
GOVERNANCE TODAY

Analyses, Research and Opinions on Today's Governance Challenges



Challenges of Governance in Serbia

by Robert Thomas



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Introduction

The first decade of Serbia's post-communist history was characterised by authoritarian government and a series of inter-regional wars accompanying the dissolution of the Yugoslav state. This paper seeks to examine the current state of Serbia's democratic institutions, how far they have developed in spite of initial obstacles, and what further change needs to take place. It also seeks to evaluate Serbia's current position in relation to other states of the region, and the wider world.

Political Background

Phase I (1990-2000): This period in Serbia's post-communist history represented a 'false start' in terms of the country's democratisation. An array of new political parties were formed during 1990/1991 power, however, remained concentrated in the hands of the Socialist Party of Serbia, the successor organisation to the Communist Party, under the leadership of Slobodan Milosevic. Milosevic's SPS had significant institutional advantages over the new parties including access to the existing Communist branch network and control of key state institutions in the media, security forces and the economy. The SPS, also retained electoral support amongst key voter groups including older voters, the urban working classes, and rural voters. The SPS was, however, only able to secure an overall majority in

Serbia's first parliamentary election in December 1990. In all subsequent elections Milosevic and the SPS relied on the support of other parties, principally the ultra-nationalist Serbian Radical Party (SRS) led by Vojislav Seselj. The opposition parties in Serbia on a number of occasions staged large scale street protests against the Milosevic government. The most significant of these protests took place in March 1991, June 1992, and November-February 1996/1997 (1). This period saw the dissolution of the Yugoslav state and a series of wars of succession in Slovenia (1991), Croatia (1991-1995), and Bosnia (1992-1995) (2). In 1998/1999 saw the development of an insurgency amongst the Albanian population of Kosovo which was followed, in response to the actions of Serbian security forces, by a NATO bombing campaign from March to July 1999. The NATO intervention left Milosevic weakened but still in power. He called Yugoslav presidential and parliamentary elections for September 2000, expecting to triumph over a weak and fragmented opposition. The opposition, however, unexpectedly formed a broad coalition, the Democratic Opposition of Serbia, and united around Vojislav Kostunica, leader of the Democratic Party of Serbia (DSS), as their presidential candidate. On 24 September 2000 Kostunica narrowly defeated Slobodan Milosevic in the presidential elections. On 5 October 2000 Milosevic recognised the election results in the face of mass demonstrations, which represented the culmination of the Serbian street protest tradition of the 1990s (3).

Phase II (2000-2008): The fall of Milosevic in October 2000, and the subsequent Serbian elections of December 2000, left the political scene in Serbia dominated by the parties of the Democratic Opposition of Serbia, primarily Kostunica's DSS and the Democratic Party (DS) led by Zoran Djindjic. The old regime parties, the SPS and SRS, saw a collapse in their electoral support, and these parties, temporarily, retreated to the margins of political life. In the absence of any opposition the DOS parties fought amongst themselves. While Kostunica and the DSS were in this initial post-revolutionary period more popular, Djindjic and the DS had greater access to political and institutional power. In March 2003 Zoran Djindjic was assassinated in a plot organised by elements of the old regime security forces and organised crime interests. The conflict between the DS and DSS, opened the way for the ultra-nationalist SRS to return from the margins and establish itself as the largest political party on the Serbian political scene. In February 2003 Vojislav Seselj, the SRS leader, travelled to the Hague to face ICTY war crimes charges. In Seselj's responsibility for the leadership of the SRS was taken by Tomislav Nikolic, the party Vice-President, and Aleksandar Vucic, Secretary General. This rearrangement amongst the leadership of the party did not, however, affect the electoral popularity of the SRS. The animosities between the DS and DSS combined with the need to keep the ultra-nationalist SRS out of government led to the gradual rehabilitation of the other old regime party, the SPS. In March 2004 Vojislav Kostunica was only managed to form a government which did not include either the DS or the SRS by relying on the support of the SPS from outside of the governing coalition. Following the May 2008 elections the DS, led by Boris Tadic, invited the SPS, to formally become part of the new administration in order to thwart the possibility of a SRS-DSS coalition government emerging (4).

