

III

CITIZENS' PERCEPTIONS OF HUMAN RIGHTS LAW AND PRACTICE IN SaM

1. INTRODUCTION

Methodology

The Belgrade Centre for Human Rights has been monitoring the legal awareness of the citizens of Serbia and Montenegro since 1998. Such surveys have been conducted once a year, with the exception of 1999.

Data collection method

Data were collected on a random representative sample of the adult population of Serbia and Montenegro, with a standardized questionnaire, used by trained interviewers, face to face, in the respondents' homes.

Sample frame

1991 population census, 2002 population census for Serbia (without Kosovo and Metohija), SMMRi estimate of population dynamics and voter rolls in Montenegro in 2002.

Sample

Sample type

Random, three-stage, stratified sample

Strata

Belgrade, Central Serbia, in Montenegro: Podgorica (including Danilovgrad), coastal part (including Cetinje) and Northern part (mountainous).

Allocation

According to stratum, proportional to stratum size

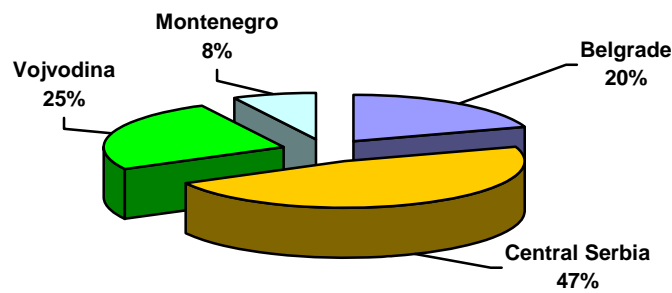
Stages

1. Territory of polling place (about 200 households) chosen by likelihood proportional to size – PPS
2. Households chosen by method of random walk (simulation of SRSWoR)
3. Member of household chosen by Kish scheme

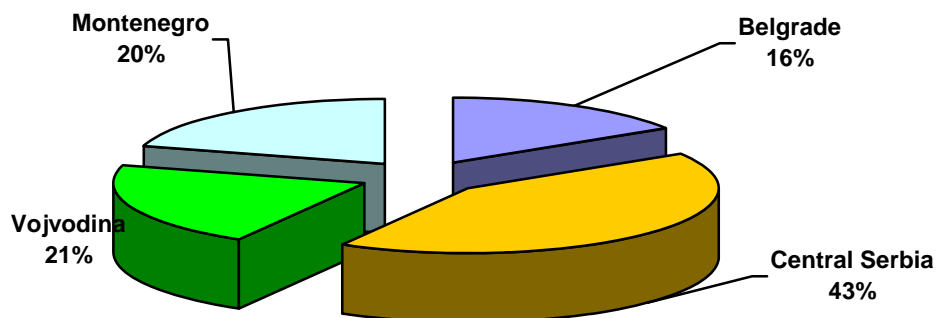
Sample size

1938 RESPONDENTS; 1540 FROM SERBIA, 398 FROM MONTENEGRO

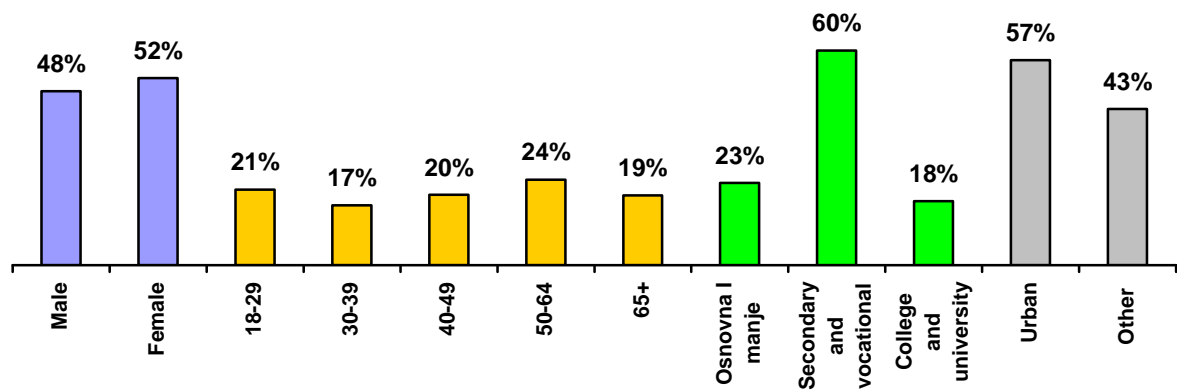
Structure of weighted sample by region



Structure of unweighted sample by region



Structure of weighted sample by gender, age, education and type of settlement



Questionnaire

The questionnaire consisted of 86 questions divided into 4 main parts: Understanding of Human Rights, Legal Awareness of Individual Rights (18 special rights), Enjoyment of Human Rights and Demographics.

In order to monitor trends closely, most questions from the previous questionnaire were kept in the same form, changes related to new questions within given subjects and deletion of some questions which in the new circumstances have lost their relevance.

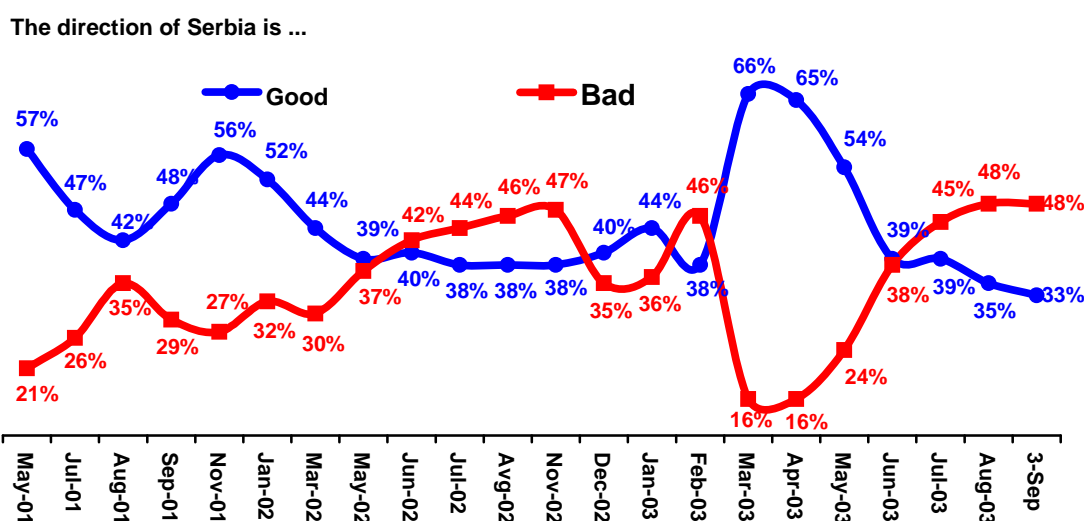
Time period of survey

Fieldwork was conducted from 17 to 19 September 2003.

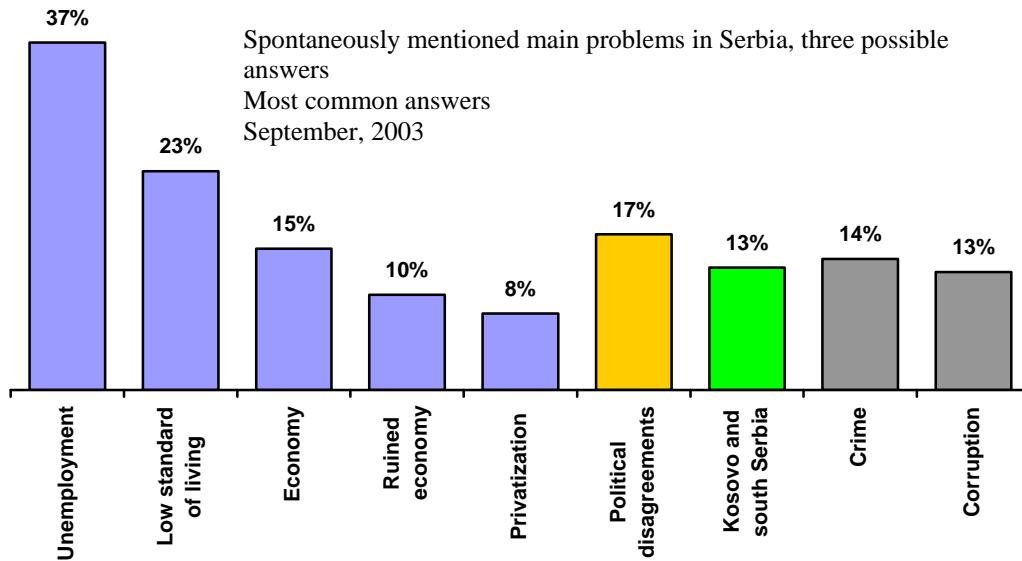
POLITICAL ENVIRONMENT

After a sudden rise in optimism during the state of emergency, in September the trend of decline in general optimism, along with decline in trust in institutions, political parties and political leaders has continued.

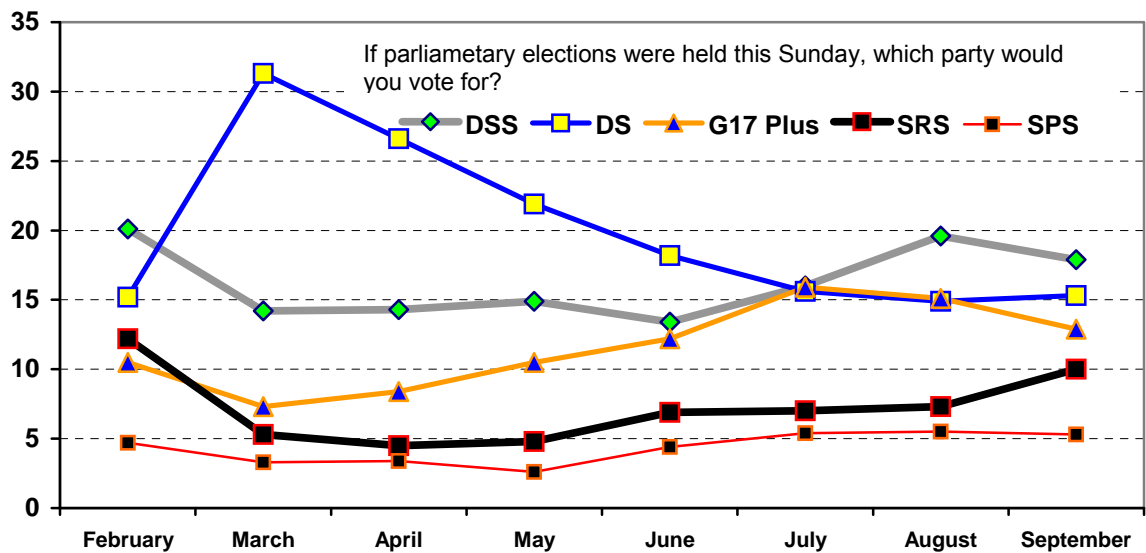
The synthetic indicator of the general political climate, measured by answers to the question on how the citizens assess the direction the country has taken, has reached the lowest value since the 2000 political changes. Only 33% of the total adult respondents in Serbia think that the direction is good, while for 48% the direction is bad.



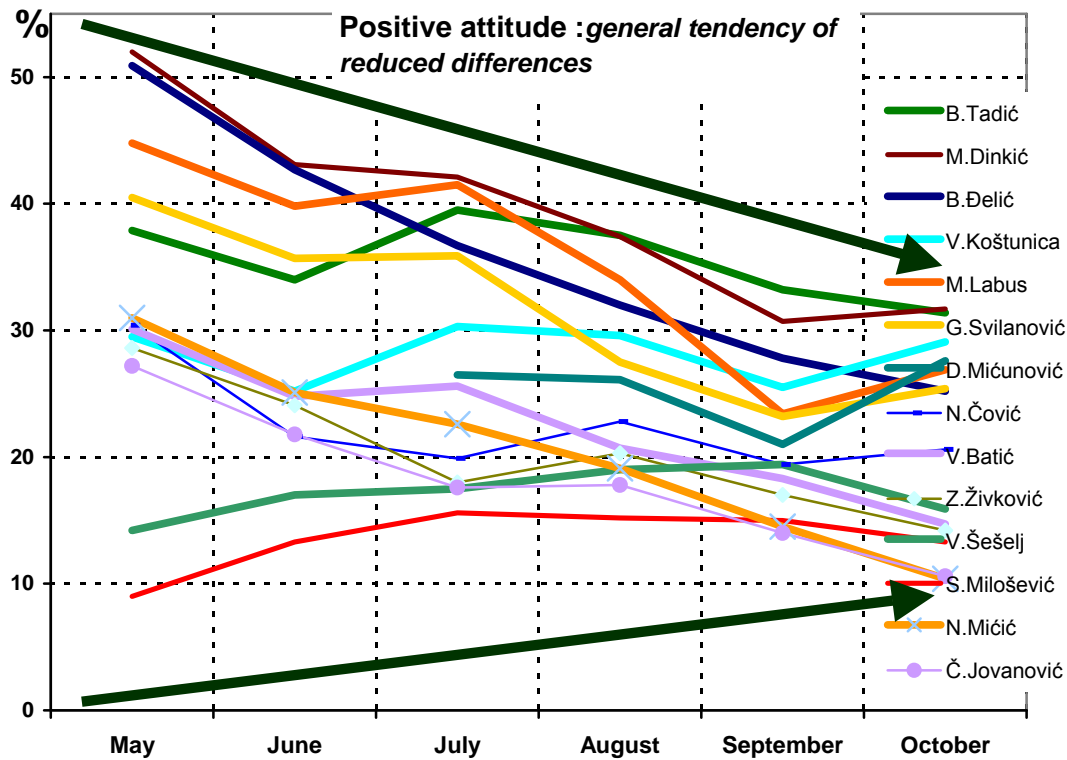
At the top of the list of the most important problems Serbia faces are still economic problems, primarily unemployment and low standard of living, but in comparison to previous periods, the percentage of inhabitants that include political disagreements in the list of problems (17%) has significantly increased, even more than the percentage that referred to problems in Kosovo and south Serbia (13%), crime (14%) and corruption (13%), which are also on the increase. Only 3% of respondents stated that one of the three most important problems was bad legislation.



