

IFIMES has analysed the current political developments in Serbia. We bring the most important and interesting parts of the extensive analysis titled

## 2021 Serbia: New internal and external challenges

### Facing Covid-19 pandemic – mission of saving human lives

In its response to the *Covid-19* pandemic the Republic of Serbia introduced state of emergency on 15 March 2020 and then terminated it on 6 May 2020. From the start of 2020 until the declaration of state of emergency around 400,000 persons entered Serbia, of which around 40,000 persons in the week before the introduction of state of emergency. Majority of them came from high-risk countries affected by the *Covid-19* pandemic, such as Italy. This required quick decisions of the authorities with respect to the *Covid-19* pandemic in order to prevent a collapse of the health care system and a health disaster like the one in Bergamo, Italy.

The *Covid-19* pandemic has changed the world in many aspects. As the pandemic gained pace, Serbia modified its response and calibrated itself to the newly emerged circumstances. The key actors on the international stage used *soft power* to pursue their foreign policy and geopolitical interests and goals. During the pandemic the European Union was slow and cumbersome, as a result of what other countries tried to seize and fill the created gap. Serbia managed to turn the crisis caused by the *Covid-19* pandemic into success. In addition to the assistance it provided to other countries at the outbreak of the pandemic, particularly Italy, Serbia also led the mission of saving of human lives in the region. It assisted all the countries in the region, and later embarked on production of vaccines.

Analysts believe that Serbia had responded correctly, bearing in mind that when it comes to combating the pandemic it is necessary to demonstrate solidarity, because nobody can fight against the *Covid-19* pandemic alone. During the pandemic, Serbia and its President **Aleksandar Vučić** (SNS) reaffirmed their position of leaders in the region. Namely, while the key countries were competing for his favor, through timely and decisive measures he managed to prevent a healthcare disaster of enormous proportions. The success of Serbia in the region must not be perceived as a failure of others.

### Negotiations between ruling and opposition parties regarding conditions for holding next elections

Regular parliamentary, provincial and local elections were held in Serbia on 21 June 2020. At the elections, the Serbian Progressive Party (SNS) and its candidates in the local communities scored a convincing victory.

Although prior to the announcement of elections the election threshold was reduced from 5% to 3%, a part of opposition parties boycotted the elections stating that there were no conditions in place to hold honest and fair elections.

Negotiations between the ruling and opposition parties continued also after the elections, under EU mediation. Some progress has been made, which could ultimately lead to brokering of a final agreement between the ruling and opposition parties. The next parliamentary elections are scheduled to take place in the spring of 2022. It is important that representatives of political parties also engage in dialogue without the presence of international representatives in order to strengthen their mutual trust and ensure democratic capacity for the election process.

According to analysts, the opposition should regroup its ranks, that is find new leaders and supplement its political program to be able to oppose the ruling parties. So far the opposition's *modus operandi* has not yielded effective results. The heterogeneous structure of the opposition requires a “*multi-echelon*” approach at the upcoming elections, because an associated heterogeneous opposition would not achieve synergic effect on the electorate. The opposition predominantly makes complaints regarding its representation in the media. However, there are numerous examples from other countries in which opposition parties had won the elections although they did not have significant representation in the media. Participants of the election process have to be equally represented in the media during the election campaign. The opposition had made a major mistake by boycotting the last parliamentary elections, as in such a way the opposition parties eliminated themselves from the political process and essentially reduced their impact and actions to the level of nongovernmental organisations (NGO). The boycott by the opposition parties is a loser option. The current opposition representatives cannot confront Vučić- unless maybe if a figure would emerge that would be perceived by the citizens as an indisputable authority, like **Zdravko Krivokapić** in Montenegro. Former Serbian President **Boris Tadić** did not exclude the possibility of running again at the presidential elections, which at the very start is a wrong and detrimental move for the opposition. The opposition predominantly directs all its actions and activities against Aleksandar Vučić, instead of towards the citizens/ voters.

### Internal “cleansing” of SNS

It is assessed that the Serb Progressive Party has around 800,000 members. It is one of the most organised political parties in Europe. As a majority of political parties in power, the SNS as well has experienced frequent political turmoil over the past years, as a result of internal conflicts, traditional “*long-time-in-power diseases*”, turbulent environment, as well as the influence of the foreign factor, which is counting on the already tested recipe for toppling a party from within.

As the Serbian President and SNSD President Aleksandar Vučić is in focus again, the information on secret wiretapping of President Vučić is of no surprise. Such information should upset the public and alarm the security-intelligence apparatus, but also draw attention to the possible ultimate goal of such activities. As in the recent history, the first democratically elected Prime Minister of the country, **Zoran Đinđić**, was assassinated there is justified fear regarding the threats made to the current Serbian President Aleksandar Vučić. The intensified activities of foreign-security agencies in Serbia are a testimony that these activities are planned and synchronised.