Phase III (2008-2016): The period after the May 2008 elections was marked by the following trends within the Serbian Radical Party:

- An increasing shift away from nationalist rhetoric and towards an emphasis social and economic issues
- Increasing frustration at the fact that while the SRS had established itself as the largest political party in Serbia its lack of coalition building capacity and diplomatic pressure from the EU, US, and other Western governments acted to exclude it from power.
- Growing tensions between the party leadership in Belgrade, Tomislav Nikolic and Aleksandar Vucic, and Vojislav Seselj, who was seeking to run the party by remote control from his prison cell in the Hague.

These tensions within the SRS culminated in September 2008 in a split in the party over the issue of support for Serbia's EU accession. Tomislav Nikolic and other SRS MPs voted in favour of Serbia's Stabilisation and Association Agreement (SAA) with the EU contrary to Seselj's instructions. This split was formalised in October 2008 with the establishment of the Serbian Progressive Party (SNS) with Tomislav Nikolic as its leader and Aleksandar Vucic as his deputy. The SNS soon eclipsed the rump of the SRS, and grew in support to rival the governing Democratic Party. Nikolic and Vucic sought to shift the SNS towards the centre-ground of Serbian politics. They placed particular emphasis on EU accession, and the need to fight corruption.

Following the elections in May 2012 it did not at first appear as if the basis configuration of Serbian politics had shifted. The results suggested that the DS and the Socialists would form a coalition once again pushing the SNS into opposition. The surprise victory of Tomislav Nikolic in the second round of the presidential elections, however, altered the coalition building dynamic. The SNS were able to detach the SPS from their coalition with the DS by offering Ivica Dacic, the Socialist leader, the position of Prime Minister in the new administration. Aleksandar Vucic became Deputy Prime Minister in the government as well as leader of the SNS, following Tomislav Nikolic's resignation after he became Serbian President. In early elections held in 2014 the SNS consolidated its position, and Vucic became Prime Minister while the Ivica Dacic moved to become Serbian Foreign Minister (5). During the period from 2014-2016 support for the SNS appeared to be stable at around 50%. The opposition by contrast appeared to be organisationally fragmented, and unable to provide the Serbian voters with an alternative narrative to that offered by the SNS. Aleksandar Vucic called new parliamentary elections for April 2016. Vucic justified this by stating that the government needed a new mandate to undertake the reforms necessary in order to successfully conclude the EU negotiation process, which had formally begun at the start of the year. It was widely suspected, however, that this was a further attempt by Vucic to reinforce the political position of the SNS. The results of the 2016 election, however, showed that while the SNS remained dominant they were also presiding over a more diverse parliament with new sources of both liberal and nationalist opposition (6).

Serbia and Its Institutions

The Political Parties: The political parties in Serbia have different origins, histories, and identity, but they also share a number of common structural attributes.

The Role of Leadership: Political parties in Serbia are, in general, strongly identified with their party leader. In the case of the SNS Aleksandar Vucic has been described as the 'personification' of the party. The high level of popularity recorded in polls for the SNS, it is argued, actually reflects Vucic's personal popularity (7). This personality based support for Vucic has produced an apparently paradoxical situation where in government he has advocated a 'modernising' agenda involving movement towards EU membership and market driven economic reform whilst drawing much of his support from the more conservative and nationally focussed sections of the electorate in Serbia. The correlation between leadership and party in Serbian politics inevitably, however, produces a strong element of instability in party life. The withdrawal of a political leader who is identified with a party can result in the unravelling of the party. This can be seen, for example, in the on-going fragmentation of the DSS which began following Vojislav Kostunica's resignation as party leader after the party failed to clear the electoral threshold in the 2014 elections. The Socialist Party of Serbia suffered from a series of splits and electoral defeats following Slobodan Milosevic's withdrawal as leader, extradition to the Hague and subsequent death. Its capacity to survive return to the centre stage of Serbian politics under the leadership of Ivica Dacic was at least in part due to the fact

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that it could rely on an ideological tradition, structures, and core support base inherited from the old Communist Party.