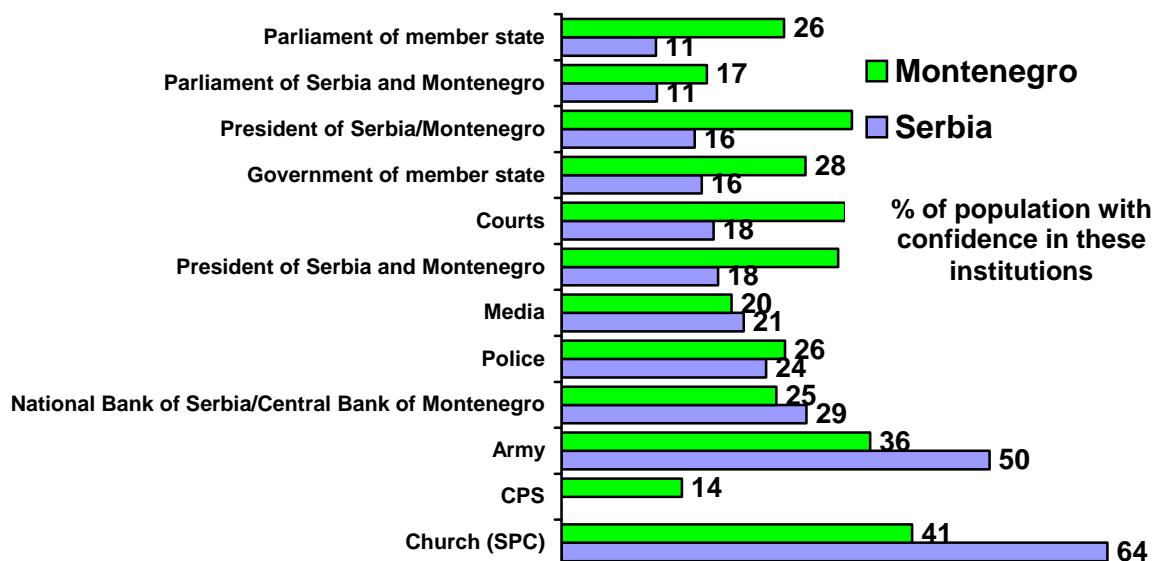
Support for the strongest political parties has varied: since August, DSS has been again in the first place, which it kept in September, with 18% of support in the total population; DS is in the second place, with 15% of support, followed by G17+ with 13% and SRS with 10%. SRS and SPO (which in August had 3%) are the only parties showing an increase in their ratings.



Evaluation of political leaders has a constant declining trend, so the difference in evaluation is dramatically reduced



Finally, a general trend of decline in confidence in Serbia, has an effect on confidence that the citizens have in institutions. With the exception of the church, army and media, all institutions, both federal and member state enjoy higher confidence among the citizens of Montenegro than Serbia. In Serbia, only the church enjoys confidence of more than half of respondents, the army among half of the respondents. The National Bank less than one third, the police and the media about one fifth, and other institutions enjoy the confidence of less than one fifth of respondents.

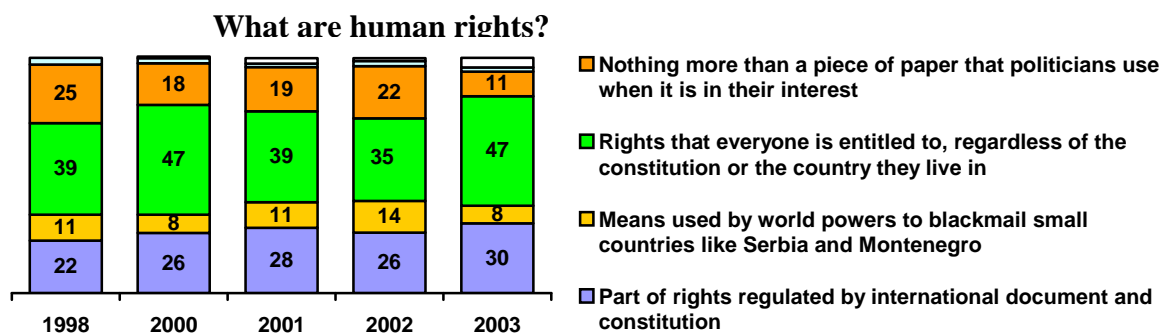


UNDERSTANDING OF HUMAN RIGHTS

Understanding of human rights

The general understanding of human rights, defined in the answer to the direct question “What are human rights”, in September 2003, shows a positive shift in comparison to the previous two years: the percentage of respondents that interpret it in a naturalist way (as rights that naturally belong to everyone) has increased and is now on the December 2000 level (47%), when optimism due to regime change was high.

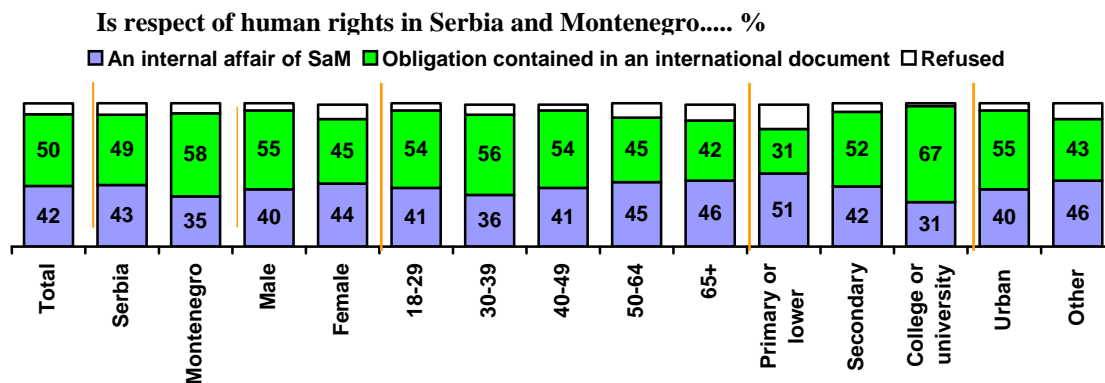
In comparison to the previous two years the share of respondents accepting the positivist view has increased, while the percentage of those who understand human rights in a realistic-political way (something that politicians resort to when it is in their interest) or as means of blackmail of smaller countries by world powers.



Protection of human rights in Serbia and Montenegro

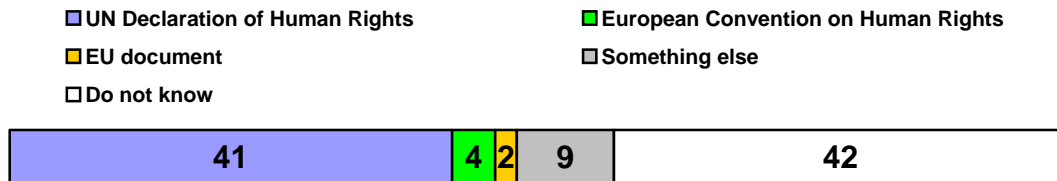
Half of the respondents of Serbia and Montenegro did not know that human rights are protected by international law.

Although a smaller part of the respondents (36%) states that human rights are nothing more than a piece of paper, means in the interest of politicians or of blackmail by the international community, only half of the respondents thought that respect of human rights in Serbia and Montenegro was protected by an international document. In the remaining half, 42% thought that it was internal affair of a state, while 8% did not know the answer to this question.



42% of the half of those who thought that respect of human rights in SaM was protected by an international document did not know which document it was, 41% stated that it was the UN Declaration of Human Rights (or an UN document), 4% stated that it was the European Convention and 2% thought it was a document of the European Union. The Covenant on civil and political rights is obviously not known to the citizens of SaM.

Which document guarantees human rights in SaM?
Percentage of answers of 50% of the population that thinks that respect of human rights in SaM is protected by an international document



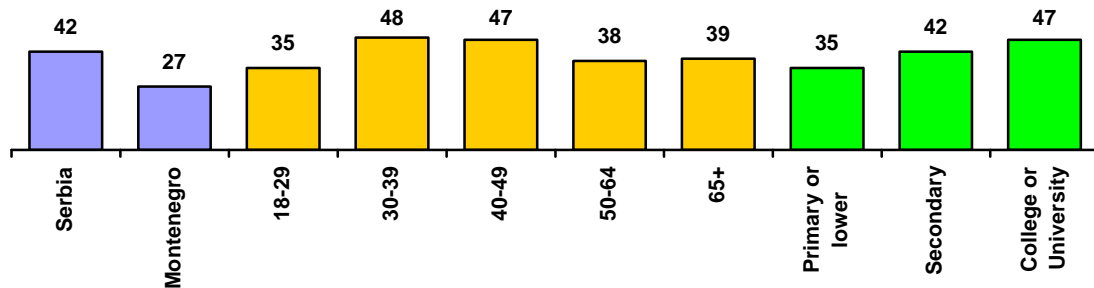
Importance of particular human rights and their respect in SaM

The right to work, The right to life and the right to freedom of opinion and expression were the three human rights which citizens of SaM mentioned most often spontaneously.



The right to work was mentioned by a larger percentage of citizens in Serbia than in Montenegro, respondents aged 30 to 50 and those with higher education.

% spontaneously mentioned right to work, among three human rights that first came to mind to citizens of Serbia and Montenegro, by republic, age and education



In comparison to the population average (27%), younger respondents, aged 18 to 29 (36%), respondents with college or university education (34%) and citizens who live in urban areas (34%) more often stated *the right to freedom of opinion and expression*.

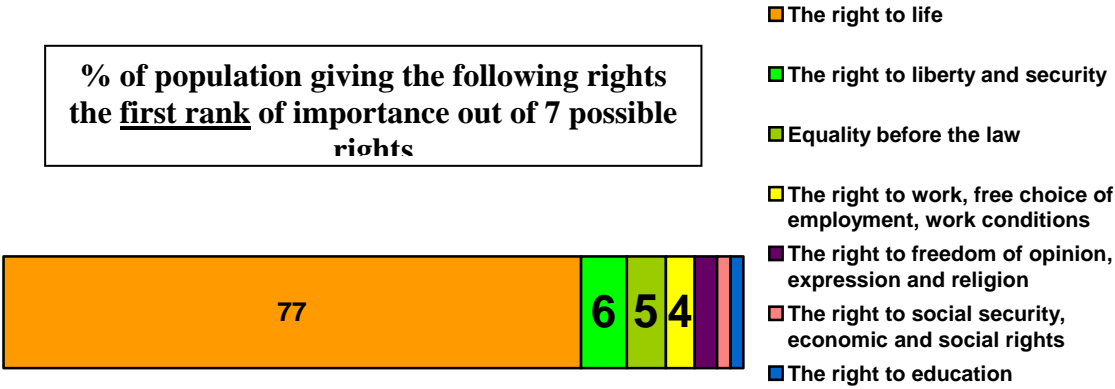
In comparison to the population average (14%), younger generations, aged 18 to 29 and 30 to 39 mentioned *the right to education* (19% and 18%).

The oldest group of respondents more often than average (16%) mentioned *the right to health and social protection and pension* (21%).

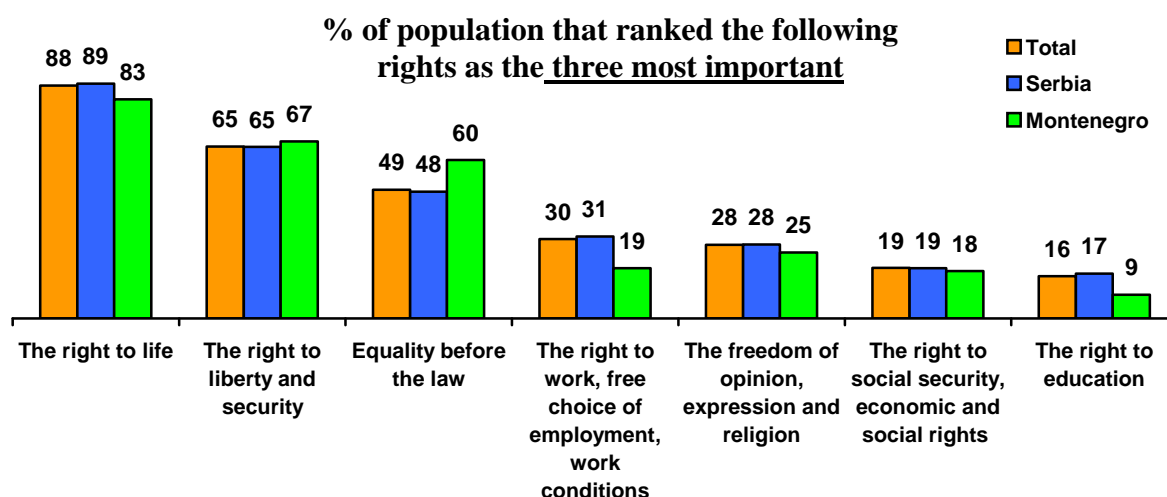
The right to life is the most important right for the majority of population (77%), followed by *the right to liberty and security* and *equality before the law*.

The Ranking for seven human rights by importance

% of population giving the following rights the first rank of importance out of 7 possible rights



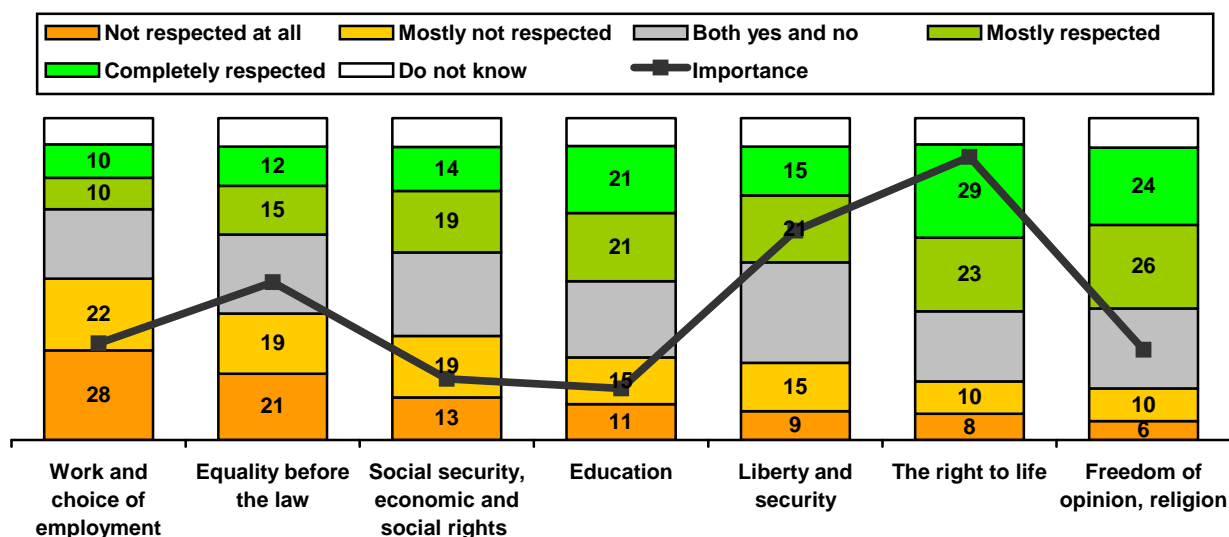
The Ranking of seven human rights by importance



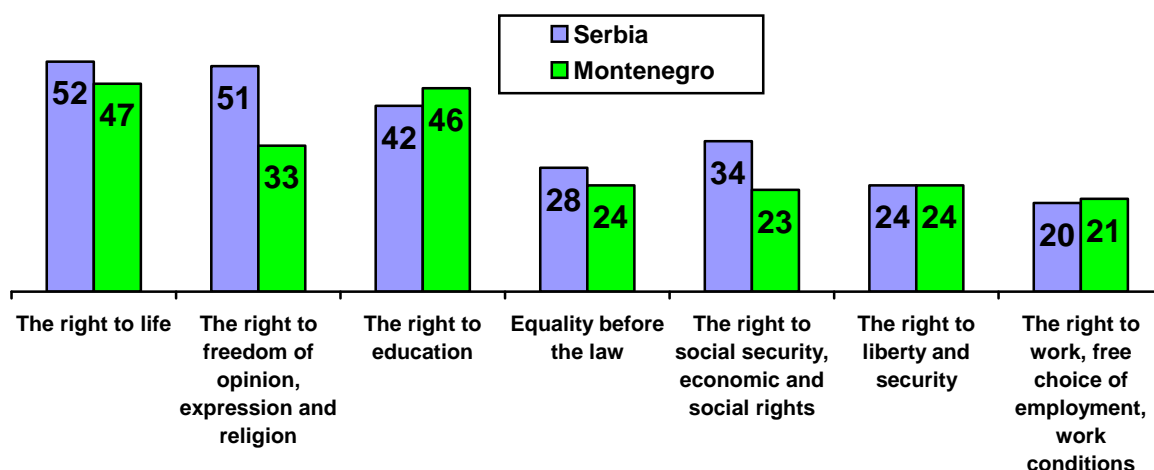
The three human rights, among seven offered, ranked as the most important were: *the right to life, the right to liberty and security* and *equality before the law*. A higher percentage of citizens from Montenegro than from Serbia quoted *equality before the law*, while a higher percentage of citizens from Serbia quoted *the right to work, free choice of employment and favourable work conditions*.

