. Serbian ambassadors stationed in countries which recognized Kosovo were called back, and president Tadic has argued in the UN Security Council that the unilateral declaration of independence of the province is a breach of international law, calling upon the Council to declare Pristina's actions as invalid.

Kosovo had long been a sensitive issue²⁶. The Serbian government has always maintained that Kosovo should be kept within the Serbian state, while most Albanian Kosovars, who for a majority in the former Serbian province, wished to gain independence. From 1999, the international community controlled Kosovo, and its final status remained unclear. Ever since the end of the Kosovo Crisis in June 1999 the relation between Belgrade and Pristina remained tense. While in this crisis Albanians were victims of war crimes, after the peace settlements Roma and Serbians became the persecuted.

An estimated 200,000 people were driven from Kosovo. Pristina, which counted a Serbian population of 20,000 before the war, housed a Serbian population of about 700 at the beginning of 2000. In March 2004 interethnic violence, leaving 20 dead, further harmed the relation between Serbia and Kosovo. At least 800 mainly Serbian homes and several Serbian religious buildings were destroyed or damaged.

The relation between the Albanian majority and the Serb minority in Kosovo has not improved much. The Serb community in Kosovo, like the Serbian government,

²⁶ Cirkovic M.Sima, *THE SERBS*, "After the break up in Yugoslavia" (2004), pp 252-297

is strongly opposed to Kosovo's independence, and many Kosovo Serbs have claimed not to feel safe and to feel treated as second-class citizens in their homeland, a feeling they fear to worsen now that the province has seceded from Serbia. Similarly, former Serbian Prime Minister Kostunica repeatedly stressed that an independent Kosovo is not acceptable, because "it would mean that violence, violations of human rights, ethnic cleansing, and cultural genocide pay".

On 24 October 2005, the UN Security Council endorsed the start of the negotiations on the future status²⁷ of the province. The UN identified six key areas which need to be addressed: improved living conditions of Serbs and better assistance for Serbs who want to return home, reform of local government, establishment of transparent and non-political security apparatus, strengthening of Kosovo's institutions, restructuring UNMIK²⁸, and maintaining a safe environment.

In March 2007, UN envoy Martti Ahtisaari came with his final plan for the status of Kosovo within the region. Without mentioning the word "independence" in his final plan, Ahtisaari did support a form of conditional independence for Kosovo. Kosovo would get its own flag and anthem, and would be able to become a member of important international organizations.

Immediately after Ahtisaari had presented his plan, Serbia reacted by stating that the proposed status of Kosovo was "illegal" (Kostunica). The Serbian parliament rejected the plan by a large majority (255/270 seats). In a reaction parliamentarians condemned the plan as "illegally laying the foundations for the creations of an independent state on the territory of Serbia." UN Secretary General, Ban Ki-Moon, the EU Presidency and the US all accepted the proposal by Ahtisaari.

Consequently, the UN Security Council discussed the proposal. However, it has been unable to come up with any solution, as the members of the Security Council are themselves divided over the issue of Kosovo independence. The US has, over the past few years, consistently argued in favour of Kosovo's independence, and was the first state to formally recognize the new state on 18 February 2008. On the contrary, Russia and China, both also permanent members of the UN Security Council, are strongly against independence of Kosovo. Similarly, the Contact Group Troika that was installed on 31 July 2007 to mediate negotiations between Belgrade and Pristina was unsuccessful, with members of the troika themselves divided between those in favor (US, Germany) and those against (Russia) Kosovo's independence.

In the end, the Troika failed to meet its deadline of 10 December 2007. As soon as this became clear, the different actors started speculating on what to do after this deadline. Prime Minister Ceku of Kosovo stated that Kosovo would declare independence unilaterally if no agreement was reached. Serbia, in response, stated that it would by no chance recognize such a unilateral declaration of independence.

²⁷ See, Narten Jens, "Assessing Kosovo's Postwar Democratization" Taiwan Journal of Democracy vol.5 Number ,1 July 2009

²⁸ United Nations Mission in Kosovo (UNMIC)

As expected, as it was an crucial development which eventually led to the break-up of the government, the declaration of independence played an important role in Serbia's presidential and parliamentary elections of 2008. In the presidential elections in February of 2008 both candidates were against independence for the province, however, they attached different importance to this for Serbia's relations with the EU. Tomislav Nikolic of the Radical Party argued against further EU integrations when the union would recognize Kosovo, whereas Boris Tadic argued that the two issues should be separated and that the Serbia should pursue EU integration regardless the union's position on Kosovo.

The international community²⁹ remains divided over Kosovo's independence. Many countries were quick to recognize the new state, most noticeably the US, Albania, and a number of the bigger European member states such as France and Germany. Other countries, mainly those with restive national minorities of their own have declared that they will not recognize Kosovo as a new state. These countries include Russia, Spain, and a number of countries in the Balkan region.45 countries have recognized Kosovo as an independent state, Colombia and Belize being the latest ones.

In the meanwhile the government in Kosovo has started issuing Kosovar passports. Twenty EU countries have announced to accept the Kosovo passport as an official document, whilst six EU countries, which do not recognize Kosovo as an independent state, have not yet made their position clear about the issue. Slovakia has announced not to allow entry. The new passport will replace the United Nation Mission in Kosovo (UNMIK) passports which have been the official document³⁰ since 1999 when UNMIK has been implemented.

The situation in Kosovo is concerning the multi-ethnicity of the state remains worrying as it does not look like Serbians and Albanians are going to live with each other on short notice. Furthermore, the Serbian politicians in Kosovo are striving to establish parallel Serbian institution which certainly will not help the integration of Serbian community in the Kosovo society.

In September 2008 Serbia tabled a resolution for the United Nations General Assembly on the legality of Kosovo's unilateral declaration of independence. Serbia has refused to cooperate with the deployment of the European Union Rule of Law Mission in Kosovo, (EULEX). Serbia's intentions are quite clear: Serbia will never recognize Kosovo.

²⁹ Report by European Union-Delegation of the European Union. to the republic of Serbia , August 2008

³⁰ See Reports of the Secretary General of the United Nations on the United Nations Interim Administration Mission in Kosovo, UN Docs. S/2004/348, S/2004/613, S/2004/907, S/2004/932, S/2005/88, S/2005/335, S/2005/635, S/2006/45, S/2006/361 , S/2006/707

UN General Assembly Resolution

Serbia wants to turn the matter of Kosovo's independence from political to legal grounds. The tabled resolution seeks the International Court of Justice's opinion on whether or not Kosovo's unilateral declaration of independence was in accordance with international law. Serbia maintains that this action was a violation of the UN Charter because it did not respect the territorial integrity of Serbia. After a tense voting period in the UN GA, Serbia's resolution was passed. Almost all EU countries abstained.