Ideology and Identity: The strength and central role of the leader in Serbian parties is paralleled by weakness in terms of ideology and identity. The SNS has sought to define itself as a party of the centre-right, aligning itself internationally with the European People's Party (EPP). In reality, however, the SNS is an ideological amalgam consisting of pro-reform, anti-reform, pro-Western, and pro-Russian elements, which are sometimes in conflict with each other but gathered together under the leadership of Aleksandar Vucic. The current aim of the SNS leadership to appeal to as broad an electoral constituency as possible makes it unlikely that, over the short term, they will develop a more coherent ideological identity. Similarly the Democratic Party has defined itself as a party of the centre-left, and has sought to align itself internationally in these terms. In government, however, under Zoran Djindjic (2000-2003) and Boris Tadic (2008-2012), the profile of the DS was more technocratic and managerial than left-wing. This lack of a clear ideological identity has been reflected in the problems the DS has faced, during its period in opposition (2012-2016,) in framing a coherent message and in its tendency to fragment.

A Politicised Society: In comparison with their counter-parts in Western Europe Serbian political parties, with their over-reliance on leadership, lack of clear identity, and often ephemeral structures, are relatively weak low capacity institutions. In terms of their ability to control and plant their personnel within state structures, however, Serbian political parties aspire to be high-capacity institutions. In this situation political parties act as gate-keepers to employment in state institutions at state and local level. This has led to inflated membership for governing parties in Serbia. The SNS currently claims to have an overall membership of 500,000, and a membership of 60, 000 in its youth wing. In opposition Serbian political parties often advocate the de-politicisation of the state, but once in government find it hard to relinquish access to this source of patronage. Patronage from state institutions can play a crucial role in holding together, and ensuring the success of political parties. G17 Plus, which later became the United Regions of Serbia, took part in every Serbian government between 2004 and September 2013, when it was reshuffled out of the first SNS led government. In the March 2014 elections the URS failed to clear the 5% electoral threshold, and ceased to function as a political party shortly afterwards. The high level of emigration by young people from Serbia has been seen as symptomatic of their desire to opt-out of the politicised economy.

The Current Political Spectrum in Serbia

The Results of the April 2016 Serbian Elections

PARTY	VOTES	SEATS	GAIN
Serbian Progressive Party (SNS)	48,2 %	131	-27
Socialist Party of Serbia (SPS)	12 %	29	-15
Serbian Radical Party (SRS)	8,1 %	22	22
Democratic Party (DS)	6 %	16	-3
It's Enough! (DJB)	6 %	16	16
Coalition for a Better Serbia (SDS/LDP/LSV)	5 %	13	-5
DSS-Dveri	5 %	13	13
Others	10 %	10	-1

The Serbian Progressive Party (SNS) straddles the centre ground of Serbian politics. Its pro-European message combined with a strong national image tends to undercut the messages of both its pro-European and nationalist opponents. The 'modernising mission' proclaimed by Aleksandar Vucic contrasts strongly with his traditional and authoritarian attitudes both to the internal organisation and to relations with other participants in public life, civil society, and the media. The SNS is currently the dominant party on the Serbian political scene, but its centralised organisation and amorphous capacity to appeal to different electoral constituencies may point to longer term structural instability.

The Socialist Party of Serbia (SPS) is the second largest party in the Serbian parliament. Its inclusion in the governments formed after the 2012, 2014, and 2016 elections has, however, meant that it has been co-opted by the SNS and its capacity to act as an opposition force has been nullified. The party's relationship with the SNS is currently a source of controversy within the ranks of the SPS, particularly in view of its declining electoral fortunes. Under Ivica Dacic's leadership the SPS has become a hybrid semi-modernised structure. Old style Milosevic loyalists, such as Milutin Mrkonjic, remained in influential positions, but modernisers, including the political scientist, Dijana Vikomanovic, were also introduced into the party leadership. In a significant development, reflecting internal party divisions, Dijana Vukomanovic left the SPS in October 2016 (8).