To what extent are the following human rights respected in Serbia and Montenegro

% of answers in population in comparison to importance stated by ranking that right among the first three most important



To what extent are the following rights respected in Serbia and Montenegro
% of answers «mostly respected» and «completely respected»



Citizens of Serbia and Montenegro significantly differed only in determining to what extent the right to freedom of opinion, expression and religion was respected in Serbia and Montenegro: a larger number of citizens from Serbia than from Montenegro thought that this right was respected in Serbia and Montenegro; this opinion was expressed by slightly more than half of the citizens from Serbia, and only one third of citizens from Montenegro. Somewhat more citizens from Serbia (34%) than citizens Montenegro (23%) thought that in Serbia and Montenegro the right to social security, economic, social and cultural rights was mostly respected.

SPECIAL RIGHTS

The knowledge of the citizens of Serbia and Montenegro about their own rights differed significantly from right to right, but a smaller percentage of respondents was familiar with their rights, most often these were more educated citizens.

On average, citizens more often show awareness of formal protection of human rights than trust that this protection is actually realized in practice: 52% of respondents think that the right to life is respected in SaM, but 64% think that life of citizens in SaM is endangered; 70% think that in SaM there is freedom to disseminate information, but the same number thinks that there is censorship of the press; 70% of the respondents think that there is no corporal punishment in SaM, but almost half believe that the police is still resorting to it; majority of respondents (72%) think that violence in families against women and children is punishable, but that official institutions are not addressing it properly (66%); 67% of the respondents think that citizens of SaM have the right to elect their representatives in government institutions, but only 15% think that those elected represent the interests of citizens...

1. Prohibition of discrimination

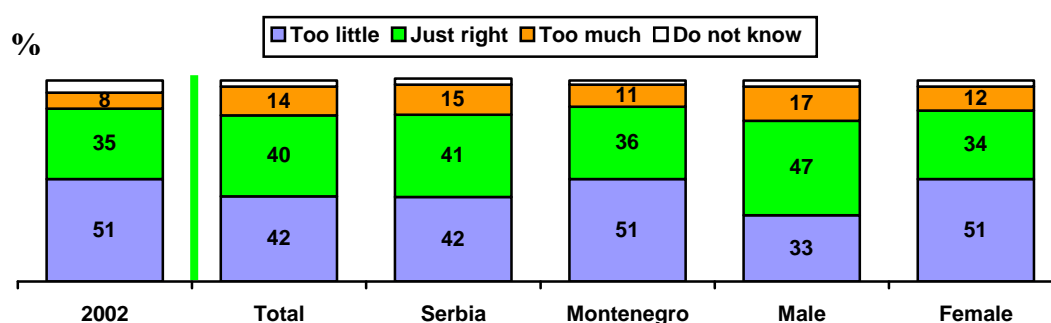
Citizens of SaM are of the opinion that regarding the discrimination of three groups-women, ethnic minorities and homosexuals-the least favorable position is that of homosexuals, then women, and that discrimination of ethnic minorities is the least significant.

More than half of the respondents, 52%, are of the opinion that there is discrimination against homosexuals, 39% think that in terms of employment and career advancement, women are in a less favourable position than men, and only 18% thought that ethnic minorities were in a less favourable position than the majority population in the same category.

In comparison to the previous year, with the exception of evaluation of presence of women in politics (which can be explained by the crises in the Serbian Parliament, whose present speaker, as well as Acting President of the Republic, was a woman), citizens of SaM showed increased sensitivity towards the possible presence of discrimination against women as well as ethnic minorities and those with homosexual orientation.

The percentage of respondents that thought women were insufficiently present in politics has decreased: in 2002, this opinion was shared by 51% of the respondents, while this year it was 42%. That women are insufficiently present in politics believes a half of the female respondents (51%) and only one third of male respondents (33%). This attitude is much more expressed by citizens with higher education.

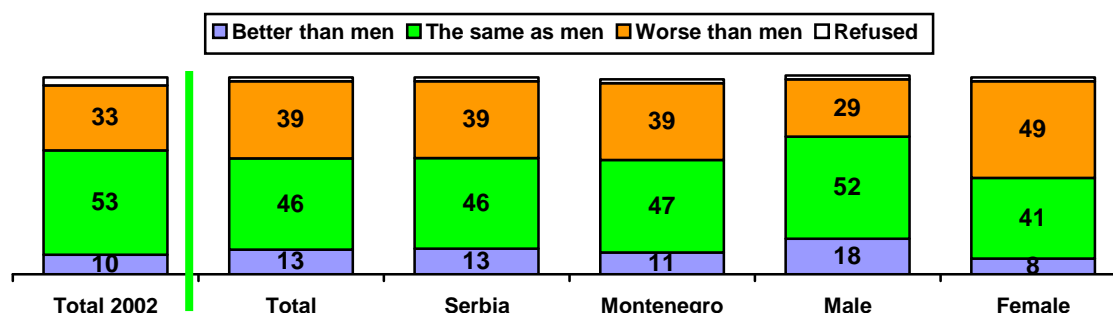
To what extent are women present in political life in SaM



However, in comparison to the last year, the percentage of those who thought that women had equal chances of employment and career advancement declined (from 53% to 46%), while the percentage of those who thought that women had worse chances than men increased (from 33% to 39%).

The position of women in terms of employment is evaluated by men more favorably than by women: 52% of men and 41% of women thought that men and women had equal chances, while 49% of women and only 29% of men thought that women had fewer chances in comparison to men.

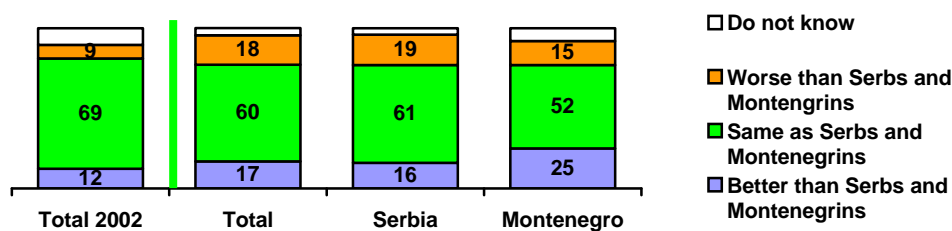
What chances of employment and career advancement do women have in comparison to men- % of answers



In comparison to the last year, the percentage of the respondents who thought that ethnic minorities had equal chances of employment and career advancement as the ethnic majority decreased by 9%, but this opinion is still held by 60% of the total population.

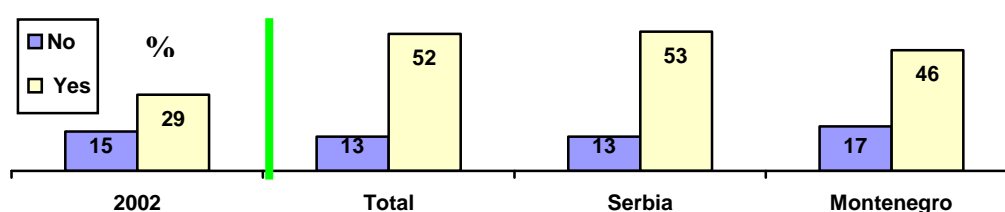
The attitude towards discrimination of women and ethnic minorities has not changed significantly in comparison to the last year: significantly a larger part of respondents thinks that in terms of employment and career advancement there is discrimination against women (39%) rather than ethnic minorities (18%).

What chances of employment and career advancement do ethnic minorities have in comparison to Serbs and Montenegrins-% of answers

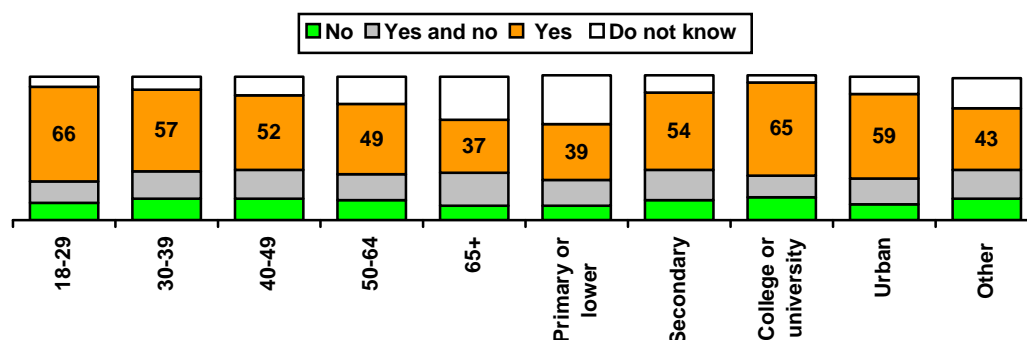


As for the attitude towards homosexuals, the percent of respondents who thought discrimination and boycott existed, increased (from 29% to 52%)

Is there boycott and discrimination against homosexuals in our country



Is there boycott and discrimination against homosexuals in our country - % of answers



The greatest differences in the attitude towards the presence of discrimination were shown between citizens with different levels of education. Those with higher education believed more often that all mentioned forms of discrimination existed.

Younger respondents (18 to 29 year old) in larger percentage than all other segments of the population expressed the opinion that ethnic minorities have less favourable chances of employment than Serbs and Montenegrins (23%), as well as the opinion that discrimination and boycott of homosexuals existed (66%).

2. Right to life

Majority of citizens (64%) are of the opinion that life of citizens in SaM is endangered, primarily by bad economic situation.

This attitude was expressed more by citizens in Serbia (65%) than those of Montenegro (58%).

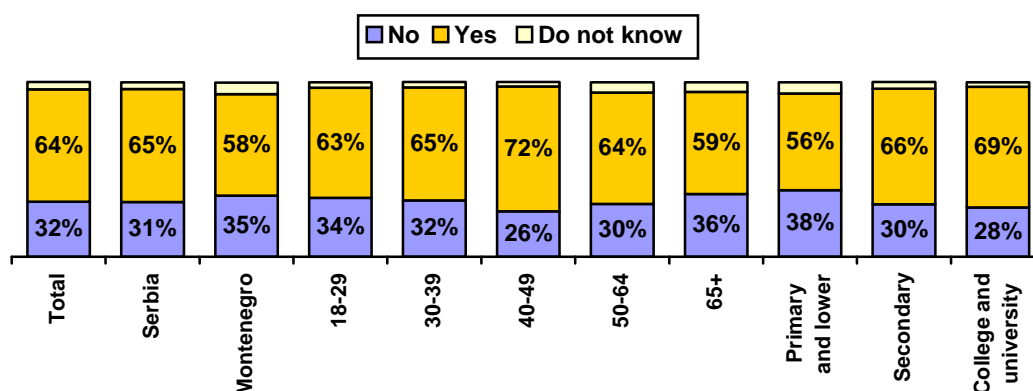
About 65% of those who thought that life of citizens in SaM was endangered (which makes 42% of the total population) spontaneously mentioned some of the reasons connected to the economic situation in the country: low standard (41%), unemployment (14%), undeveloped economy (12%).

Economic reasons were mentioned somewhat more in Montenegro than in Serbia.

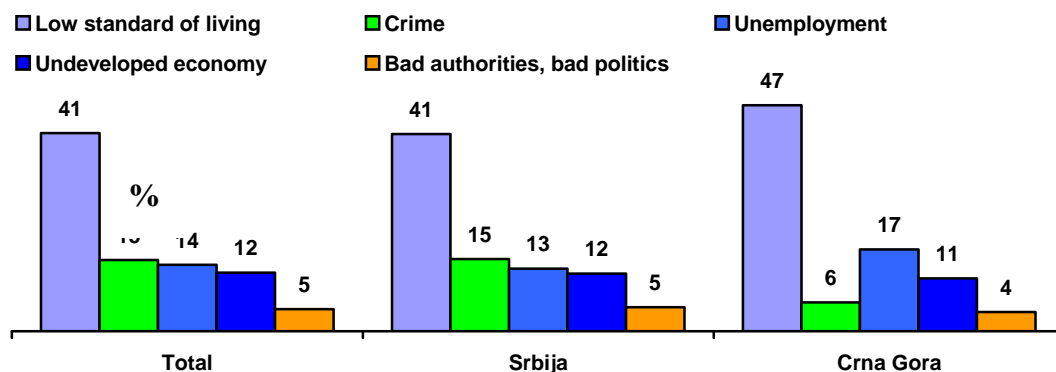
Crime as a source of threat was mentioned by 15% of Serbian interviewees (about 10% of the total population of Serbia), but only 6% in Montenegro (3% of the total population of Montenegro).

Majority of respondents of SaM (nearly 80%) agreed that life of SaM citizens was more endangered than life of citizens in EU countries.

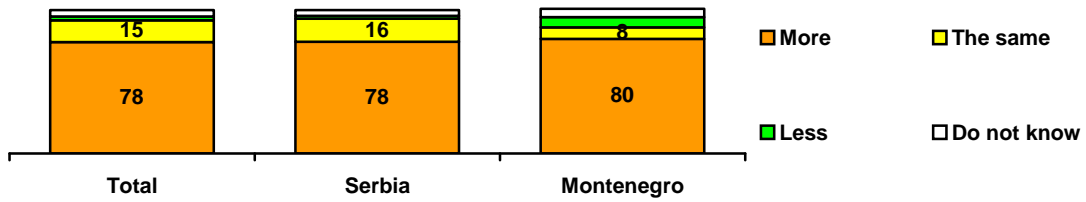
Is life of citizens in SaM endangered in any way



What endangers the life of citizens most -spontaneous answers of the population that thinks life of citizens in SaM is endangered (up to 3 answers)

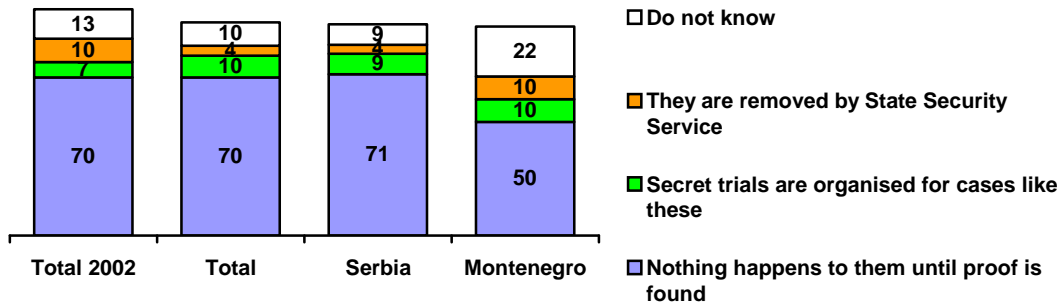


To what extent is life of citizens in SaM endangered in comparison to EU countries



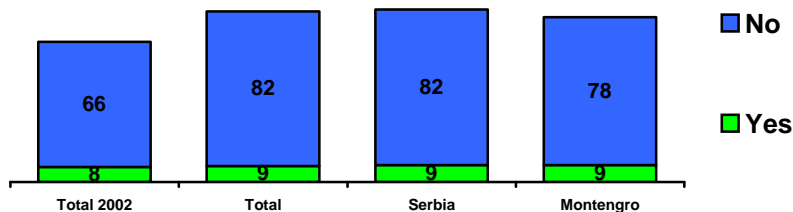
Although majority of citizens think that the right to life of average citizens in SaM is endangered mostly by hard economic situation, majority of them find that the right to life of hardened criminals is mostly respected: 70% of the respondents think that hardened criminals are left alone until proof is found for their crimes, which is the same attitude the respondents had last year.