This legal case will take one to three years to go through the International Court of Justice's legal system³¹. During this time, the Kosovo status question will be frozen as Serbia potentially gains candidate status, and thus more influence in the European Union. Also, the ICJ announced that the public hearings on the legality of Kosovo's unilateral declaration of independence will open on December 15th 2009. If Serbia can make this kind of progress and gain this influence while the International Court of Justice holds Kosovo in political suspension, then it will be all the harder to integrate Kosovo not only into the European Union, but into the international community as a whole.

Even if the International Criminal Court does decide that Kosovo's declaration of independence was not in accordance with international law, it still will not undo what has been done. The situation cannot go back to the former status quo. Kosovo can never go back to being a territory of Serbia. The only possible solution for this situation is for an independent Kosovo.

European Union Rule of Law Mission to Kosovo (EULEX)

Serbia has been in opposition to the European Union by not cooperating with its mission to Kosovo, EULEX. Kosovo's territorial integrity is questioned by the UN-Serbia 6-Point Plan that has become the new European Union Rule of Law Mission to Kosovo (EULEX) mandate, against the wishes of Kosovo. Kosovo initially rejected the UN-Serbia Six-Point plan, which had been approved by the UN Security Council.

Serbia will only support a mission to Kosovo if it is in line with its demands regarding the deployment of EULEX. Namely: EULEX having a neutral stance on Kosovo's status, EULEX must have no connection with the Martti Ahtisaari plan for Kosovo independence and it only be deployed with the UN Security Council approval. The UN-Serbia plan calls for the creation of separate Serbian judicial customs and police systems in the northern, Serbian area of Kosovo³².

³¹ DTT News. (August-December 2008). *Balkans New Feed*. Brussels, Belgium

³² www.cesid.org

Kosovo wishes for unconditional and full deployment of EULEX across the entire territory, supporting the Martti Ahtisaari plan. This new 6-Point plan breaches Kosovo's sovereignty and territorial integrity and would lead towards partition of the area. Serbia does not look at this as a partition of "Kosovo" because they do not see it as a partition of Serbia, according to Serbian Deputy Prime Minister Mr. Bozidar Djelic³³. Prishtina has stated that it is unacceptable for EULEX to deploy to Kosovo according to Serbia's conditions. The EU has called on Kosovo leaders to accept the plan, as has the UN. Kosovo finally gave into the demands of the international community and EULEX began deployment³⁴ in December of 2008.

Serbia's lack of cooperation and additional acceptance of a EU sponsored mission shows that Serbia is at odds with the EU. If Serbia wishes to become a member of the EU, then Serbia needs to have a more European perspective. Instead it holds a nationalistic one against the EU; Serbia will only cooperate on their own terms.

It is vital that Serbia recognize Kosovo. This is an irreversible process; Kosovo can never go back to being a region within the state of Serbia. The only solution to the problem of the status of Kosovo is for Serbia and the rest of the world to recognize its independence. Not only will this vindicate the actions NATO took in 1999, but it will also be the only way to stabilize the region and all of Europe. Serbia has stood firm in its opposition to the EU and the UN: Serbia will never recognize an independent Kosovo.

³³ Djelic, B. (19/11/2008). *Address to the European Parliament foreign affairs committee*. Strasbourg, France.

³⁴ Also, KFOR announced that it intends to remain active in Kosovo into the future; the United States military base, Bondsteel, for example, is based on a 99-year lease agreement

SERBIA AND EUROPEAN UNION

To achieve its presumed goal of EU membership, Serbia must first overcome the unique challenges of its past. To much of the European public, mention of Serbia recalls images of the blood-soaked 1990s, and Serbs are still seen as the “brutal ethnic cleansers” responsible for such atrocities as the Srebrenica massacre of 1995. In Serbia itself, memories of the 1999 NATO bombing campaign and the privations of UN sanctions have left many justifiably wary of Europe and the international institutions that represent it. The Serbia-specific terms of the EU conditionality process have only antagonized such feelings on both sides: the focus on apprehending war criminals has kept the horrors of the 1990s at the forefront of everyone’s mind. This has often overshadowed the impressive economic gains and institutional reforms that Serbia has made since 2001.

Institutionally, Serbia has been preparing itself for EU³⁵ integration and accession since 2001, when then-Prime Minister Zoran Djindjic put EU membership for Serbia on the top of the political agenda. During his short-lived government, (owing to his assassination by organized crime interests in March, 2003) most of the institutional elements of EU integration were created and were at their most active.

These include the EU Integration Office of the Republic of Serbia, the Serbian Government Council for European Integration (to be headed by the Prime Minister himself,) and the Parliamentary European Integration Committee. When the EU opened negotiations with Serbia for the Stabilization and Association Agreement (SAA) in October 2005, an EU negotiating team was formally created, to be headed by the Deputy Prime Minister.

It is however, a measure of the decreased importance that recent governments have placed on EU integration that this team has had three different Chief Negotiators in the less than two years since its founding. In economic terms, Serbia and the EU are already closely intertwined, and this integration is likely to increase in the future regardless of closer political ties. The EU already accounts for more than 50% of Serbia’s exports and imports, a result not only of geography but also of numerous trade preferences granted by the EU since 2000.

In recent years, Serbia has been one of the fastest growing economies in the region, expanding at a 7.0% clip in 2007. This has been driven by high foreign investment, overwhelmingly from countries of the EU, which has far and away become the biggest investor in Serbia. Regional economic integration can also be expected to continue with the creation of – and Serbia’s inclusion in – the Central European Free Trade Agreement (CEFTA) in July 2007. This agreement creates a customs and border-free economic zone amongst the economies of Central Europe, and should be successful in tying Serbia closer not only to its Balkan

³⁵ www.eubusiness.com

neighbours, but to the EU members in the region as well. Put solely in terms of economic logic, closer integration with the EU is Serbia's only sensible option.

However, the political situation in Serbia cannot be quantified nearly as easily. The ultra nationalism that tore apart Yugoslavia in the 1990s continues³⁶ to be a potent political force. Though the country has been governed by a moderate, pro-European coalition from 2000 on, the far right-wing Radical Party has performed extremely well at elections – in 2003 it held a plurality and in May 2008 it won no less than 29.46% of the vote. The status of Kosovo has been a major factor in this recent success: backed by all of the major governments of the EU, Kosovo's independence is still seen as unacceptable by the vast majority of Serbia's population.

The sensitivity of this issue should not be downplayed: a poll in the study found that 30% of respondents would favor terminating relations with the EU entirely if the EU unilaterally supported Kosovo's independence³⁷. This figure roughly corresponds with the strength of the Radical Party and is further evidence of the significant role that extreme nationalism continues to play in Serbian public life. This tide from the past has been very difficult for pro-European Serbian politicians to overcome. Though they have been generally successful, their arguments have been based almost entirely on economic grounds.

This is not without reason – a good example of the tangible economic benefits of closer cooperation with the EU is the decision of Fiat, the Italian automotive company, to make considerable investment in the Kragujevac Zastava factory. The decision was made, not coincidentally, the day after Serbia signed the Stabilization and Association Agreement (29 April 2008).