The Nationalist Opposition: The main nationalist opposition parties are the Serbian Radical Party (SRS) and the Democratic Party of Serbia. Both of these parties take a policy line which is strongly pro-Russian and anti-EU/NATO. The Serbian Radical Party suffered an electoral collapse following Nikolic and Vucic's departure to form the SNS. In the 2012 and 2014 elections the SRS failed to clear the electoral threshold to achieve representation in parliament.

In November 2013, however, the political fortunes of the SRS were boosted when Vojislav Seselj was released from custody in the Hague on health grounds prior to the delivery of the verdict in his war crimes trial. In March 2016 Vojislav Seselj was, controversially, acquitted of all charges by the ICTY. The higher profile gained by the SRS following Seselj's return and acquittal helped it to return to parliament in the April 2016 elections, as the third largest political grouping. The Democratic Party of Serbia (DSS) also follows a nationalist line. Its supporters are, however, more educated and urban. Sanda Raskovic Ivic was elected as the leader of DSS, as successor to Vojislav Kostunica, in October 2014. Raskovic-Ivic's attempts to revive the electoral fortunes of the DSS were made more difficult by a series of internal party splits which took place in late 2014/2015. The DSS was nevertheless able to re-enter parliament following the April 2016 elections when it narrowly succeeded, in alliance with the cleric-nationalist grouping Dveri, in clearing the electoral threshold. In July 2016, however, Sanda Raskovic Ivic resigned as party leader following a dispute over the formation coalitions with the SNS at local level (9).

The Pro-European Opposition: The established pro-European opposition consists of the Democratic Party (DS), the Liberal Democratic Party (LDP), and the Social Democratic Party (SDS). Both the LDP led by Cedomir Jovanovic and the SDS led by Boris Tadic were originally breakaway groups from the DS. The DS is currently led by Dragan Sutanovac, a former Defence Minister, who was chosen to head the party in September 2016 (10). All of these parties appear to be electorally moribund. Significantly the SNS led administration has over the past year come under the greatest pressure not from the established opposition but from the civic movement 'Let's not drown Belgrade' which has organised a series of protests against the government's show-piece Belgrade Waterfront development. The pro-European and reformist 'Its Enough!' (DJB) movement gained representation in parliament for the first time in the April 2016 elections. The DJB is led by Sasa Radulovic, a businessman and blogger, who briefly served as Economy Minister in the first SNS led government. The DJB was founded in January 2014, and contested the parliamentary elections which took place in March of that year but failed to cross the electoral threshold. During the 2016 election the DJB appeared to be gaining support outside of the established reformist electoral constituency. It remains to be seen whether the DJB will be able to provide new and dynamic opposition to the SNS government in the new parliament.

The Election System: The nature of the election system has had significant impact on the internal structure of Serbian political parties, and the way in which they communicate with the voters. The Serbian electoral system is directly proportional. The whole of Serbia is one election unit. Each political party submits a 250 name candidate's list and MPs allocated according to the percentage of vote gained. There is a 5% electoral threshold for all parties, except for those parties which are registered as representing ethnic minorities. The single election unit system was brought in by the post-Milosevic DOS government with the intention of preventing powerful individuals from exerting influence on local politics. In the single election unit the composition of the candidates is determined centrally. This has acted to further strengthen the role of the leadership within the party. In the single unit election system there is also no connection between any specific territory or group of voters, and as a consequence accountability of the voters to the electorate is limited.

During the 1990s elections in Serbia were characterised by large scale electoral fraud both by the Republican Election Commission (RIK) and by local authorities. In the post-Milosevic period

elections were frequent, but were carried out with a high degree of efficiency and with relatively complaints regarding their conduct. Following the April 2016 elections, however, the role of the RIK was again called into question, with allegations by the opposition of widespread voting irregularities, which led to repeat elections in some polling stations.