What happens to those who are hardened criminals, but there is no evidence to back this up



In comparison to the last year, the number of citizens who think that there is no capital punishment in SaM has risen sharply, from 66% to 82%.

Is there capital punishment in SaM

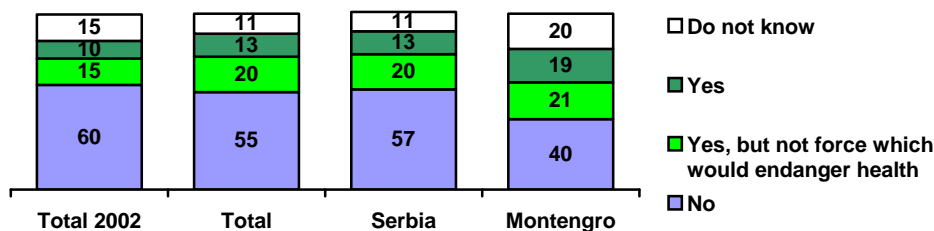


3. Prohibition of torture, inhuman or degrading treatment or punishment

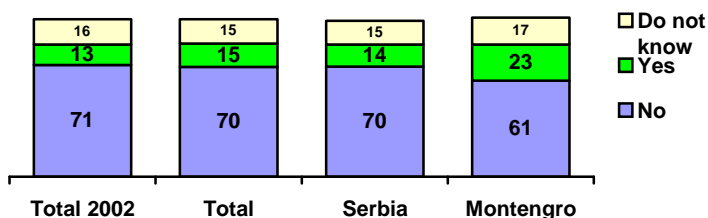
Although the majority of SaM citizens think that the use of force in obtaining confession (55%) and corporal punishment is not allowed (70%), almost half of the respondents (49%) think that police, regardless of the law, uses corporal punishment, and one quarter (26%) thinks that police uses corporal punishment in cases of serious crime.

The percentage of respondents who thought that the use of force in obtaining confession was not permitted is slightly smaller than last year, while the number of those who believed that the use of force was permitted has increased (from 25% to 33%), although most of them still think that the use of force is allowed up to a point where it does not endanger health (20%). A higher percentage of Montenegrin citizens than Serbian citizens think that the use of force in order to obtain confession is permitted.

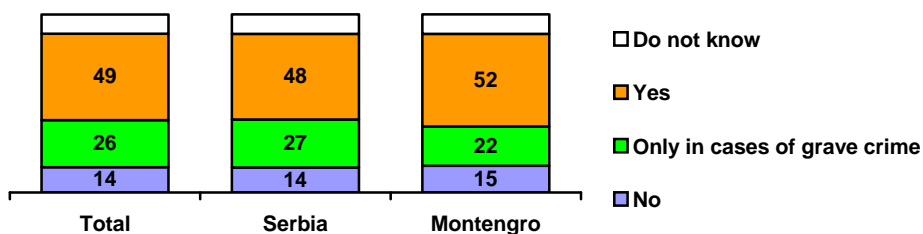
Is the use of force over those accused of grave offences permitted in order to obtain confession?



Is there corporal punishment in SaM

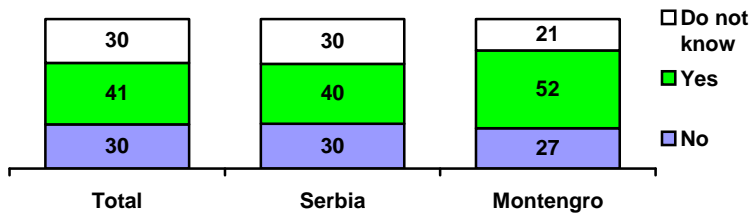


Do the police resort to corporal punishment, even though the law prohibits it?



Almost one third of the respondents do not know the obligations of the state to provide refuge for those whose life is endangered in their country of origin, 41% think that the state is bound to give them refuge and 30% think that it is not. A much larger number of Montenegrin citizens (52%) than those from Serbia think that the state has this obligation.

Does our state have an obligation to give refuge to those whose life or corporal integrity has been endangered in their country of origin?

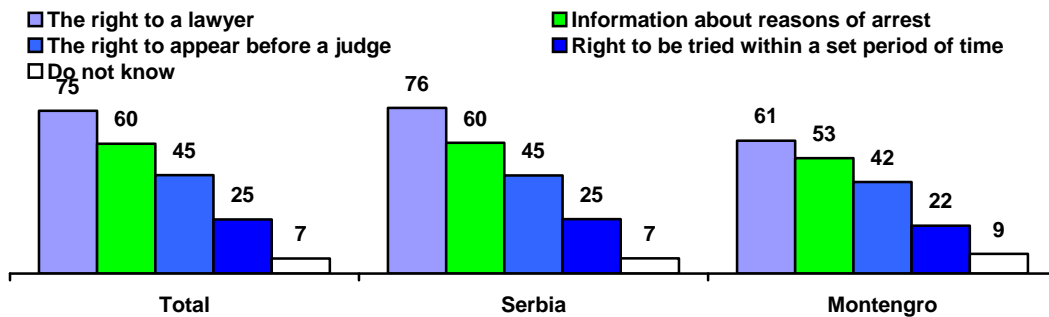


4. Right to liberty and security of person and treatment of detained persons

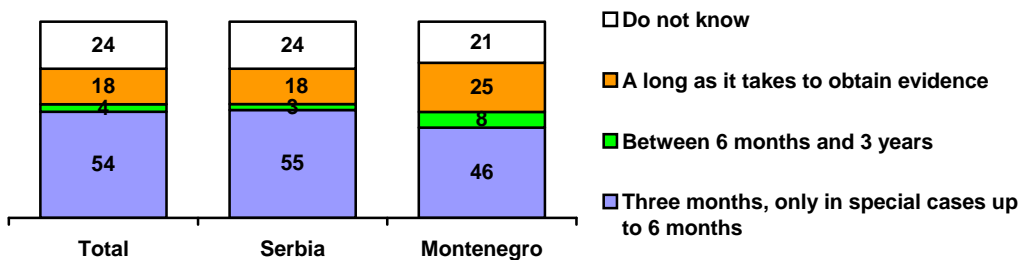
On average, less than half of the respondents were familiar with the rights of the detained: the majority thought that the arrested had the right to a lawyer (75%) and information on the reasons for arrest (60%), but less than a half claimed that such a person had the right to see a judge (45%), while only one quarter thought that such a person was entitled to a trial within a certain period of time.

Only slightly more than half of the respondents gave the correct answer to the question of maximum custody period permitted by law in SaM, and only one third gave the correct answer to the question about the time limit in which the arrested should appear before the judge.

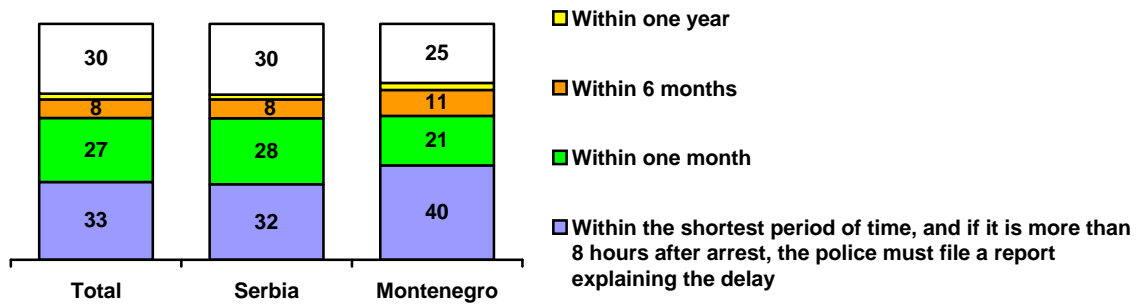
What are the rights of the detained, what obligations do the police have towards that person



How long, according to our law, can the detained person be kept in custody for investigation?



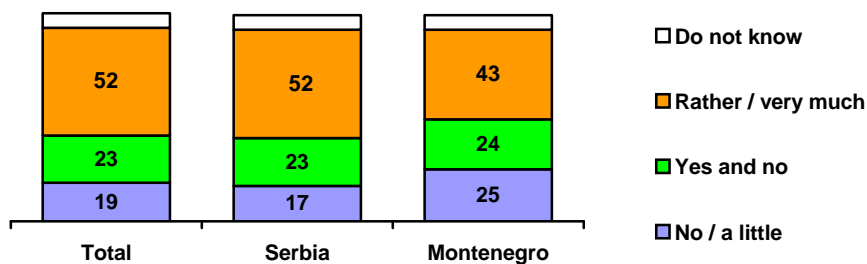
When should the detained person appear before a judge?



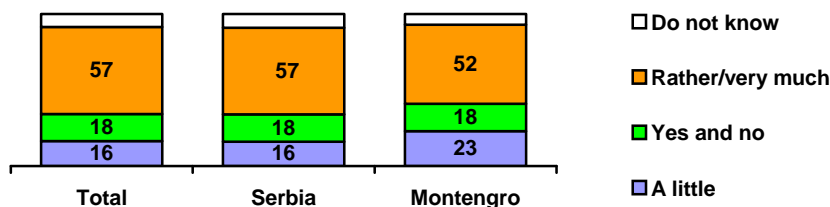
5. Prohibition of slavery and forced labor

Slightly more than a half of the respondents, 52%, thought that sex trafficking was present in SaM to quite a large or very large extent, 57% thought that this form of crime was very serious for the society, and 75% that official institutions were not addressing this problem in a sufficient manner.

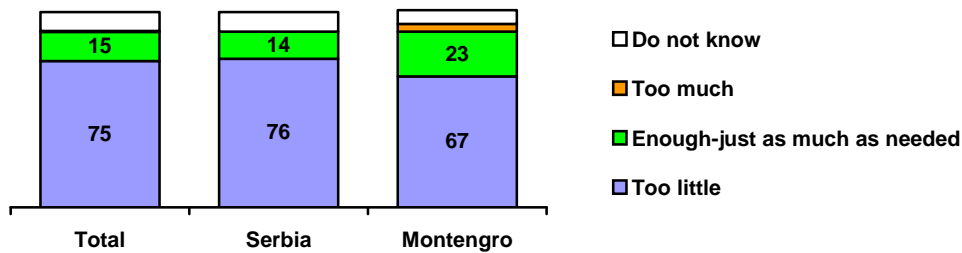
To what extent is sex trafficking present in SaM



How serious is this type of crime for the society?



To what extent are official institutions addressing this problem ?

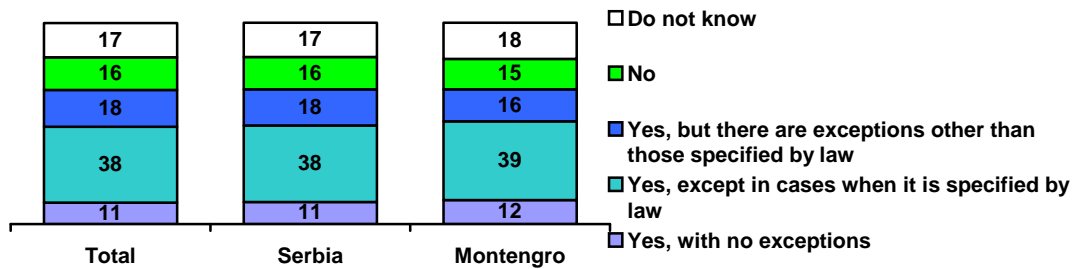


6. Right to fair trial

On average, less than one half of the respondents expressed that in SaM the right to a fair trial was respected without exceptions and that judges were good and independent.

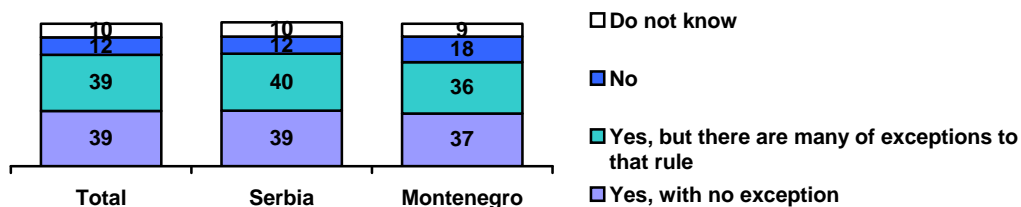
Slightly less than a half of the respondents (49%) thinks that the right to a public trial is applied with the exception of cases when it is not specified by law.

Is the right of public judicial trial respected in SaM?



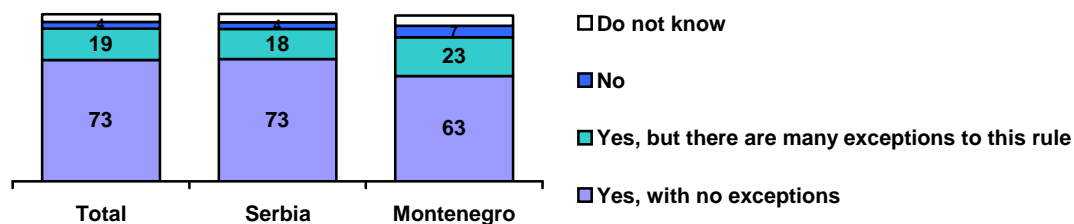
39% of the respondents believe that in SaM the rule that everybody is presumed innocent until proved guilty is applied without exception.

Is in SaM the rule that everybody is presumed innocent until proven guilty applied?



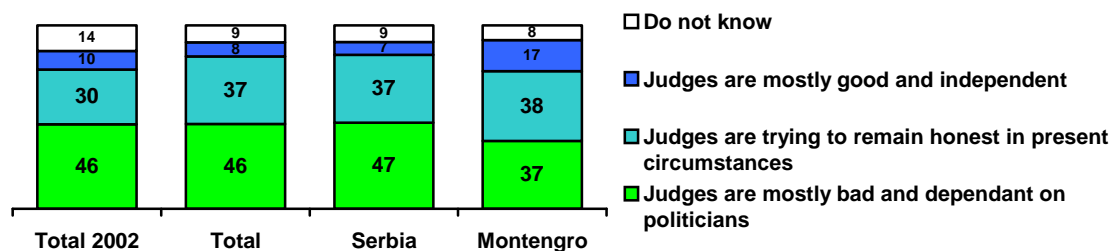
With regards to respect of the right to a fair trial, the majority of the respondents only believes in the respect of the right to the choice of legal counsel, 73%.

Is everyone entitled to choose freely the lawyer to represent them?