However, despite such apparent gains, economic arguments still only rarely alleviate the passionate appeals of the far-right. After the breakup of Yugoslavia, the EU can be presented as the only rational way by which all Serbs can once again live under the same entity. How such an appeal might be received is hard to say, but its approach does at least take into account and attempt to redress some of the nationalist grievances. The victory of pro-European parties in the May 2008 elections (it is examined below) is particularly important. Running under the umbrella coalition organization, "For a European Serbia" these parties won a plurality with 38.42% of the vote. They are, however, in an awkward coalition with the Socialists, Milosevic's former party which has not entirely broken ties with its past.

The strength of the far-right continues with the success of the Radical Party, which won 29.46% – the largest of any single party. For its part, the EU reinforced its commitment to the membership perspective of Serbia by signing

³⁶ Ramet P. Sabrina, *THE THREE YUGOSLAVIAS*, "State-building and legitimation" (2006), pp 519-535 and 537-552

³⁷ Badger Arielle: "The necessary criterion for Serbia's European Union Integration", Brigham Young University, January 2009

the Stabilization and Association Agreement (SAA) with the country on April 29, 2008 in Luxemburg just prior to parliamentary elections in May.

The aim was to exert leverage on the outcome of the elections in favor of the pro-European Democratic Party, which was able to form a governing coalition, and nevertheless the actual implementation of the SAA was made conditional upon the full cooperation of Serbia with the ICTY. In light of these developments, the arrest (July 2008) of former Bosnian Serb general Radovan Karadzic and his subsequent extradition to the international war crimes tribunal in The Hague also do not seem to be a coincidence.

His arrest also underscores the point that political processes in the country will continue to determine the course of its relationship with the EU. For over a decade, Karadzic, under a false name and identity, was able to walk the streets of Belgrade freely, many assumed with the complicity of some segments of the Serbian government. However, the political course pursued by the new coalition seems to be a reflection of EU leverage on the political agenda of the country. With the tangible implementation of the SAA in sight, the EU's insistence on full cooperation with the ICTY has managed to push the political elite toward action.

Nevertheless full implementation of the SAA will probably still be contingent on the capture of the still-at large fugitive general Ratko Mladic (and that of Goran Hadzic), Karadzic's wartime ally. In any case, were this to occur and the accession process to move forward, the survey attempts to create a best case scenario as to a future accession date. Looking at the average time that other countries have taken, were Serbia to implement the SAA in 2009, it could look at membership sometime around 2017. This is, of course, dependent on the other factors that have been previously discussed. If pro-European forces – supported seemingly by the majority of the Serbian population – can continue to have success, the accession process can be expected to continue smoothly and successfully. If not, and the powerful nationalist undercurrent of Serbian politics is revitalized, there could be many road bumps in the path ahead.

Unfortunately, a European future for Serbia is still far from inevitable. Over the last year there has been progress in Serbia's European integration process and the European Commission³⁸ noted in its Annual Progress Report for Serbia that in light of sustained cooperation with ICTY. In this context the Commission considers that the Interim Agreement should now be implemented by the EU, followed by the full implementation of the Stabilization and Association Agreement (SAA).

The Annual Report notes³⁹ that Serbia needs to continue its efforts to carry out and implement EU related reforms and to fully commit itself to the path of European Integration. The EU has for its part shown clear support for these efforts by earmarking substantial financial assistance –1 billion for the period of 2007-2011 and additional –200 million of micro financial assistance.

³⁸ Commission of the European Communities (2008 and 2009), *Serbia 2008 and 2009 progress report*. Brussels, Belgium

³⁹ Report by HOUSE OF COMMON LIBRARY, *Serbia: Political and economic profile*

The EU is also supporting efforts to bring Serbian people closer to the EU by finalizing the visa liberalization process. The European Commission encourages Serbia to meet the outstanding benchmarks to ensure the endorsement of the Commission's proposal by the member states and thus make visa free travel a reality by 1 January 2010.

The country faces, at the same time, the difficult requirements of accelerating economic reforms and ensuring sustainability in the public finances. Concerning other challenges, the Progress Report states that the country needs to make further progress in a number of areas⁴⁰, including the effective implementation of existing laws; the improvement of public consultation prior to the adoption of laws; the reform of the judicial system and in reinforcing its capacity to fight against corruption. Furthermore there continue to be concerns about incidents of intimidation of civil society activists, human rights defenders and journalists that are not fully investigated and where the perpetrators are not brought to justice. Serbia needs to demonstrate a more constructive attitude on regional co-operation and issues related to Kosovo.

Together with Serbia the European Commission⁴¹ adopted its annual strategy on EU enlargement and the progress reports for the candidate and potential candidate countries.

⁴⁰ Cvijic S., *"The new Serbia: fast forward towards the EU"*, European Policy Centre brief, January 2009

⁴¹ Commission of the European Communities. (2008). *Communication from the Commission to the Council and the European Parliament: Enlargement Strategy and main challenges 2008-2009*. Brussels, Belgium

OTHER POLITICAL ISSUES

ORGANIZED CRIME AND CORRUPTION⁴²

The Milosevic years not only lacked economic reforms, moreover a system of cronies and criminals who plundered the country's hard currency reserves and much of the country's material wealth, was established. Though commitments are made against organized crime, still mafia has influence in nowadays Serbia.

A major impetus to cleaning up the system from corrupted criminals associated with Slobodan Milosevic's regime was operation Sabre. Following the murder on prime minister Djindjic, this comprehensive action led to dismantling of key organized crime channels and in resolving previously unsolved high profile cases, including murders, abductions and political assassinations. More than 4,000 people were arrested.

Despite the fact that special legislation has been adopted in 2002 and a special prosecutor for the fight against crime was appointed in 2003, the practical implementation is problematic. The main problem is a lack of resources and limited staff. In December 2005 the Serbian Parliament adopted its first anticorruption strategy. According to this strategy an action plan will be drafted which includes deadlines to be met in the fight of corruption. An independent panel will be established to supervise implementation of the strategy. It seems that the plans to fight organized crime and corruption started to pay off in 2006. In January a major action was taken to uncover corruption in the National Bank. The vice-governor and former vice governor were arrested. Both men are also top figures from the Socialist Party, until recently the party of Milosevic.

In February 2006 Serbian police issued a warrant for Bogoljub Karic, after he failed to appear in court for questioning. The Karic family is famous for using political connections to grow enormously rich. Bogoljub Karic, a friend and business partner of former Yugoslav President Slobodan Milosevic, heads the Power of Serbia Movement and used to be the owner of the telecommunications company Mobitel. Karic and his brothers are searched to face charges of tax evasion, mismanagement of millions of dollars and money laundering. Karic accused Prime Minister Kostunica of prosecuting him for political reasons, because of the popularity of his party. The Serbian Strength Movement ranked third in opinion polls and was ahead of Kostunica's party. This was also one of the reasons for the small Social Democratic Party to sign a co-operation agreement with Karic, in October 2005. Currently he is hiding abroad, rumors say in Russia, and ever since his party dropped in the polls. At the January 2007 elections, the party did not gain any seats in parliament.