Analysts believe it is of exceptional importance that the processes of differentiation within the SNS have been initiated, as they will lead to political “*recovery*” of the party and a showdown with deviant occurrences and individuals. The SNS has to introduce monitoring over its numerous members and representatives in the government in order to prevent or minimise negative occurrences. Not many political parties that have the political courage and readiness to “*cleanse*” its own ranks, because majority of political parties resort to methods for concealing negative occurrences and pushing the problems “*under the rug*”. Similar processes are recommended to opposition parties, as that is the only way in which they can consolidate the situation in their own ranks and adequately prepare for the upcoming elections. Serbia is facing new internal and external challenges, which require inventive and appropriate solutions.

### Halt in dialogue between official Belgrade and Pristina

After the signing of the Washington agreement on “*economic normalisation*” between Belgrade and Pristina of 4 September 2020 and establishment of stronger relations between Serbia and the USA, activities on destabilisation of Serbia intensified. Finalisation of the dialogue does not suit specific political forces. Namely, it primarily does not suit a part of the internal factor in Serbia, who in conjunction with the international factor is attempting to destabilise Serbia.

Although the Brussels agreement between the official Belgrade and Pristina was signed in 2013, it has still not been completely implemented, predominantly because of the obstructions by Kosovo authorities in the implementation of the Brussels agreement and particularly the part of the

agreement related to missing persons (Kosovo Liberation Army archives) and establishment of the Community of Serb Municipalities.

The issue of property is one of the key disputes between the official Belgrade and Pristina. The Washington Agreement envisages resolution of the issue of use and management of the Gazivoda /*Liqeni i Ujmanit*/ Lake, on which a feasibility study is to be made.

There is also a dispute related to other property on Kosovo. The most frequently mentioned properties include: Mining- Metallurgical and Chemical Combine *Trepča* and the property in the energy sector, appraised to over 3 billion Euros.

The constant initiatives aimed to make the dialogue more inclusive also contributed to the halt in the dialogue between the official Belgrade and Pristina. There is also an initiative to include in the dialogue the issue of the so-called Preševo valley (municipalities of *Preševo*, *Medveđa* and *Bujanovac*) and have their respective representatives participate in the dialogue. This reminds of the situation at the Conference on former Yugoslavia in Geneva at which political representatives of Sandžak requested to participate, but their request was rejected.

Analysts hold that it is necessary to continue the dialogue between the official Belgrade and Pristina and find a compromise solution without including new representatives, but also simultaneously work on the implementation of the already signed agreements- the Brussels and Washington agreements.

### **Does Serbia have a right to its foreign policy like Germany – EU double standards\_**

Serbia is still under strong pressure. The objections are mainly coming from the EU and are related to the integration of the country into the EU. They most frequently emphasise the lack of harmonisation of the Serbia foreign policy, particularly after the introduction of sanctions by the EU against Russia. The foreign policy of Serbia, which is positioned in a “*quadrangle*” consisting of EU - US – China - Russia + the Nonalignment Movement, is not welcomed by the EU, which requests from Serbia to follow the EU policy, that is to subject the Serbian foreign policy and political decisions to EU policies, although it is still not known when (and if) Serbia will become an EU member. The West still expresses its reservations regarding the geopolitical orientation of Serbia and some other countries in the region, for which it suspects that they could change their geopolitical orientation. That is why it is important to work in the coming period to enhance and develop trust between Serbia and the West.

On the other side, Germany is pursuing a different, rather intransparent and solo foreign policy with respect to EU in its relations with Russia. The President of the Christian Democratic Union (CDU) and the candidate for the next federal chancellor **Armin Laschet** believes that Germany should develop relations in multiple directions. He supports the foreign policy that promotes development of relations in multiple directions and, at the same time, warns of the threats of termination of dialogue with Russia and China. Laschet holds that “*Foreign policy has always been geared to the search [for ways of interaction], including cooperation with countries having different social models. This concerns China, Russia and the Arab world countries*”.

### **Disputed privatisations still disputable?**

The disputable privatisation processes are listed in the resolutions of the European Parliament on Serbia and particularly the European Parliament Resolution no. 2011/2886(RSP), adopted at the plenary session of the European Parliament in Strasbourg on 29 March 2019.

After the arrival of **Vojislav Koštunica** (DSS) to power, Serbia experienced an enormous increase in crime and corruption (*24 disputable privatisation processes, Report of the Council for Fight against and its Chair Verica Barać*), as well as unfree media.

The European Union intensified its requests for processing of those responsible for the committed organised crime and corruption in Serbia after the opening of the investigation in Austria in

September 2011 into the procurement of mobile operators in the region, particularly *Mobtel*, by the *Austrian Telekom* company and the resolution of the European Parliament (EP) of 29 March 2012, which requests from Serbia to review the disputed privatisations. It was particularly underlined that the *Mobtel* Company, which was forcibly and illegally seized from **Bogoljub Karić**, owner of the *BK Group*, sold to controversial Austrian businessman **Martin Schlaff**, and subsequently to Norwegian *Telenor* for EUR 1.513 billion.