Only 10% of the respondents thought that judges were good and independent, and 46% thought that judges were bad and dependent on politicians, while 30% thought that judges were at least trying to remain honest in present circumstances.

What is your opinion of the judges that are at present administering justice in SaM? Which attitude comes closest to your own?

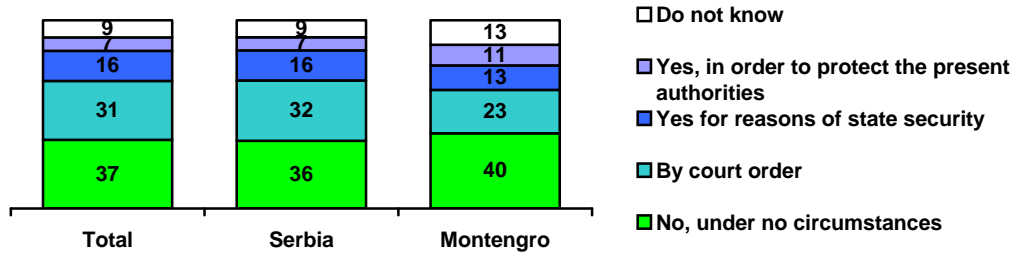


7. Right to protection of private life, family, home and correspondence

Most SaM citizens think that the protection of private life, family, home and correspondence in SaM can be infringed under various circumstances: a larger percentage thinks that this is permitted by the decision of the court, a smaller percentage thinks that it is permitted whenever security is endangered, based on a warrant issued by Ministry of Internal Affairs, State Security Service, even based only on police estimate.

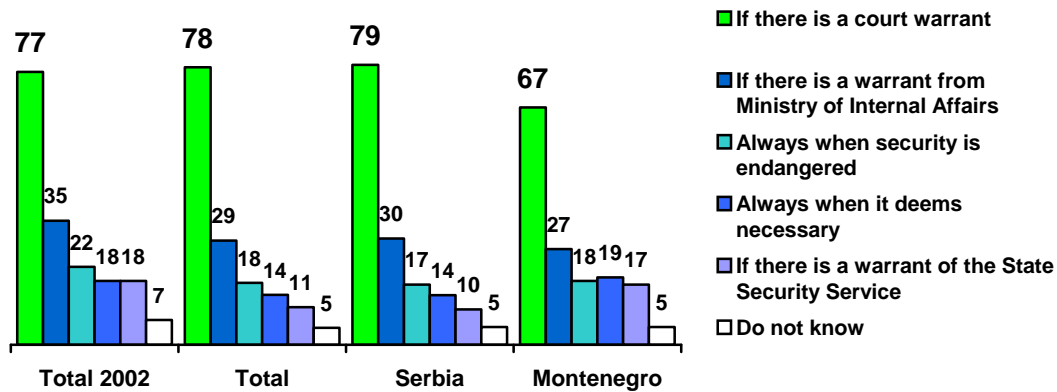
Somewhat more than one third of the respondents, 37%, think that letter opening and phone tapping is not permitted under any circumstances, 54% think that it is permitted under different circumstances: a little less than one third, 31%, think that it is permitted on authorization from a court, 16% think that it is permitted for reasons of state security and 7% think it is permitted for the purpose of protection of the powers-to-be.

Is it permitted to open letters and tap telephones in SaM?



In what cases can the police search private homes?

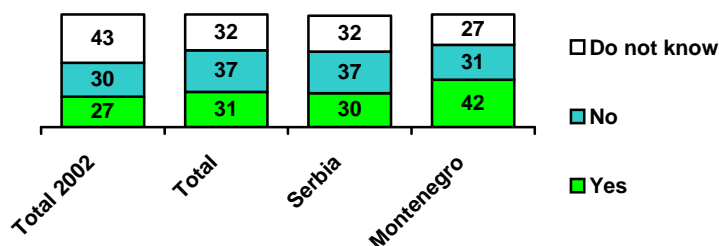
Multiple answers



8. Right to freedom of thought, conscience and religion

SaM citizens had divided opinions on whether school curricula in SaM had to be in accordance with an official program: 31% thought that school curricula had to be in accordance with some official program, 37% thought it did not; 32% did not know.

Do school curricula in our country have to be in accordance with an official programme?

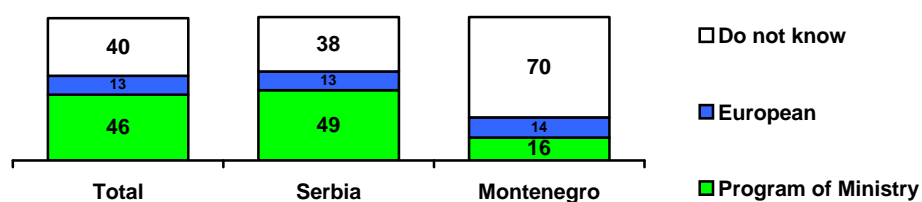


Out of 30% of the respondents who think that school curricula must be in accordance with an official program, 46% stated that this program was program of a Ministry, and 40% did not know which program that could be.

In Montenegro, out of 42% of citizens that thought school curricula had to be in accordance with an official program, majority (70%) did not know which program that could be.

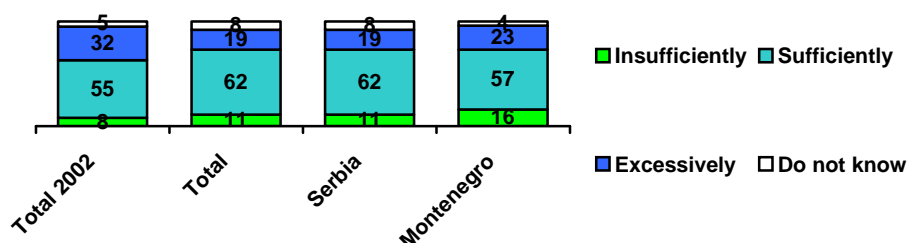
Which official program?

% of spontaneously given answers by part of the population (30%) who thought that school curricula had to be in accordance with an official programme



As for the right to freedom of religious beliefs, respondents showed greater accordance: 62% of the respondents thought that this right was present in a sufficient extent, about one fifth thought that it was present excessively, while 10% thought that this right was too limited.

To what extent is the right to freedom of religious belief and manifestation present?



9. Right to freedom of expression

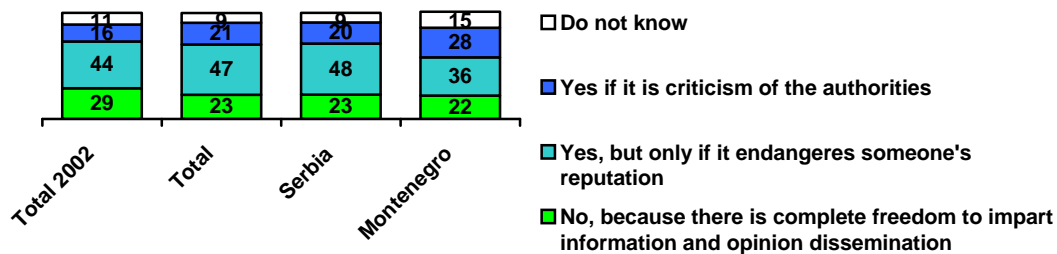
Opinions on the status of the right to freedom of expression in SaM are contradictory: Although the majority of the respondents (70%) thought that in

SaM the right to freedom of expression and information was respected, 42% thought that there was censorship of artistic work, and as many as 70% thought that censorship of the printed media existed, either officially (31%) or unofficially (39%).

Out of 70% of those who thought that in SaM the right to the freedom of information existed, 23% thought that this freedom was not limited, while 47% thought that limitations existed to protect someone's reputation.

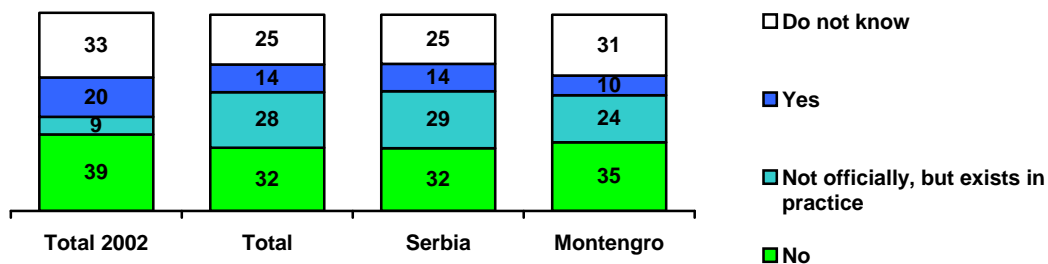
Every fifth citizen thinks that in SaM dissemination of information that criticizes the authorities is punishable.

Can a person imparting information and opinion be punished?

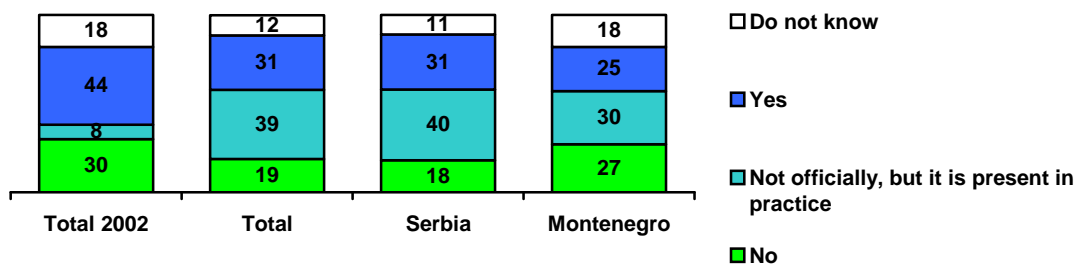


14% of the respondents thinks that there is official censorship of artistic work, and 28% thinks that censorship officially does not exist but is practiced unofficially

Does censorship of artistic work exist in our country?



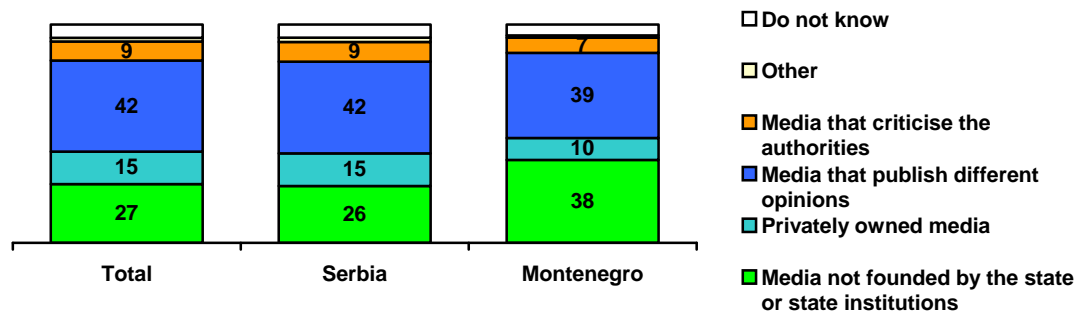
Is there censorship of the printed media?



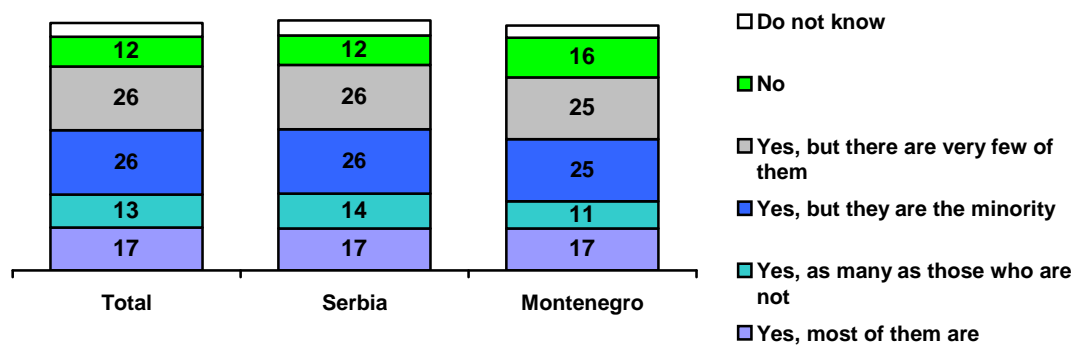
SaM citizens, when asked what **independent media** are, mostly mean “the media that will publish different opinions” (42%), and then “the media that were not founded by the state or state institutions” (27%).

About half of the respondents thinks that independent media are in the minority (there are very few of them, in comparison to those who are not independent 26%), while slightly less than one third think that there is an equal number of independent media as those who are not (13%) or that the former are even in the majority (17%).

What is meant by “independent media”

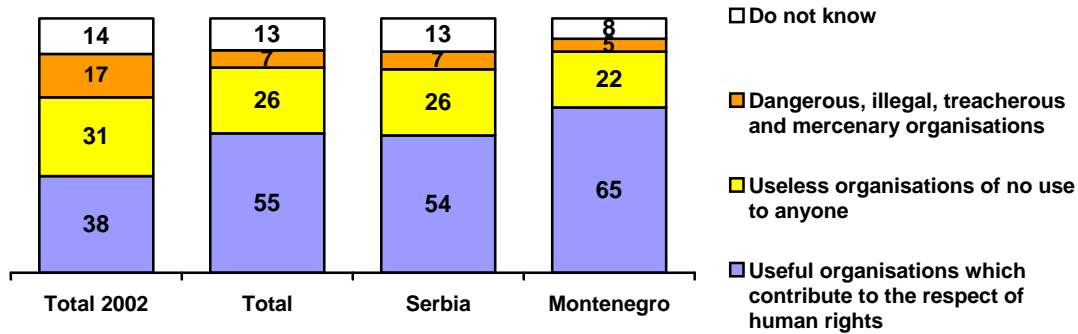


Are there any independent media in our country



Majority of the respondents expressed a positive attitude towards organizations which deal with violations of human rights: 55% think that they are useful and contribute to the respect of human rights; this percentage is significantly higher than before. The percentage of respondents who thought that these were useless organizations has decreased (from 31% to 26%), and the percentage of those who regard them as dangerous treacherous organizations is now only 7% (17% last year).

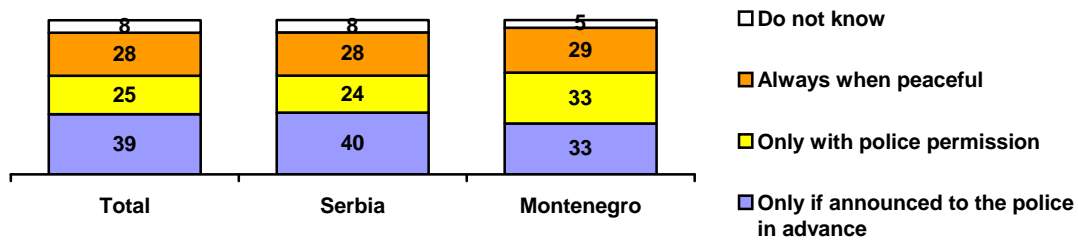
What do you think of organizations that deal with violations of human rights



10. Right to freedom of peaceful assembly

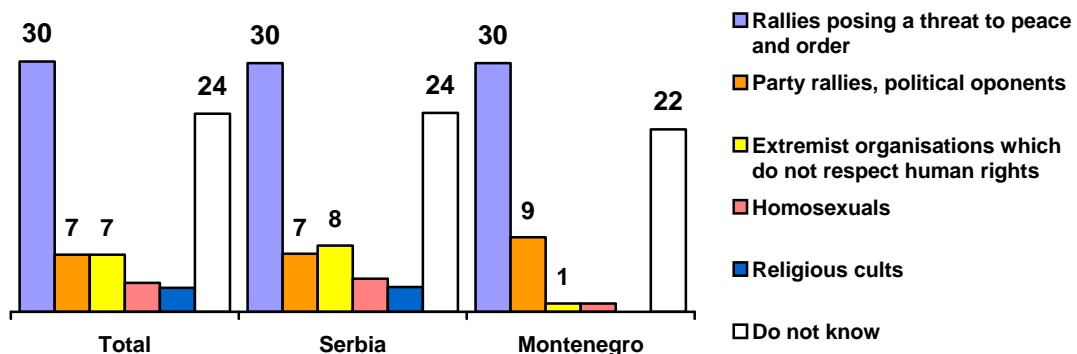
Majority of citizens think that law allows assembly in SaM without special permission: 39% think that it suffices to submit an announcement to the police, while 28% think that assembly is always allowed when peaceful. One quarter of the respondents thought that this required a special police permission, which, according to one third of this part of the respondents, can be refused if the assembly is a rally posing a threat to peace and order.