⁴² Data received by European Forum for Democracy and Solidarity

In April 2006 according to Serbian former Finance Minister Mladjan Dinkic the strongest blow to organized economic crime and corruption in Serbia since the fall of former President Slobodan Milosevic took place as Serbian police have detained nine people, including two judges, as part of an investigation into government corruption and organized crime.

In June 2006 the Serbian government came under strong criticism over the killing of a protected witness in the Zoran Djindjic assassination trial. Interior Minister Dragan Jovic, claimed that the witness's death was a "showdown within a criminal gang". He also suggested that the witness was to blame for his own death by refusing to be included in a witness protection programme. However, Serbia's opposition Democratic Party (DS) said Jovic has failed to deal with organized crime in the country, and demanded his resignation.

In recent years Serbia has made further commitments in fight against organized crime and in close cooperation with OSCE⁴³ the Serbian government has dedicated itself to strengthen its legislative framework and the capacity of judges and prosecutors. This is very important in order to fight organized crime effectively. In addition, close relations have been developed between prosecutors in Serbia and Italy's anti-mafia Directorate. Miljko Radisavljevic has been appointed as special prosecutor for organized crime.

The level of corruption is measured by the Corruption Perception of Transparency International, an international NGO that fights corruption globally. In 2007 Serbia scored a 3,4 (on a scale from 1-10, with 1 means highly corrupt) on this index. This is not a great score, however, compared to the region and the past scores this is not bad.

According to Transparency International, Serbia is making progress in fighting corruption: in 2002 the country scored only 2,3 and was therefore the most corrupt country in the Balkan region. In 2008 Serbia has improved its position, both in absolute score as in the relative position compared to the other countries in the region.

⁴³ Organization for Security and Co-operation in Europe

CO-OPERATION WITH ICTY

The International Criminal Tribunal⁴⁴ for the former Yugoslavia (ICTY) was established in May 1993 in the Hague and all UN members are obliged to co-operate fully with it. It has jurisdiction over individuals responsible for war crimes committed in the territory of the former Yugoslavia since 1991.

In the past, willingness to co-operate with the Tribunal has been far from accepted by the Serbian people and the government. This bad co-operation with the Tribunal has been blocking the Serbian European integration process for quite some time.

However, the arrest, on 21 July 2008, of Radovan Karadzic who is accused of war crimes has changed the situation dramatically. (of course in 2001 there was another arrest by ICTY that of Milocevic, accusing him for crimes against humanity in Yugoslav war of early 90's) The arrest was welcomed greatly in US and the EU and the EU enlargement Commissioner argued that the arrest of Karadzic is "milestone in Serbia's co-operation with the Hague⁴⁵ Tribunal". It seems that the new Serbian government has decided to capture the suspects hiding in Serbia.

The two remaining war crimes fugitives are Goran Hadzic and the former General of the Bosnian Serbs army Ratko Mladic. According to several sources, the Serbian secret police is closing the lines behind the two and their arrest can perhaps be expected on short notice. These positive developments will certainly help the country on its path towards the EU and can further stabilize the region.

Perhaps different than expected by some analysts, the arrest of Karadzic did not lead to a political crisis in Serbia. The demonstration in Belgrade, which was organized by the Serbian Radical Party and took place just hours before Karadzic was handed over to the International Criminal Tribunal for the former Yugoslavia in the Hague, was smaller than initially expected as only 15,000 people gathered to show their support to Karadzic. The protesters were singing nationalist songs and waving posters of their "Serbian Hero". Some of them, mainly young soccer hooligans and activists from the Obraz ultra-nationalist group started rioting.

⁴⁴ The objectives of the Tribunal are: to bring to justice those allegedly responsible for violations of international humanitarian law; to render justice to the victims of these crimes; to deter further crimes; and to contribute to the restoration of peace by promoting reconciliation in the former Yugoslavia

⁴⁵ hague.bard.edu

PARLIAMENTARY ELECTIONS 2008

By March 2008 the coalition government created in May 2007 was in difficulty, with the nationalist Prime Minister Kostunica of the DSS and the new President Tadic of the DS unable to forge a common position on Europe after Kosovo's declaration of independence on 17 February. The disagreements between Kostunica and Tadic predate the Kosovo declaration but the decision of 22 EU Member States to recognize Kosovo made the issue of closer ties to the EU the issue which challenged the already fragile coalition.⁴⁶ While both parties stood firmly against Kosovo's independence they differed on the issue of whether this should influence Serbia's quest for EU membership.⁴⁷ In March Prime Minister Kostunica resigned and President Tadic called early elections⁴⁸ for 11 May 2008.

The election campaign was dominated by the issues of Kosovo, the EU and the Government's previous record.

RESULTS OF THE PARLIAMENTARY ELECTIONS ON 11 MAY 2008		
PARTY	% VOTES	AMOUNT OF SEATS (TOTAL 250)
DEMOCRATIC PARTY COALITION: DS,G17 PLUS, SPO, SPD AND LSV	38.4	103
SERBIAN RADICAL PARTY (SRS)	29.5	77
DEMOCRATIC PARTY OF SERBIA(DSS) AND NEW SERBIA	11.6	30
SOCIALIST PARTY OF SERBIA (SPS) AND UNITED SERBIA(PUPS-JS)	7.6	20
LIBERAL DEMOCRATIC PARTY (LDP)	5.2	13
HUNGARIAN COALITION (MK)	1.8	4
COALITION LIST FOR SANDZAK (SDA)	0.9	2
COALITION OF ALBANIANS FROM F PRESEVO VALLEY (KAL)	0.4	1

The turnout (including Serbs voting in Kosovo) was 61.35%. Following a number of complaints submitted by the Serbian Radical Party (SRS), the electoral commission announced that voting was to be repeated in three constituencies on 18 May, owing to irregularities. The results showed an increase in parliamentary

⁴⁶ Setting a Westward course, *The Economist*, 4 February 2008

⁴⁷ EU Awaits Serbian Election, *Balkan insights*, 24 March 2008, <http://www.balkaninsight.com>

⁴⁸ The May election results can be found on *National Assembly of the Republic of Serbia*

representation for pro-EU, pro-reform parties and a corresponding decline in the number of deputies from the more radical and nationalist parties. So, the May 2008 elections in Serbia showed that the majority of the voters⁴⁹ opted for European integration.

However, difficulties in forming the government in the period after the elections proved that Serbian society is still highly divided. The polarization between pro-Europeans and traditionalists became so intense that it provided a coalition potential to Milosevic's Socialist Party of Serbia that even they did not expect. After an exhausting period of negotiations the Socialists decided to join the pro-European bloc, for the time-being. Neighbouring states, the EU and the USA welcomed the election results (which had followed predictions of success for the SRS) and urged the rapid formation of a new administration.⁵⁰ Despite the success of the DS-led bloc in the May elections, its ability to form a government was not a forgone conclusion.