© National Assembly of the Republic of Serbia

Parliament: The Serbian parliament has not developed as a strong institution in the post-communist period. It has limited capacity to hold the government to account. After 2012 Nebojsa Stefanovic, the then parliamentary speaker, introduced a Prime Minister's questions session in the Serbian parliament. The Prime Minister is, however, under no obligation to turn up to this session, and frequently does not. The weakness of parliament as an institution can be attributed to Serbian MPs lack of independence being both subordinate to the party leadership, and without any clear connection with the voters. The MPs also lack a structural connection to the government. Members of Parliament are required to give up their mandates if they are appointed as ministers. Many government ministers are appointed from outside of parliament.

The Media: In the period of Milosevic's rule in the 1990s the media landscape in Serbia consisted of a strong regime controlled state sector and TV stations owned by businessmen sympathetic to the regime, such as BK TV and TV Pink. The opposition were largely restricted to smaller independent radio and TV stations. On a number of occasions during this period independent and pro-opposition media came under direct attack from the authorities. In the post-Milosevic period direct action against the media by the authorities largely came to an end but opposition parties continued to complain that they faced a 'media blockade.' In the period

of rule by the Democratic Party from 2008-2012 particular attention was focussed on the role of Dragan Djilas, the DS Mayor of Belgrade, with allegations that he was using his control of advertising revenue to influence the content of the Serbian media. Complaints by the media of economic pressure and 'soft censorship' continued after the SNS came into office after 2012. At a personal level Aleksandar Vucic's response to criticism by the media has frequently been antagonistic and confrontational. In July 2016 the SNS staged a public exhibition in central Belgrade of critical press coverage from newspapers and journals entitled Uncensored Lies. Critics of the government described this as an attempt to pressurise the media (11).

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Regional Politics - The Legacy of the Past

The wars of the 1990s left a legacy of political and inter-ethnic division across the former Yugoslav region. The first decade of the 21st century saw the gradual reestablishment economic and cultural links (12). While some progress was also made in the political sphere significant issues remained unresolved. The election of Tomislav Nikolic as President of Serbia in May 2012, and the subsequent formation of the first SNS led government was greeted with dismay by a number of governments across the region who saw it as heralding a return in Serbia to the nationalism of the 1990s.

The subsequent period, however, saw a number of positive developments in terms of Serbia's relations with other countries in the region. In April 2013 a landmark agreement, mediated by the European Union, was reached on the normalisation of relations between Serbia and Kosovo. The on-going dialogue produced a further agreement in August 2015 covering energy, telecommunications, and local administration in the Serbian populated north of Kosovo. The same period saw improved inter-governmental contacts between Serbia, Croatia, and Bosnia.

The summer of 2015 saw rising regional tensions focussed on the commemoration of the 20th anniversary of the Srebrenica massacre. On 11 July 2015 Aleksandar Vucic visited Srebrenica for the commemoration ceremony, and was attacked by elements in the crowd. Subsequently, however, in a conciliatory gesture Vucic invited the three-member Bosnian presidency to visit Belgrade. Vucic also returned to Srebrenica for a donors conference in November of that year (13). Although Serbia/Bosnia relations ended 2015 on a positive note across the wider region relations had begun to deteriorate. In the second half of 2015/2016 the impetus behind the Serbia/Kosovo dialogue appeared to dissipate, with the agreements made previously failing to be implemented. There were also negative trends in terms of relations between Serbia and Croatia over a range of issues including the migrant crisis, Serbia's EU accession, and nationalist statements made by Croatian government representatives. In the controversy over the celebration of the Bosnian Serb Republic day which led to the referendum in September 2016 Vucic's government supported the right of the Bosnian Serbs to celebrate on the established day, 9 January, but otherwise appeared cautious about intervening in the internal politics of Bosnia, and unwilling to alienate Western governments over this issue. The events during this period demonstrate that while progress has been made in terms of developing

inter-regional relations there is still a tendency across the region to adopt default nationalist positions for electoral or political advantage.