Under what circumstances is peaceful assembly in public places permitted by law?



Who can be refused the right to assembly?

Answers of 33% of the population that thought assembly required a permission



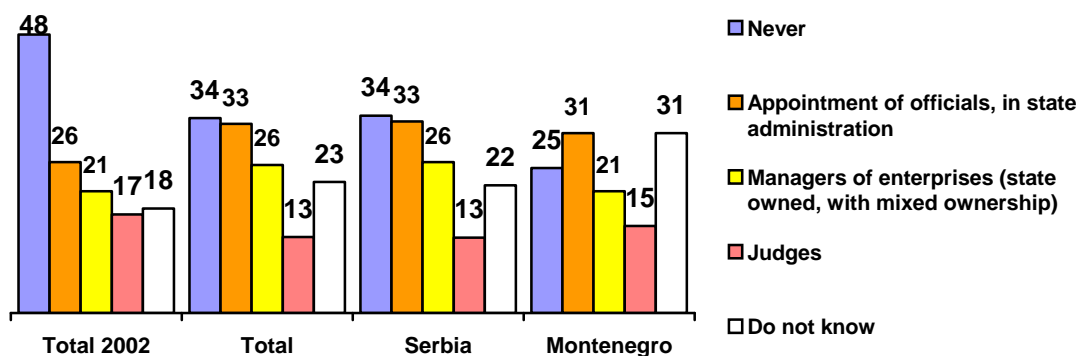
11. Right to freedom of association

Majority of the respondents (66%) either believe that when nominating candidates for at least some of the positions it is required by law that the candidate is a member of the ruling party (43%) or they do not know what the legal requirements are (23%).

Only 34% of the respondents think that law does not require that the candidate for any position should be a member of the ruling party. Part of the respondents that had this opinion was largely reduced in comparison to the last year, when 48% of the citizens were of this opinion.

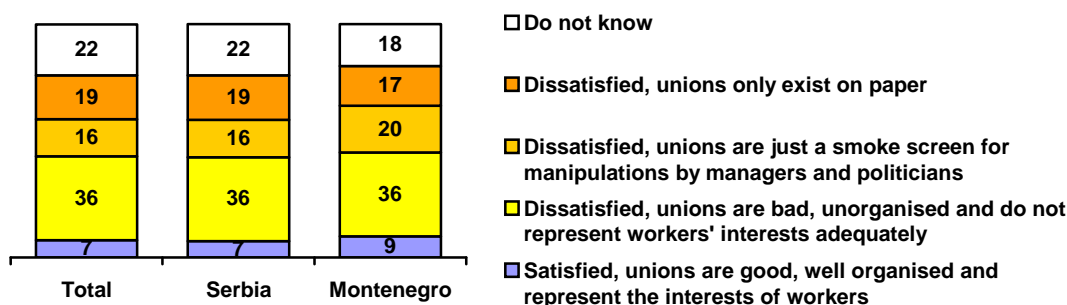
The most frequently mentioned positions for which the citizens thought it was legally required for a candidate to be in some ruling party, were positions in state administration (33%), then positions of managers of state and mixed ownership companies, while 13% thought that the membership was required in the election of judges. Nearly one quarter of the respondents (23%) did not know what the legal requirements were.

When is membership in a ruling party required by law
Multiple answers



Most citizens (71%) are not satisfied with the way that trade unions function: 36% think that they are unorganized and do not represent real interests of workers, 16% think that they are just a smoke screen for manipulations by managers and politicians, while 19% think that unions exist only on paper.

Are you satisfied with the way that trade unions function



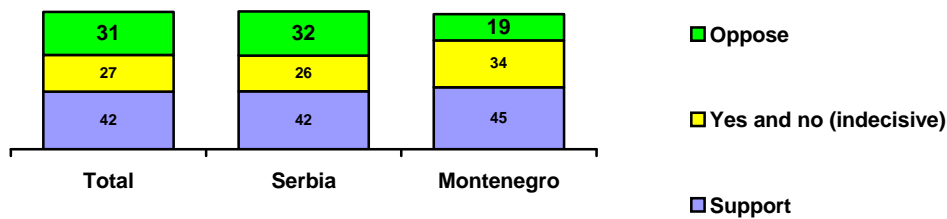
12. Right to own property

Less than half of the respondents (42%), support privatization, almost one third (31%) opposes it, and the remaining 27% do not have a clear stand on this.

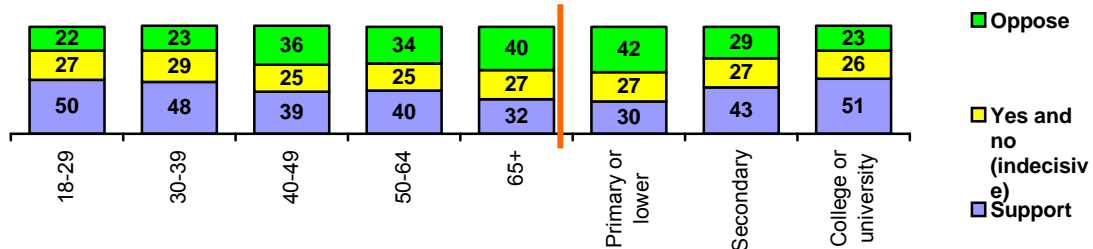
Privatization is much more supported by younger generations, and part of the respondents with higher education.

Most of those who oppose it or are indecisive would support privatization provided that there were programs for social protection of workers, if they were certain that the money from privatization would be spent adequately and that enterprises would be sold at their real price; a somewhat smaller number of opponents and those who are indecisive could accept privatization if enterprises were to be sold to SaM citizens.

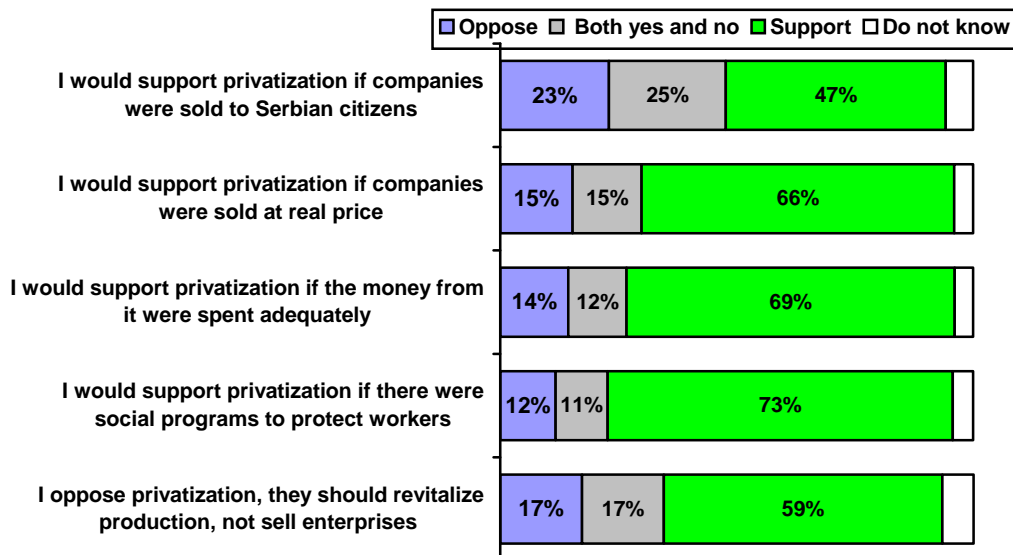
Do you support or oppose privatization of state owned enterprises



Do you support or oppose privatization of state owned enterprises

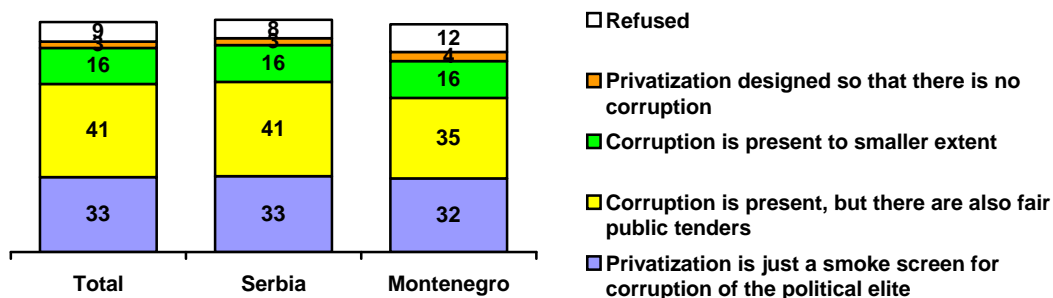


Would you support or oppose privatization on following conditions (58% of those who oppose privatization or are indecisive)



SaM citizens share a general feeling that corruption is present in the privatization process, they differ in opinion to what extent: one third (33%) believe that privatization is only a smoke screen for corruption, 41% think that corruption is present but that there are also fairly conducted public tenders, while 16% thinks that corruption is present to a smaller extent. Only 3% of the respondents believe that there is no corruption.

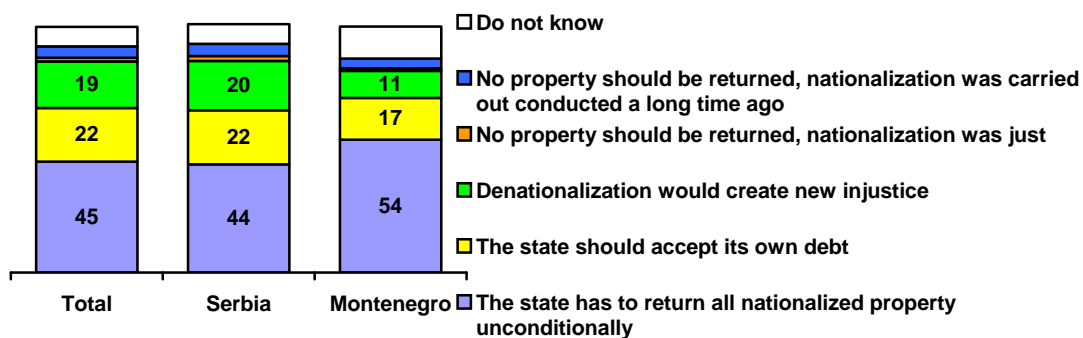
To what extent is corruption present in privatization process



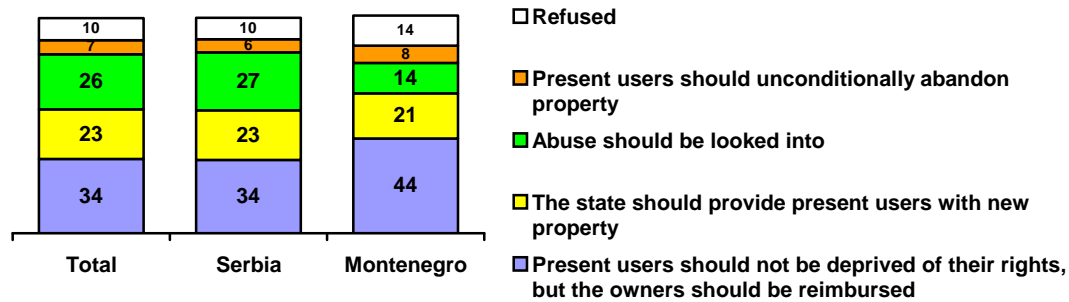
Most citizens think that the state is bound to compensate to the original owners, either by returning nationalized property (45%) or by accepting the debt, to be repaid in some other way (22%).

More than half of the respondents (57%) think that the state is also bound to take over responsibility for the present owners of nationalized property, either by compensation to original owners without revoking rights of present owners (34%), or by ensuring that present owners are given other property. Somewhat more than one quarter of the respondents (26%) think, however, that present users who came into possession of nationalized property through abuse of their position should be deprived of property unconditionally, and those who obtained nationalized property without their fault should be reimbursed in a satisfactory way.

Considering denationalization, which of the attitude comes closest to your own...



In case of denationalization, what happens to present users of nationalized property



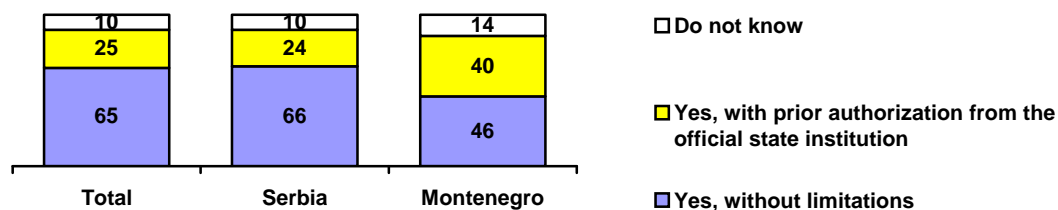
13. Rights of ethnic minorities

According to the respondents view, rights that the state grants to ethnic minorities to use their mother tongue are wider than they should be: 65% think that ethnic minorities in SaM have the right to publish books and attend schools in their mother tongue, without any limitations, but only slightly more than half (52%) approve of this policy; 16% would limit these rights to disloyal ethnic minorities, and 26% to all ethnic minorities.

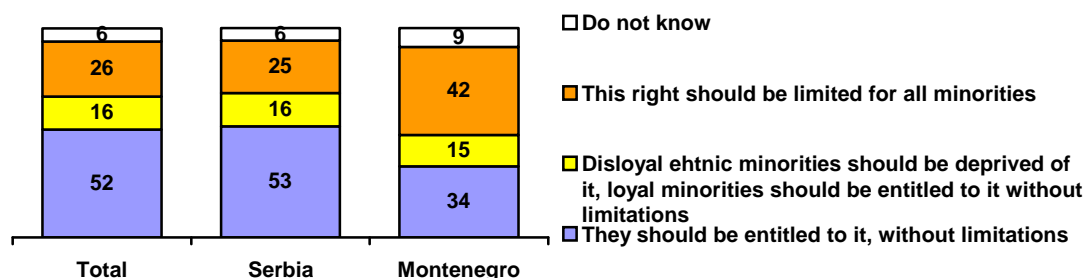
Citizens from Montenegro perceive the state as less tolerant regarding the right to use the language of ethnic minorities, than Serbian citizens; 40% of Montenegro citizens, and 24% of Serbian citizens think that this requires an authorization from the official institutions.