Following the elections the major parties were engaged in lengthy coalition talks before a coalition government was finally formed on 7 July 2008. There was speculation that Kostunica's DSS might be able to form a nationalist and anti-EU coalition government with the Radicals (SRS) of Tomislav Nikolic and the Socialists (SPS) of Ivica Dacic. However, something like this never had been happened and the coalition of this new pro-European government is made up of the Democratic Party (DS) under the leadership of Tadic, the Socialist Party of Serbia (SPS) led by Dacic, and G17 PLUS under Dinkic. Former Economist Mirko Cvetkovic, who is not a member of any party, but who is close to the DS Party, was appointed as Prime Minister while the other ministries have been shared out between the coalition parties.

⁴⁹ Popovic Djordje, "*Serbia-Stepping into Calmer or Rougher Waters? Internal Processes, Regional Implications*" Report from policy recommendations of Belgrade Centre for Civil-Military Relations, September 2008

⁵⁰ Recent History (Serbia), in Europa World online. London, Routledge (www.europaworld.com)

PARTY SYSTEM OF SERBIA

The party system in Serbia does little to help the already beleaguered parliament. It is a system defined as “polarized pluralism,” characterized by a moderate, centrist party – in Serbia’s case the DS – which has to fight off opposition from both extremes of the political spectrum. In such a system, the opposition parties often find themselves closer to the ruling parties than to another. This can lead both to a divided opposition as well as to awkward coalitions such as the current association of the pro-European center with the remnants of the SPS.

There are also numerous anti-system parties, which are unconvinced of the merits of democracy despite their position in a democratically-elected parliament. The best example of this is the right-wing nationalist Radical Party, which in the period since transition has electorally perhaps been Serbia’s most consistently successful party. Perhaps the biggest failing of the party system, however, is the fact that the parties themselves have neither been institutionalized nor become firmly rooted in society. More often than not they are simply the “parties of leaders.” An important characteristic of party leaders in Serbia is ‘the personalization of politics’. In this ‘hunt for voters’, the leader himself is the symbol, message and programme.

According to Sartori⁵¹, in places where the party system is not structured the predominant determinant of electoral behaviour is related to the reputation and authority of a person, and we have a situation of voting for a person rather than for a party. This leads to great electoral volatility which leads to exaggerated promises on behalf of candidates who all too often have no grounded base of support. When these promises go unfulfilled, the frustration of the public with politics and the parliament continues to rise. Despite the weakness of parliament, however, a historic break with the past was achieved in 2006 with the passing of a new constitution for the Republic of Serbia.

What had previously seemed impossible quickly became reality on June 6th, when Montenegro withdrew from the State Union. Basic human rights, individual and collective, were embraced in line with European standards. Social ownership – the mechanism for the blatant nationalization and robbery of Serbian citizens during the Milosevic years – was abolished and private property embraced. Executive power was constrained in some ways, though it still remains the dominant force in political life and the constitution is not without its disadvantages, but it is important as a symbolic step towards a new political order.

⁵¹ Sartori Giovanni, “*Parties and Party Systems. A Framework for Analysis*”, Political Culture, Zagreb, 2002, p. 287

After adopting the new constitution in 2006, the party system⁵² has entered a more stable phase but the unresolved issue of Kosovo's status remains and question about future relations toward membership in NATO are still open because the SRS,SPS and DSS have some reservations, making this process somewhat uncertain. The party system in Serbia changed in the 1990–2008 period, primarily as a consequence of the results of the eight parliamentary elections called in that time: 1990, 1992, 1993, 1997, 2000, 2003, 2007,2008. An important trait of all these elections is that there were major oscillations in the strength of all the parties, indicating the weakness of both the parties and the party system.

One could quantify these oscillations in terms of 'total electoral volatility', which means the percentage of votes which 'went from one party to the other' compared with the previous elections. This high level of fluctuation of the achievement of parties at elections is not however only typical of Serbia⁵³.

In a socially non-established party system where, apart from the parliamentary elections in 2007, political themes dominated instead of economic– social ones, it is difficult to count on stable support and party identification. The inconstancy and instability of the electoral body are considerably reduced when seen through the prism of party blocs (bloc volatility, Bartolini and Mair) because in this way it is almost obvious that voters oscillate among similar parties and very little among distant parties. Good examples are the DS-G17 PLUS, DS-DSS, DS-LDP and SPS-SRS. The best example is that the SRS almost absorbed the SPS after 2000.

There is a problem of measuring the coalitions. We treated a coalition as one party. As it is noted above, in almost all parties in Serbia there are leadership tendencies and the ambition of the party leader to accumulate as much authority as possible for making key political and personnel decisions, as well as to accumulate and distribute party power⁵⁴.

⁵² See, Orlovic Slavisa "Parties and the party system of Serbia and European integrations" Journal of Southern Europe and the Balkans, Routledge vol.10 Number 2, August 2008, pp 206-221.

⁵³ Democratization and Europeanization of political parties in Central and South- Eastern Europe, *Politics in Central Europe (PCE)* —The Journal of the Central European Political Science Association, 3(1/2), 2007, pp. 92–105

⁵⁴ Leadership in political parties of Serbia, in Zoran Lutovac (ed.), [*Political Parties and Voters in States of the Former Yugoslavia*], Institute of Social Sciences and Friedrich Ebert Stiftung, Belgrade, 2006, pp. 137–171

Framework of party system

Changes to the state's borders (SFRY, FRY, Serbia and Montenegro, Serbia) also changed the framework and nature of party competition. We shall regard the party system⁵⁵ as 'the network of competitive relationships between political parties', through the influences of institutional elements and social structures, primarily of social cleavages. The electoral system in Serbia was created in 1992 with the transition from a majoritarian to a proportional electoral system. Serbia is a single electoral district, with the threshold set at 5 per cent. After 2003, the threshold has been abolished for the parties of the national minorities. Serbia has a semi-presidential system. (In the 2000–2006 period it had the characteristics of polarized pluralism according)

Also, the majority principle⁵⁶ for distribution of votes, that had been used in the beginning, was replaced later by a proportional system. Every Party passing a census gets into parliament with a number of representatives proportional to a number of votes it achieves in elections. By the time, this kind of political system created a situation in which several bigger parties were dominant. However, their relations were such that no one of them could easily form a stable parliamentary majority.

That is why small parties, although of a minor significance independently, became key players in final formation of Governments. Therefore, ruling coalitions are a normal condition of Serbian political life. On one hand, they are one-step ahead in the development of Democracy, but on the other, they are an image of an unstable Government, what can be seen at making important decisions

The deputies in the National Assembly elect the Government of the Republic of Serbia, which, together with the President of the Republic, represents the country's executive authority. The Judiciary is independent.

The **President of the Republic** is elected for a term of 5 years by direct election and has important powers under the Constitution. (the president is the Head of State "Republic of Serbia") The President is not a member of the National Assembly or the government.