The then Serbian President and President of the Democratic Party (DS) **Boris Tadić** did not respond adequately, that is did not deal with all these negative occurrences and lost the elections in 2012, although majority of the media was under the control of his close associates or was directly subordinate to (or favored) him. The influence of the media on the outcome of elections is often overestimated. In 2012, although the media in Serbia were under the control of Boris Tadić's regime, **Tomislav Nikolić** (SNS) won in an unequal competition and became the next Serbian President. In democratic countries, one comes to power through elections, not through protests or by boycotting elections.

The European Parliament requested from authorities in Serbia to conduct thorough investigations and review of disputable privatisation processes in 24 companies and sanction those responsible. The investigation was superficial, although it was expected that someone serious who had investigated 24 disputable privatisation processes would come up with a clear analysis and state what were the mistakes in the privatisation process. It is symptomatic that no element of criminal offence had been discovered in the privatisation processes, although there probably were some. Specific individuals were evidently spared or protected, because the review of disputable privatisation processes was obviously done selectively. Apart from several sentences in the report stipulating that the review has been finalised, this work is ended. Everyone who participated in the review of the privatisation processes was well-paid, while the citizens of Serbia did not have the right to be informed what organised crime and corruption looked like during the Vojislav Koštunica and Boris Tadić's regime and what all needs to be changed so that it does not happen again.

#### **Rectify the consequences of Koštunica's regime – seizure and plunder of private property**

In paragraph 18 of the European Parliament Resolution no. 2011/2886(RSP) of 29 March 2012, the European Parliament expressed its concerns regarding the repetition of charges based on Article 359, Serbian Criminal Code, related to abuse of office in private companies, which led to unjustified freezing of assets of numerous companies and individuals. The EP underscored that such accusations had undermined the trust in the rule of law in the country. Therefore, in the Resolution the European Parliament called on the then authorities in Serbia to swiftly proceed with a revision of the Criminal Code and ensure that it is in line with European standards, as well as to immediately put an end to the bringing of charges of abuse of office in private companies and companies with majority private ownership and to discontinue the pending criminal proceedings. Furthermore, the European Parliament also emphasised that where people have been charged under Article 359 and there is a suspicion that the period for which they have been detained or their assets frozen is disproportionate to their alleged offence, they should be entitled to an immediate suspension of the proceedings against them and the right to reclaim private property and fair compensation.

The most illustrative are the cases of companies *Mobtel*, *BK Televizija* and *Astra Bank*. Namely, under the blessing of the then Prime Minister Vojislav Koštunica, special units of the Serbian Ministry of Internal Affairs, whose members wore balaclavas, forcibly raided these companies, seized all the equipment, tore the cables, liquidated the company and the bank. The damage caused to Bogoljub Karić is enormous and according to some independent appraisals amounts to 3.3 billion Euros. The EP resolutions have to be respected and executed. The *C Market* company was also illegally seized by specific centres of power at the time, which were led by the then Serbian Prime Minister Vojislav Koštunica and the owner of the *Delta* company **Miroslav Mišković**, which resulted in persecution and issuing of arrest warrant against *C Market*'s owner **Slobodan Radulović**. Namely, *C Market* was the largest trade-chain in Yugoslavia. Radulović's subsequent death was believed to be a result of the listed developments. Such cases have to get their epilogue in court. In other words, it is necessary to establish the responsibility of individuals who had participated in these illegal actions. After all, that is also required by the European

Parliament resolution. What is needed is compensation, both moral and material satisfaction- so that there is no need to wait for judgments of European courts. It is necessary to establish the required level of compensation and that national authorities resolve this issue in order to avoid lawsuits before European courts – bearing in mind the fact that private property is inviolable. This would further strengthen legal security, protection of investments and trust of investors.

While the restitution of property rights stripped from owners after World War II is mainly completed, this issue is still not being addressed, although human rights and private property are the foundations on which the EU legal order is established. Due to the forcible seizure of his private property, Bogoljub Karić's case was considered a Serb version of the **Mikhail Khodorkovski** case, while Vojislav Koštunica and Boris Tadić have still not been held accountable before justice. In the period of rule of the Koštunica-Tadić duo more than 6,300 criminal charges were filed against owners of capital for alleged abuse of office from Article 359, Serbian Criminal Code- abuse of office in private companies. This was a "*heritage*" from the old communist-period law, which Koštunica's regime had evidently abused to "*discipline*" private businessmen. Later, the new government in Serbia, headed by the Serb Progressive Party (SNS) abolished Article 359 of the Criminal Code, just as all other countries of former SFRY had done previously, because the article had been used for "*racketeering*" of owners of capital and private companies.

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