Citizens from Montenegro also have a less tolerant attitude toward the use of the language of ethnic minorities than Serbian citizens: 34% of citizens from Montenegro and 53% from Serbia think that ethnic minorities should have the right to publish books and receive education in their mother tongue, without any limitations, while 42% of Montenegrin citizens and 25% of Serbian citizens think that this right should be limited for all ethnic minorities.

Do ethnic minorities have the right to publish books and attend schools in their mother tongue



What is your personal opinion on the right of ethnic minorities to publish books and attend schools in their mother tongue



Tolerance towards ethnic minorities, measured by ethnic distance, (acceptance-disapproval of ethnic minorities being citizens of SaM, neighbors and superiors or becoming members of families by marriage), shows that citizens express the greatest intolerance towards Albanians and Moslems/Bosniaks, and in Montenegro towards Roma.

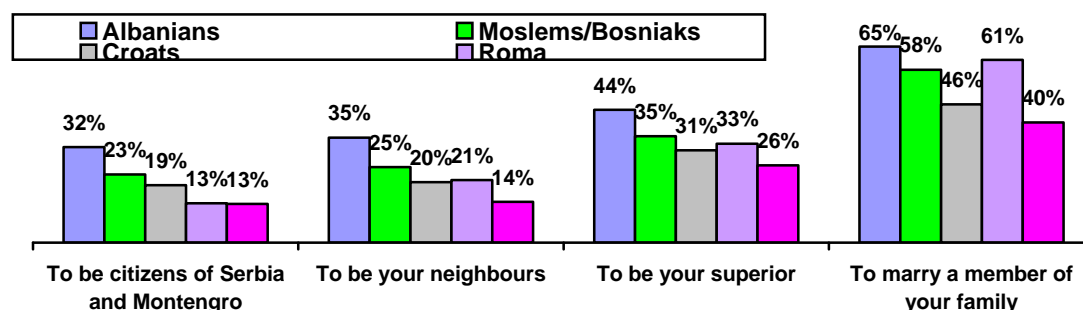
Almost one third of the respondents (32%) is opposed to the idea that Albanians should be citizens of SaM, and 23% oppose the same idea regarding Moslems/Bosniaks.

More than one third of the respondents (35%) think that they would resent having an Albanian as their neighbor.

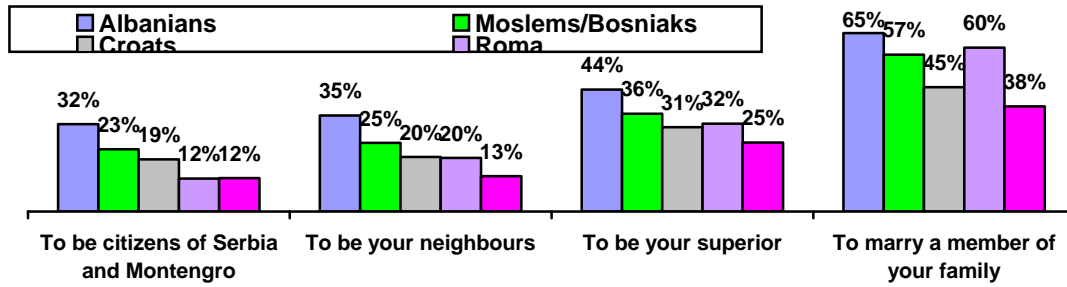
44% would object to having an Albanian as their superior, 35% would object if that were a Moslem/Bosniak, 33% to a Roma, 31% to a Croatian and 26% would object if that were a Hungarian.

The majority of the respondents would disagree if a member of their family were to marry an Albanian (65%), a Roma (61%) and a Moslem/Bosniak (58%), slightly less than a half would object to a Croat (46%) and a Hungarian (40%).

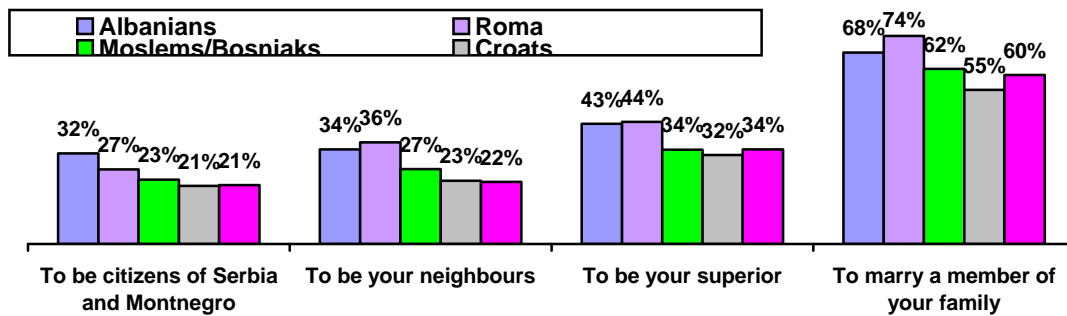
Ethnic distance - Would you mind if members of the following nations were ...% of "YES" answers



SERBIA - Would you mind if members of the following nations were ...% of “YES” answers



MONTENEGRO - Would you mind if members of the following nations were ...% of “YES” answers



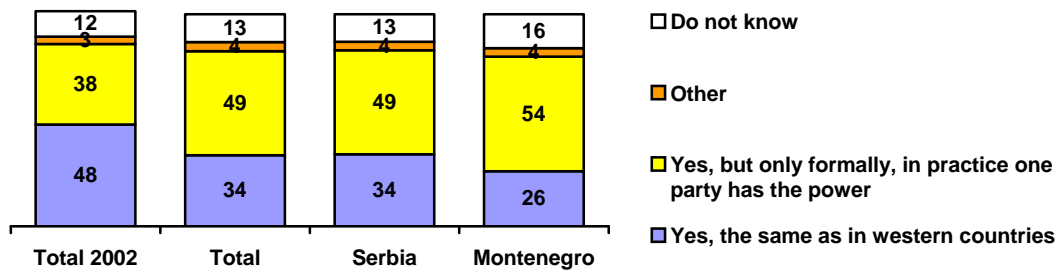
14. Political rights

The majority of the respondents think that political rights in Serbia and Montenegro exist formally more than they are respected in practice.

Almost half of the respondents (49%) think that the multi-party system in SaM exists only formally, while practically only one party has all the power. The percentage of citizens who had this opinion has significantly risen in comparison to the previous year, when this opinion was expressed but 38% of the respondents.

Only one third of the respondents (34%) think that the multi-party system in SaM is the same as the system which exists in western countries, and in Montenegro only 26% of the citizens were of this opinion.

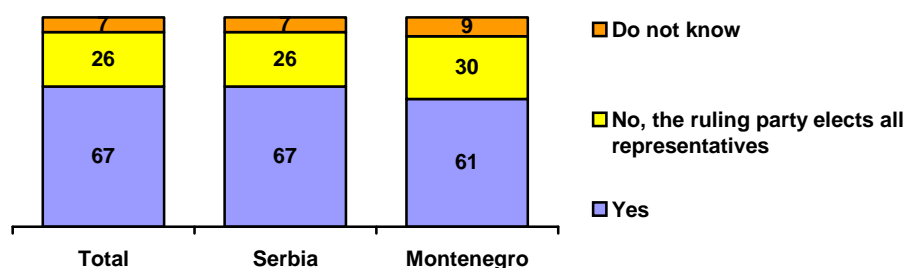
Is multi-party system in SaM the same as in the western countries



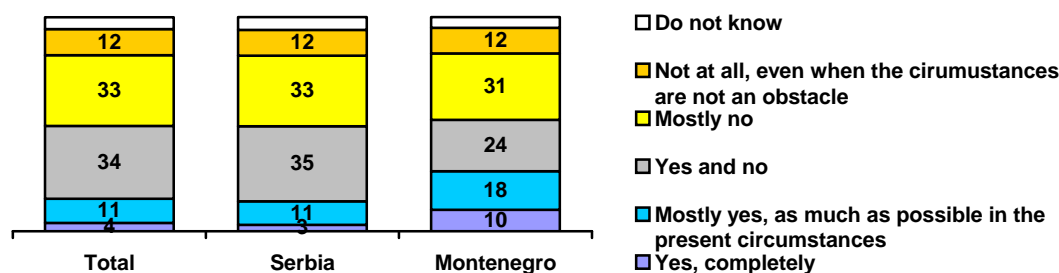
Majority of citizens, 67%, think that nationals of SaM have the right to elect their representatives in government bodies, but only 15% think that elected representatives represent the interests of the people in a way they promised they would in their pre election campaign. (4% fully represent, 11% represent as much as possible in the given circumstances).

45% of citizens think that elected representatives do not represent the interests of those who elected them (33% think that they mostly do not represent interests or not at all, even when the circumstances are not an obstacle).

Do the citizens have the right to elect representatives to government bodies



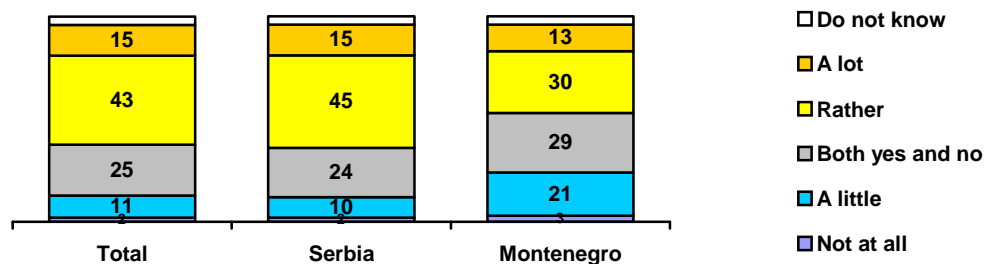
Do elected representatives represent the interests they promoted in electoral campaigns



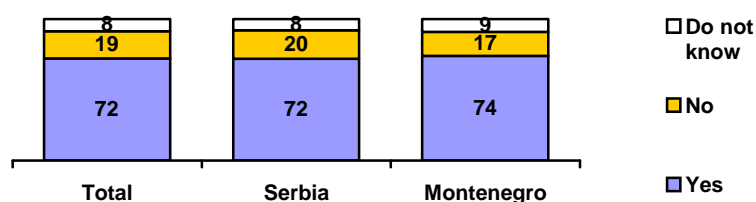
15. Protection of family and children

The majority of respondents (58%) believe that family violence against women and children is present in SaM to a large extent, that it is punishable (72%), but that official institutions are not dealing with this matter adequately.

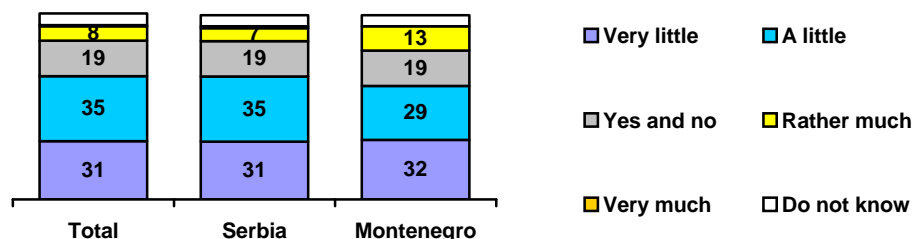
To what extent is violence against women and children in families present in our country



Is family violence against women and children punishable by law

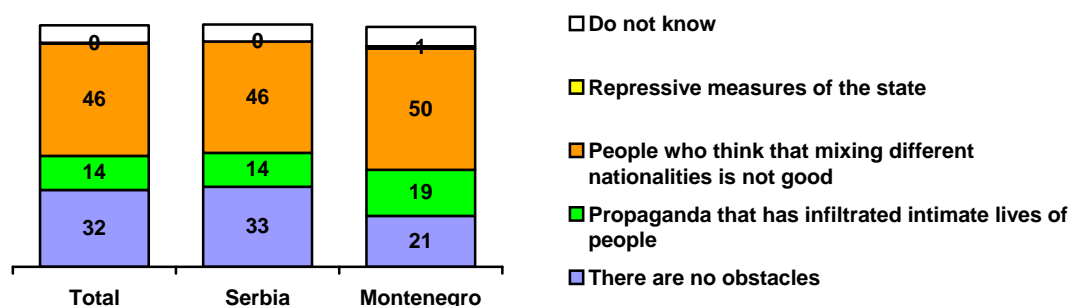


To what extent are official institutions addressing this problem



About one third of the respondents (32%) think that there are no obstacles to enter in mixed marriages in SaM, but even if they existed, they lie primarily with the people who are against mixing of different nationalities (46%), or in propaganda which has infiltrated intimate lives of people (14%), and not in the least in repressive measures of the state.

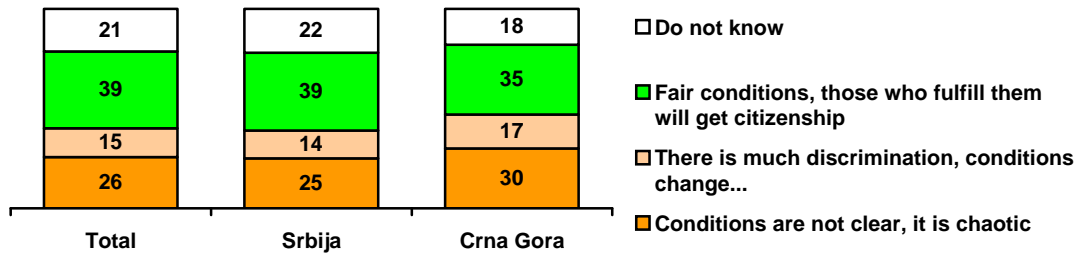
What is the greatest obstacle entering into mixed marriages in our country, if there are any



16. Right to citizenship

Citizens differed in their opinions on the right to citizenship: 39% thought that the conditions for obtaining SaM citizenship were fair and that every person that fulfils them could become national, while 41% thought that the situation was chaotic, either because conditions were not clearly defined (29%) or because they were often changed so that there was much discrimination (15%). Every fifth citizen could not answer this question.

Regarding the conditions for obtaining SaM citizenship, which attitude comes closest to your own

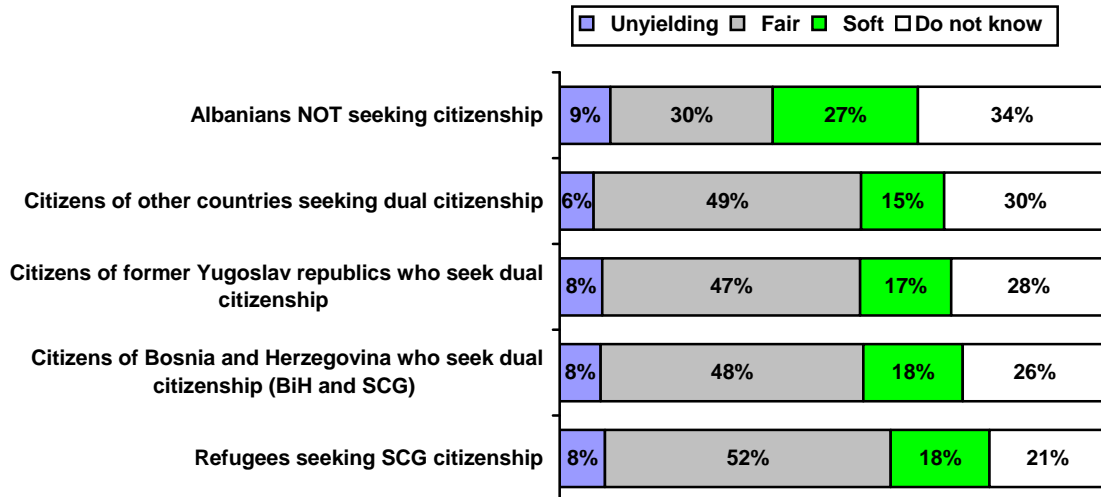


Regarding the attitude of the state towards different groups of people with unclear nationality status, **the most frequent opinion was that the attitude of the state was satisfactory.**

Citizens were of the opinion that regarding citizenship **refugees seeking SaM citizenship were given the most favorable treatment** by the state, the state had an appropriate (52%) or even soft (18%) attitude towards them.