Parliament of the Republic of Serbia: The national legislature of Serbia is a unicameral assembly of 250 deputies elected through general elections for a term of four year.

⁵⁵ Orlovic Slavisa " *Europeanization and Democratization of Parties and Party System of Serbia* " August 2008

⁵⁶ Stosic Miodrag, *SERBIA TODAY* "New law on political parties-merging Serbian political scene" September 2009

Most important Political Parties: Democratic Party (DS), Serbian Progressive Party (SNS), Serbian Radical Party (SRS), G17 Plus, Socialist Party of Serbia (SPS), Democratic Party of Serbia (DSS), Liberal Democratic Party (LDP), New Serbia (NS), League of Vojvodina Social Democrats (LSDV), Sandzak Democratic Party (SDP), Coalition for Sandzak, Vojvodina Hungarians Alliance (SVM), Party of Democratic Action (PDD), Roma Party (RP), Union of Roma of Serbia (URS).

Finally, with respect to the engagement and activity of the parties⁵⁷ on the way towards European integrations, we might define a conditional difference between pro-European active parties (DS, G17 Plus, LDP, SPO), pro-European less active parties (DSS, the suspension of association negotiations due to a lack of cooperation with The Hague) and inactive parties (SPS, since the 6th Congress of 2003 determined Serbia joining⁵⁸ the EU) and anti-European parties (SRS). Among the relevant parties, the DS and G17 Plus emphasize the importance of Serbia joining the EU more than the others.

⁵⁷ www.ipu.org

⁵⁸ EU Western Balkans Summit, Thessaloniki, 21 June 2003

MAJOR POLITICAL PARTIES

SOCIAL DEMOCRATIC PARTY OF SERBIA (SDP)

The SDP was founded in April 2002 when the Social Democratic Union and Social Democracy (SD) merged. The party was in government as part of the broad anti-Milosevic DOS coalition. After the withdrawal of the support to DOS of the SDS, the government lost majority and the parliament was dissolved. The party left the government with the explanation that they could accept being pragmatic for a period during the turbulence and the state of emergency after the murder of Djindjic, but it was time to move on. Especially the dominance of the Democratic Party in the coalition was a reason to step out of it. As a result, early elections were called.

Despite the fact that not all members left, the SDP was rightly expected to be too small to gain enough votes on their own in the latest elections, which made them decide to participate on the list of the liberal party G17 Plus. Since 12 September 2004 Nebojsa Covic is leading the party. He used to be mayor of Belgrade during the Milosevic years. Media speculated about Nebojsa Covic entering negotiations with Slobodan Milosevic's Socialist Party of Serbia to form a leftist party. The main obstacle for the SDS is said to be the hardliners in SPP.

The SDP became part of the government of Serbia with one minister - Slobodan Lalovic who is Minister of Labour, Employment and Social Policy, two deputy ministers and five assistant ministers. The party has is a full member in the Socialist International since July 2008.

Party-leader: Nebojsa Covic

DEMOCRATIC PARTY (DS)

The DS⁵⁹ was the first opposition party to be established in Serbia. The party split twice in the first years: first a Liberal Party was formed, after that the Democratic Party of Serbia (DSS) was founded. In 1996 the party entered into the Zajedno-coalition with the Serbian Renewal Movement (SPO) and the Civic Alliance.

During the Bosnian war the party was not pacifist and was in favour of Serbian intervention in Bosnia to help the secessionist Bosnian-Serbs. However, DS called for reforms and the removal of Milosevic. The climax of oppositional activities was the 1996 winter demonstrations against Milosevic's refusal to accept the local election results. After that, disagreements between SPO-leader Draskovic and DS-leader Djindjic became impossible to overcome and as a result the opposition disintegrated.

The DS was the largest party in the Democratic Alliance (DOS) that was formed in 2000 with the objective to remove Slobodan Milosevic's from power. The party

⁵⁹ www.absolute astronomy.com

was headed by Zoran Djindjic, Prime Minister from 2000 onwards, until his assassination in March 2003, which shocked the world and meant a backlash to Serbia's democratization.

The DOS alliance has disintegrated since 2000, and the defeat of its candidate in the third run of Presidential elections in November 2003 was a great blow to the remains of the alliance. In the latest parliamentary elections DS ran in a coalition with the Civic Alliance of Serbia, the Democratic Center and the Social Democratic Union. DS became the third largest party in the Serbian parliament with 37 of 250 seats. Since co-operation with the DSS is impossible because of the struggle between Djindjic and Kostunica resulting in the break up of DOS, and DSS refusal to co-operate with DS, the party stayed out of the government.

The role of the DS in opposition is an essential one, since they can form a counterforce against the dominant extreme nationalist forces of SPS and SRS and provide for necessary majorities on reform proposals.. The Prime Minister of Vojvodina is from the DS. The party leader, Boris Tadic, is the President of Serbia, and was in February 2008 re-elected for a second term.

The DS is a firm supporter of Serbia's integration into the European Union and co-operation with the ICTY. For Kosovo they stress the importance of the standards before the status. Within the DS a liberal and a social democratic wing can be distinguished. For some time it was unclear in what direction the party would head, but now the party adopted a social democratic orientation, seeking contact with parties of the social democratic family all over Europe and officially confirming it on the party congress.

Currently, the DS is the biggest party in the ruling coalition whilst Mirko Cvetkovic of DS is Prime Minister of Serbia. The party has is a full member in the Socialist International, since July 2008.

Party leader: Boris Tadic

LEAGUE OF SOCIAL DEMOCRATS IN VOJVODINA (LSV)

The LSV is a multi-ethnic, anti-nationalist, anti-war, social democratic party in Vojvodina. Since the founding of the party, the LSV has opposed all war efforts of the Serbian and Yugoslav government, has opposed discrimination on ethnic or any other ground. In fact, the LSV, and the SDU, are the only parties in Yugoslavia who over the years have openly criticized Serbian nationalism and the regime of Milosevic since its foundation.

By using modern methods of communication, and original means of organizing events, the LSV was able to attract crowds of young people. The LSV was very active in organizing anti-war campaigns throughout 1998, anti Milosevic rallies in 1999 and the actions against the regime in October 2000.

The LSV strives for an autonomous, multi-ethnic, and democratic Vojvodina, to be reached through decentralization and 'denationalization' of Serbia. The party headquarters of the LSV are in Novi Sad, the biggest "opposition" city of Serbia during the Milosevic years. Nowadays the city is governed by a mayor from the

Radical Party. The party is absent outside Vojvodina, which is the cause for their absence in the parliament. They are not able to overcome the 5 per cent threshold.

In 2008, LSV formed a pre-election coalition with the DS, G17 Plus and some minority parties. LSV has 5 seats in the Serbian Parliament.

