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Serbia: Minorities in a Reluctant State

I. Introduction

Over the past few years, Serbia’s quest for greater stability has been largely unsuccessful. As an unconsolidated democracy with a large anti-democratic and anti-reform opposition and a number of open status and territorial issues, reforms and majority–minority relations have been rocky. The assassination of Prime Minister Zoran Đinđić is often viewed as a watershed between the more optimistic and reformist Serbia of the first post-Milošević years and the cautious and conservative Serbia since, epitomized by Vojislav Koštunica, who was elected prime minister in early 2004. While such a dichotomy might oversimplify the complexities of the transition process in Serbia, recent years have been shaped by a high level of support for the Serb Radical Party (Srpska radikalna stranka, SRS), a rise of attacks by extremist groups against minorities and political opponents and the dominance of the Kosovo issue on the political agenda. Minorities in Serbia today find themselves in a ‘reluctant state’.

Although the authorities have engaged in state-building in recent years, from symbolic acts such as adopting a new flag and hymn to the new constitution, the key open status questions for Serbia appear to be imposed from outside, be it the referendum on independence for Montenegro or the status of Kosovo. The Serbia that is emerging from this process, without a union with Montenegro and probably without Kosovo, is not the Serbia that the ‘state-builders’ had aimed for.

The status of minorities in Serbia over recent years has thus been characterized by three parallel trends.

First, minorities have been suffering from general political neglect since the end of the Milošević era. In spite of some symbolic steps, such as the passing of a Federal Minority Law in 2002 and the selection of József Kasza, head of the Alliance of Vojvodina Hungarians (Savez Vojvodjanskih madjara, SVM/Vajdasági Magyar Szövetség, VMS), as deputy prime minister (2001-04), substantial improvement of the status of minorities has not been a priority of any Serbian government since 2000. Whereas the post-

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Milošević governments generally took a more positive view of minorities than before, this has either failed to be translated into policy or the policies have been largely ad hoc and reactive. Thus, there has been little implementation of the framework set out by both the Federal Minority Law and the Framework Convention on National Minorities (FCNM) of the Council of Europe (CoE), to which the Federal Republic of Yugoslavia has committed itself. An example of the reactive nature of minority politics in Serbia has been the lifting of the 5% threshold for minority parties and coalitions after no minority party managed to enter parliament independently in the December 2003 elections.

Second, minorities have suffered from the strong nationalist and isolationist social climate that continues to shape Serbia to a large extent. Consequently, minorities have become frequent targets of organized and individual attacks by extremists in Serbia. As will be discussed below, some of the attacks were aimed at Roma, generally the most vulnerable minority throughout central, eastern and southeastern Europe, whereas others chose Muslims and Albanians, linked to the larger political questions in Serbia. Finally, other minorities, such as Hungarians and Slovaks, have become targets, a reflection of the legacy of the Milošević era and the continued instrumentalization of nationalism by parts of the political elite.

Third, European integration processes have promoted minority policies in Serbia, although in an unsystematic and often superficial way. The OSCE, the CoE and the EU have actively promoted a variety of activities to advance the status of minorities in Serbia, ranging from legal reform initiatives, direct assistance to minorities and the use of conditionality to induce Serbian authorities to advance the treatment of minorities.

The status of minorities in Serbia today can thus not be assessed in simple terms but is to be understood in light of these three, sometimes reinforcing, sometimes contradictory, trends. In this chapter, the status of minorities in Serbia will be discussed in three respects. First, the chapter will explore the reasons for and impact of anti-minority violence in recent years. Subsequently, the chapter will examine the consequence of the dissolution of the State Union of Serbia and Montenegro on minority rights and, finally, it will turn to the new Serbian constitution as a mechanism of minority protection.

Minorities in Serbia today amount officially to approximately 16.1% of the population (excluding Kosovo). Of the 24 minorities in Serbia, only Roma (1.4%), Hungarians (3.9%), Bosniaks/Muslims (1.8/0.3%), Croats (0.9%), Montenegrins (0.9%) and Albanians (0.8%) account for around 1% or more of the population. With the exception of Roma, ethnic diversity is a regional, not a state-wide, phenomenon in Serbia. These regions are primarily at Serbia’s border and link minorities to kin or neighbouring states (Bulgarians in southeastern Serbia, Albanians in southern Serbia, Bosniaks/Muslims in the Sandžak region and Hungarians in northern Vojvodina). Minority-majority relations in Serbia are thus only characteristic in these regions, whereas large parts of Serbia are relatively homogenous and many members of the majority will have little to no experience of minorities, except for Roma. The largest minority in Serbia are Roma,

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1 Republički zavod za statistiku, “Konačni rezultati popisa 2002 [Final Results of the Census 2002]”, 52(295) Saopštenje (2002), 24 December. As the number of Roma is considerably higher than official numbers suggest, the total share of the minority population is likely to be close to 20%.