The Balancing Act - Serbia, the West, and Russia

EU accession has been identified as a strategic goal both by the current SNS led government (2012-2016), and the previous government headed by the DS (2008-2012) Aleksandar Vucic's government sees attaining EU membership as a key element in its programme of modernising the Serbian state. Serbia has made significant progress in realising this objective. On 28 June 2013 the European Commission recommended that the negotiation process for EU membership should begin by January 2014 at the latest. On 14 December 2015 it announced that the screening process had been completed and that the first Chapters on EU membership could be opened. Further chapters were opened during the spring of 2016. In the aftermath of the UK referendum on the EU membership Jadranka Joksimovic, the Serbian government minister with responsibility for EU accession, reaffirmed Serbia's continued commitment to European Union integration stating that it was: 'an active part of our internal politics and the best way to achieve greater development, higher standards of living, a legal state, the rule of law, a stable economy, and improved investment and employment (14).

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The Serbian government's relationship with NATO is more complex. The 1999 bombing campaign has left a legacy of distrust towards NATO amongst the Serbian population. The Serbian government has stated that it is militarily neutral, and is not seeking NATO membership. The Serbian government has nevertheless developed strong co-operative links with NATO. Successive Serbian governments have seen links with NATO as of critical importance to the modernisation of the Serbian military. Serbia, under the government of Vojislav Kostunica, joined NATO's Partnership for Peace (PfP) programme in 2006. Co-operation between NATO and Serbia as part of the PfP was suspended in 2008 following Kosovo's declaration of independence, but reinstated in 2009. In 2011, in an indication of intensified co-operation NATO and the Serbian government agreed an Individual Partnership Action Plan (IPAP) which was completed in 2015.

In addition to these EU/NATO links the Serbian government has also stated its commitment to maintaining political, economic, and military links with Russia. It considers this commitment to be in line with traditionally pro-Russian public opinion in Serbia. This position between Europe and the United States on one side and Russia was always going to be hard to maintain, particularly as Serbia moved towards greater integration with the EU. It became more problematic as relations between EU/NATO and Russia deteriorated following the Russian annexation of Ukraine (March 2014), and subsequently with intensified Russian intervention in the war in Syria during 2015-2016. The Serbian government maintained that it supported Ukrainian sovereignty, but declined to implement sanctions against Russia in line with EU policy. The Serbian military also continued to conduct, well publicised, joint exercises with their Russian counterparts. At the same time, however, the Serbian military undertook a far higher

level of joint activity with NATO, although with a lower profile in terms of domestic media reporting. A recent report stated that up until August 2016 the Serbian military had participated in 116 joint military operation and 90 bilateral actions with NATO compared with only 17 with Russia (15). In the current climate of confrontation with the West Russia is deploying considerable, soft-power, resources in order to cultivate public opinion in Serbia, particularly focussing the media and pro-Russian NGOs (16).

Conclusion

Progress has been made in Serbia in the development of democratic institutions over the last quarter of a century since the end of Communist rule. Much work, however, still needs to be done. The modernising mission identified by the current Serbian government needs to be paralleled by development of and respect for the institutions which makeup a democratic state such as civil society, the media, and parliament. Political parties across the political spectrum need to build to build solid identities and the capacity to communicate policy alternatives to voters, rather than acting as traditional mechanisms for the distribution of patronage. The politicised economy not only distorts democratic activity, but also acts as a barrier to reform of state institutions and the economy. Serbia has shown itself ready to make significant gestures towards overcoming the legacy of past regional conflicts. There remains a readiness amongst all countries in the region to fall back on nationalist rhetoric and policy as a means of sustaining their political positions. Serbia has also moved forward in terms of integrating with the EU and building contacts with NATO, and in using these relationships as a means of modernising the state. Serbia will, however, face continued challenges as it seeks to develop and move forward with these links, particularly in view of Russian attempts to mobilise public opinion against these Western institutions.

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