Party leader: Nenad Canak

OTHER POLITICAL PARTIES⁶⁰

THE SERBIAN RADICAL PARTY (SRS)

The SRS was founded in 1991 by Vojislav Seselj and Tomislav Nikolic. The current leader, Vojislav Seselj, is awaiting trial at the war crimes tribunal on charges of crimes against humanity in Croatia and Bosnia in the 1990s. The party is extreme nationalist and it supports the idea of a Greater Serbia, stretching out from Istria to Thessaloniki. Seselj fell out of grace, but during the Kosovo crisis a rapprochement between the SPS and the SRS occurred and the SRS returned to the Serbian and Federal governments. In the latest elections of May 2008 the party got 29,5 % of the votes and is the biggest opposition party with 77 seats in the National Assembly.

Its electoral success, although not as big as in the elections in 2007, can be explained by growing nationalist sentiments in Serbia, their promise to engage in economic reforms and votes of people who formerly supported the Socialist Party of Serbia. The party's interim leader, Tomislav Nikolic, dedicated their victory "to Vojislav Seselj and other Serb inmates in The Hague". Due to its extremist orientation, the party stayed out of government. However since a minority government was formed and other parties are also quite nationalist, the SRS has major political influence and their proposals have significant chance to be adopted, as was shown by the approval of the bill that supports indicted war criminals, in March 2004.

Party leader: Vojislav Seselj

Interim party leader: Tomislav Nikolic

DEMOCRATIC PARTY OF SERBIA (DSS)

The DSS was founded in 2001 as a breakaway party from the Democratic Coalition (DOS) led by Zoran Djindjic. After the split, the party shifted to the right in its political orientation, to become a conservative party advocating liberal economic ideas. Party leader Kostunica is known as an anti-Western, anti-US

⁶⁰ www.google.com

democratic nationalist and supporter of the idea of a Greater Serbia. He is, however, famous for his political integrity and favours a democratic Serbia. In the 2000 September elections, after the removal of Milosevic, Kostunica was elected president in the first round. The Western countries hurried to congratulate him and assure him of their support. Kostunica accepted their embraces, but was careful to keep his distance. He is highly critical of the co-operation with the war crimes tribunal in The Hague and favours Serbian nationalist plans like the canonization of Kosovo. Party leader: Vojislav Kostunica

G17 PLUS

G17 Plus was founded in December 2002 as a party that grew out of a non-governmental organization pressing for economic reforms. The party has a liberal orientation, and is favoured by the international community for not being nationalist and its commitment to reforms. According to the party's program the mission of the party is "the creation of a strong economy and stable democracy in Serbia, which will become the leader in the Balkans, ready to adopt European standards and capable of preserving and protecting the best of its own tradition and culture." Economic and institutional reforms, a better life for the citizens of Serbia and integration into the European Union are main goals. In addition, social protection of the poorest during the transition period is seen as a necessity. The party was one of the few parties in favour of ending the State Union with Montenegro.

The party is currently member of the ruling coalition and the leader of G17 Plus and Mladjan Dinkic is Minister of economy and regional development. Party leader: Mladjan Dinkic

SERBIAN RENEWAL MOVEMENT- NEW SERBIA (SPO-NS)

The SPO was founded in 1990 as a nationalist liberal party, and was throughout the 1990s together with the Democratic Party, the most influential opposition party. According to the SPO's programme the party is a nationalist party with a liberal, civic and democratic orientation. The party would like to introduce a constitutional parliamentary monarchy in Serbia and emphasizes the importance of keeping together the state, including Montenegro and Kosovo and the removal of international troops. Like Kostunica, SPO favours a canonization of Kosovo. The party is in favour of becoming a member of the European Union as soon as possible.

After loosing in the 2000 elections, an alliance was sought with New Serbia for participation in the 2003 elections. New Serbia, a nationalist party with communist roots, was founded in 1997 after the 1996/97 protests by a former member of the Serbian Renewal Movement, Velimir Ilic. In 2008 parliamentary elections, the party formed a pre-election coalition with DSS of Vojislav Kostunica and got 7 seats in the Parliament. Party leaders: Vuk Draskovic and Velimir Ilic

SOCIALIST PARTY OF SERBIA (SPS)

The SPS was founded in 1990 by Slobodan Milosevic and is the successor to the League of Communists. Once Milosevic became President of Serbia, he succeeded in strengthening Serbia's position at the cost of the Federal institutions. He gained power by using a mixture of Serbian nationalist and communist rhetoric. When his term as president of Serbia expired, he was elected President of Yugoslavia. Under his rule the party controlled state property, police and media, and where the SPS lost power, the party of his wife Mira Markovic, Yugoslav Left (JUL) stepped in to fill the vacuum.

In 2000 it was defeated by DOS and after massive street demonstrations Milosevic had to step down. Until his death on Slobodan Milosevic formally remained the leader of the party, while he was in the Hague, being on trail before the ICTY.

After the death of Milosevic analysts expects that a power struggle may further weaken the party The party lost votes in the latest elections, however still has considerable political influence since the minority government is dependent on the support of SPS and there are other nationalist parties that share interests with SPS.

On 4 December 2006, deputy head Ivica Dacic beat his rival Milorad Vucelic in vote for the party's new leadership. Dacic pledged to "continue Milosevic's legacy, but also implement changes needed to win support of citizens," He also took a hard-line stance on Kosovo. The party is currently in the ruling coalition and its leader, Ivica Dacic, is deputy of the Prime Minister and Minister of internal affairs. Party leader: Ivica Dacic

LIBERAL DEMOCRATIC PARTY (LDP)

On 5 November 2005 Cedomir Jovanovic and several other former members of the Democratic Party with links to murdered Prime Minister Zoran Djindjic founded the Liberal Democratic Party (LDP). Jovanovic, who was elected chairman, called for a "radical break" with unspecified current political practices and for an "open confrontation with the past." The LDP is represented in the parliament of Serbia and Montenegro because one deputy belonging to the Democratic Party has already shifted his allegiance to the new group. Party leader: Cedomir Jovanovic.

SOCIAL CLEAVAGES IN SERBIA

In Serbia there is a particularly deep historical-ethnic cleavage (national-civic). This cleavage largely marks the political scene of Serbia and slows down democratization and europeanization processes. Slavujevic⁶¹ reminds us that the "horizontal" line of historical-ethnic cleavage is supplemented by the "vertical" dimension. This is about the cleavage between nationalist and civic orientation among representatives of each ethnic group. Besides, empirical findings show that the axis of the "national-civic" historical-ethnic cleavage and the axis of "traditionalism-modernism" cultural-value cleavage do not intersect, but largely overlap, with "national" coinciding with "traditionalism" and "civic" with "modernism". In Slavujevic's opinion, this leads to a conclusion of synergic effects of these two axes of divisions to party grouping.

The dominance of symbolic and distributional cleavages in Serbia after 2000 is very important. Its major claim is that the May 11 2008 elections, which brought on the defeat of the nationalistic bloc, heralded a shift in the domination of type of cleavages in Serbia, thereby making the democratic change of the year 2000 irreversible. As far as concerned the consolidation of democracy, Serbia- in contrast to many other post communist countries that already are EU-members— has had rather different path to democracy. The path was different but eventually did not preclude Serbia from getting closer to consolidation of democratic institutions.

Generally, in most countries in which the communist elite survived, the elite⁶² first got transformed and then, so transformed, returned to power to continue to implement reforms (with some degree of policy reversals). The very fact that it carried on with the reforms is enough to confirm the consolidation of democracy.

The question is if Serbia in 2009 can "join" this pattern. It can't be given a clear answer but after the change in government in 2000 (the fall of Milocevic regime-political transition), the parties that made up the opposition that took power in October 2000 have been alternating in government until today (mid- 2009).

The two major governing parties in 1990-2000 were in dissatisfaction after the 2000 elections. After the electoral defeat in September 2000, the Socialists and the Radicals recovered, but never fully returned to power after 2000. The Radicals were very close to accomplishing that goal, and the Socialists eventually got in the government in July 2008 but only as a junior partner. So, despite the fact that there were no proper return to power of the elite that supported the nondemocratic regime in 1990-2000, we can yet talk of the two turnover test and the irreversibility of the democratic change that took place in October 2000 in Serbia.

⁶¹ Slavujevic Zoran,(2003),” *Possible directions of regrouping of party scene in Serbia, in Value changes and transition in Serbia*”, pp. 96-106, Institute of Social Sciences, Belgrade and Fridrih Ebert Stiftung.

⁶² Antonic, Slobodan, “In the name of the elite or the Voters”, in: *Politika*, April 24, 2008.

CONCLUSION

In October 2000, a coalition of democratic parties defeated Serbian strongman Slobodan Milosevic in presidential elections, overturning a regime that had plunged the country into bloody conflicts in the region, economic decline, and international isolation in the 1990s. The country's new rulers embarked on a transition toward Western democratic and free market standards, but success has been uneven. Serbia has held largely free and fair elections, according to international observers. A new constitution adopted in 2006 marked an improvement over the earlier, but has some shortcomings, especially concerning the independence of the judiciary⁶³. Serbian governments have undertaken economic reforms and the country has experienced rapid economic growth in recent years, but living standards remain poor for many people. Organized crime and corruption remain very serious problems.

Serbia faces an important crossroads in its development. It is seeking to integrate into the European Union (EU), but its progress has been hindered by a failure to arrest remaining indicted war criminals and by tensions with the United States and most EU countries over the independence of Serbia's Kosovo province. The United States and most EU countries have recognized Kosovo's independence. Serbian leaders sharply condemned the move.

The European Union signed a Stabilization and Association Agreement (SAA) with Serbia on April 29, 2008. It provides a framework for enhanced cooperation between the EU and Serbia in a variety of fields, with the perspective of EU membership. However, at the insistence of the Netherlands, the implementation of provisions of the SAA will not start until war crimes inductee Ratko Mladic is transferred to the International Criminal Tribunal for the former Yugoslavia.

Parliamentary elections were held in Serbia on May 11, 2008. These elections showed that the majority of the voters opted for European integration. However, difficulties in forming the government in the period after the elections proved that Serbian society is still highly divided. The polarization between pro-Europeans and traditionalists became so intense that it provided a coalition potential to Milosevic's Socialist Party of Serbia that even they did not expect. After an exhausting period of negotiations the Socialists decided to join the pro-European bloc, for the time-being.

A result of the electoral loss was the dissolution of the Serbian Radical Party, the leading traditionalist force in Serbia. The Radicals, who always came close to power but never close enough, finally started to show first signs of defeat. They were not only defeated in the elections, they were defeated in depth. The leading members left the party and formed a new one. This was definitely a strong blow to

⁶³ Political Instability Task Force (PITF). Polity IV country report 2007: Serbia (the PITF is funded by the Central Intelligence Agency)

the Radicals and the real impact of this separation will be seen at the next elections. Neither of the two parties will be able to gather such support as they did in the past. On July 7 2008, the Serbian parliament approved a new government coalition led by pro-Western forces, but which also includes the Socialist Party (once led by indicted war criminal Slobodan Milosevic).

Serbia has vowed to take “all legal and diplomatic measures” to preserve Kosovo as part of Serbia. Serbia won an important diplomatic victory when the U.N. General Assembly voted on October 8, 2008, to refer the question of the legality of Kosovo’s declaration of independence to the International Court of Justice.

A decision on the case is not expected for several years. After taking office, the new government sent its ambassadors back to EU countries that recognized Kosovo’s independence, signaling that it does not want to isolate Serbia while continuing to oppose Kosovo’s independence. Serbia agreed to the deployment in December 2008 of EULEX, an EU-led law-and-order mission in Kosovo, perhaps with a similar purpose⁶⁴.

In view of the changes in Serbian politics it can be said with great confidence that a renunciation of EU integration is impossible in Serbia today. Although it has seemed that Serbia is closer to Russia than to the EU and that it tries to balance between these two powers, the policy of keeping one leg in the West and one in the East will not be tenable in the long term. Consensus to join the EU seems to exist among the political elite in Serbia, but with NATO accession it is quite the opposite. Although the Serbian government has approved a security agreement for the interchange of information with NATO, the majority citizens are reluctant to join NATO.

In December 2006, Serbia joined NATO’s Partnership for Peace (PFP) program. PFP is aimed at helping countries come closer to NATO standards and at promoting their cooperation with NATO. Serbia is not currently seeking NATO membership. In January 2009, Serbia warned that NATO’s role in overseeing the new Kosovo Security Force (seen by both Serbia and ethnic Albanians in Kosovo as a de facto Kosovo army) could have a negative impact on Serbia’s cooperation with the Alliance.

The most serious cloud over U.S.-Serbian relations is the problem of Kosovo. Serbia sharply condemned U.S. recognition of Kosovo’s independence. Nevertheless, during a May 2009 visit to Belgrade, Vice President Joseph Biden stressed strong U.S. support for close ties with Serbia.

He said the countries could “agree to disagree” on Kosovo’s independence. He called on Serbia to transfer the remaining war criminals to the ICTY, promote reform in neighboring Bosnia, and cooperate with international bodies in Kosovo.

⁶⁴ Woehrel Steven (Specialist in European Affairs) , “*Serbia: Current Issues and U.S. Policy*” Congressional Research Service, August 25, 2009

Southern Serbia is a flashpoint. The tensions in southern Serbia between the Albanian majority and the Serbian security apparatus could escalate if the situation in northern Kosovo goes in the direction of secession. Another possible crisis area is Sandzak. The reasons for the conflict can not be easily determined as well as the role of the Serbian government in it.

While many obstacles remain, most notably the issues of cooperation with the International Criminal Tribunal of the Former Yugoslavia and the collateral issues associated with Kosovo's independence, Serbia is making steady progress in strengthening its democratic processes and becoming more integrated with the rest of Europe and the world.

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