The attitude of the state towards Albanians NOT seeking citizenship was more often characterized by citizens as soft (27%), than the attitude it had towards other groups. More than one third of the respondents (34%), was not able to assess attitude of the state towards this group.

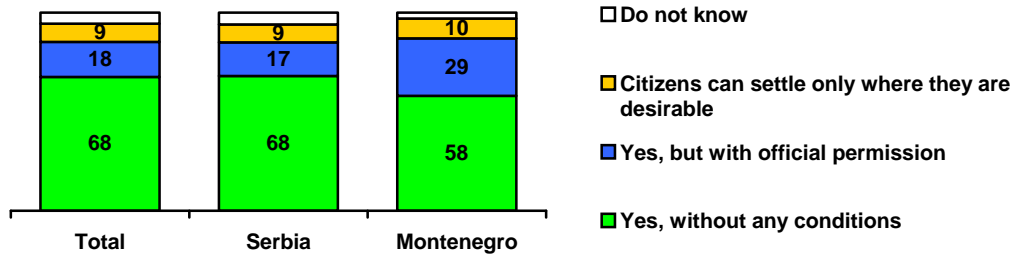
What is the attitude of the state towards...



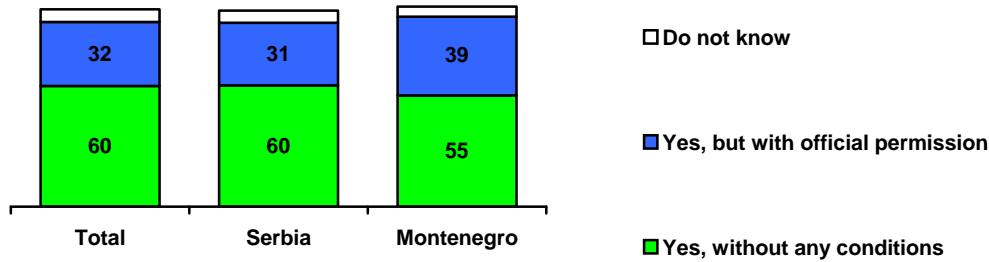
17. Right to freedom of movement

Although most citizens think that the right to freedom of movement is respected in SaM (68% think that every citizens of SaM can settle wherever he/she wants and 60% think that every citizen can leave SaM without any conditions), almost one third still think that there are some limitations of the right to freedom of movement (18% think that citizens can settle where they want, but with official permission; 9% think that they can settle where they are desirable; 32% that in order to leave SaM an official permission of official institutions is required).

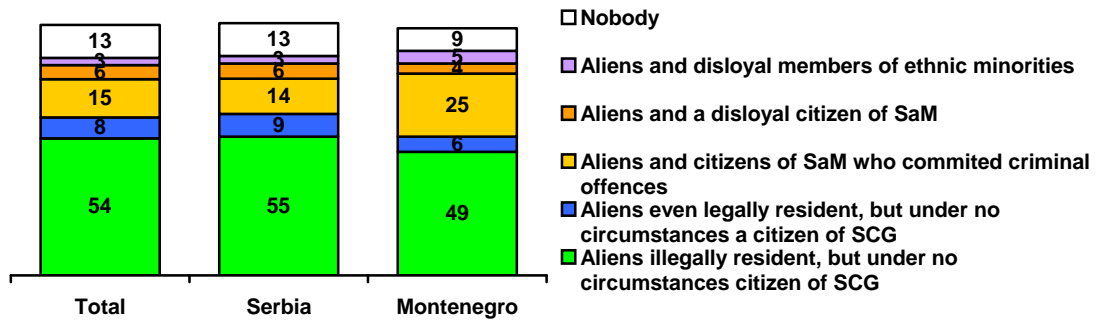
Can every citizen of SaM settle where he/she wants



Can every citizen leave SaM freely



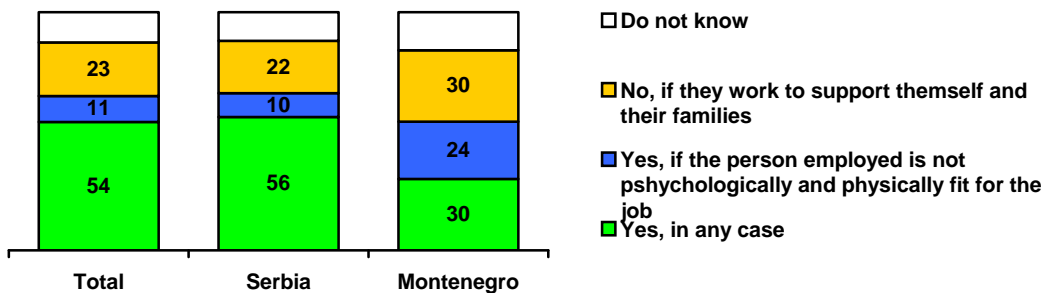
Who can be expelled by our country



18. Economic and social rights

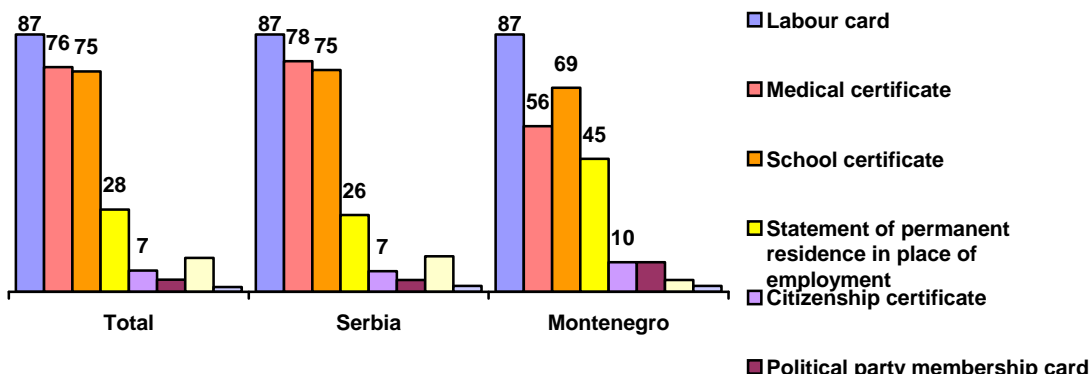
Slightly more than half of the respondents (54%) are familiar with the rule that employing persons under 16 years of age is punishable.

Is employing persons under 16 punishable



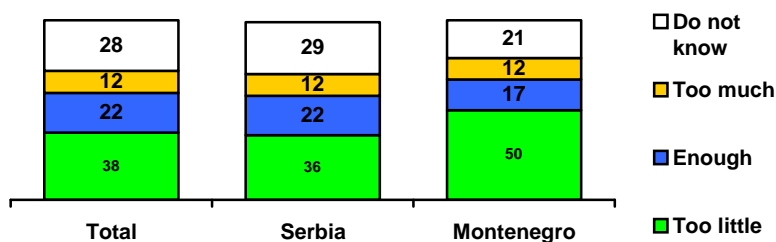
SaM citizens think that in order to be employed it is required to have: labour card (87%), medical certificate (76%) and school certificate (75%).

Which documents are required for employment (multiple answers)

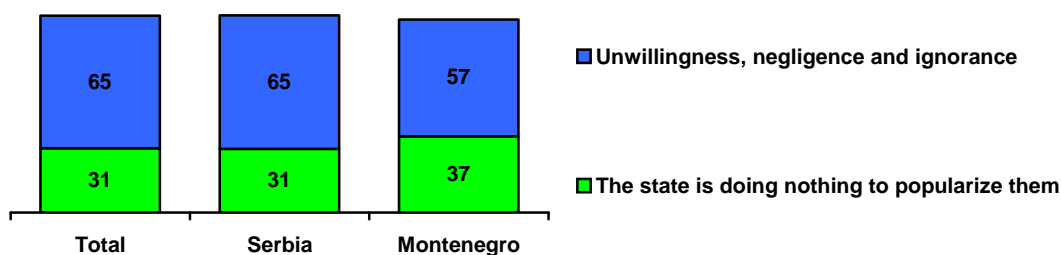


Evaluation regarding the extent to which contraceptives were used in SaM varied from the most often stated opinion that they are used too little (38%), enough (22%) to opinion that they are used too much (12%). Main reasons for insufficient use were unwillingness, negligence and ignorance (65%), more than insufficient activities of the state to popularize this issue (31%).

In your opinion, to what extent are contraceptives used today



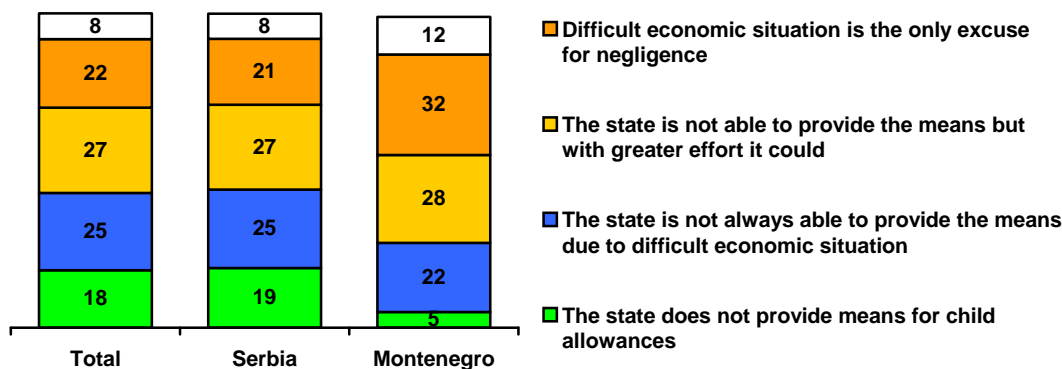
What is the main reason that contraceptives are used too little (answers of 38% of the population that thought they were used too little)



The majority of citizens (64%) think that the state cannot manage to provide the means for regular payment of child allowance, and 54% thought that the state was responsible for it (the state is not making an effort 27%, it finds excuse for negligence in difficult economic situation 22%), while 25% thought that the reason was not negligence, but economic situation.

Only 18% of citizens believe that the state provides adequate means for payment of child allowances.

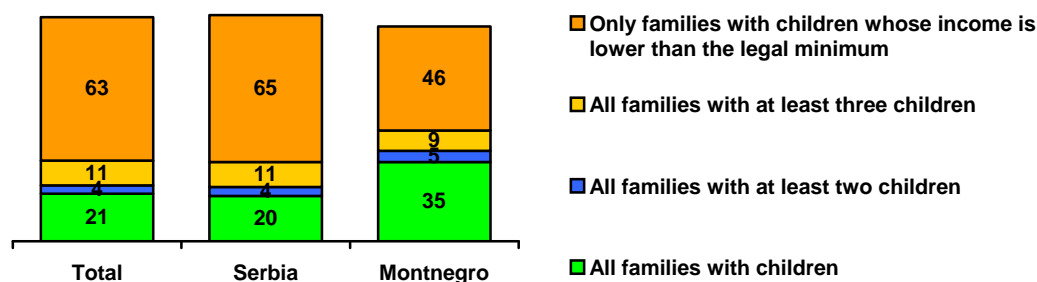
Does the state provide sufficient means for payment of child allowance



Majority of the respondents knew that only families with children with an income lower than the legal minimum were entitled to child allowance.

In Montenegro, however, more than one third of citizens (35%) thought that all families with children were entitled to child allowance.

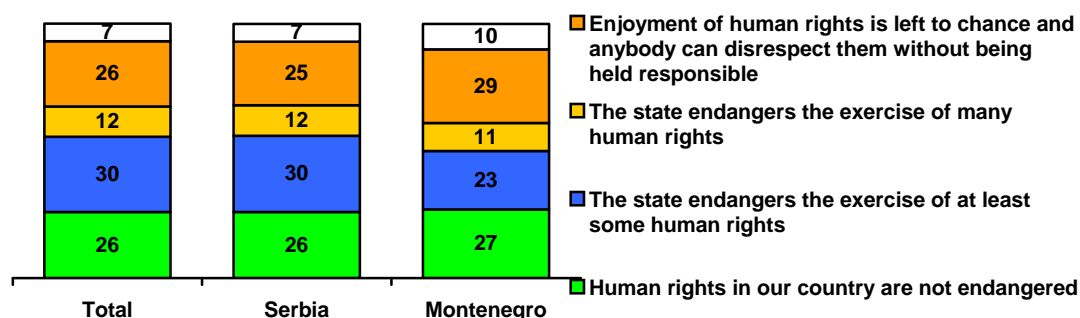
Who is entitled to children's allowance



ENJOYMENT OF HUMAN RIGHTS

The majority of citizens (68%) think that the enjoyment of human rights in SaM is endangered: 30% think that the state disregards of at least some human rights, 12% that it endangers the enjoyment exercise of many rights, and 26% that the exercise of human rights in SaM is left to chance, so anybody can endanger them and not be held responsible for it.

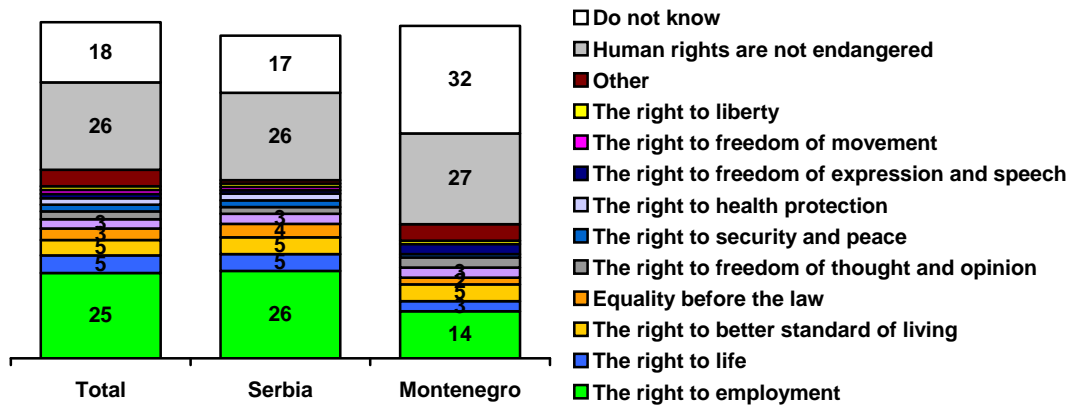
What is the situation like in our country regarding enjoyment of human rights



When asked to choose the human right which was most endangered in SaM, citizens spontaneously most frequently *the right to work* (25%).

The right to work as the most endangered right was mentioned more by citizens of Serbia (26%) than citizens of Montenegro (14%) and by the age the last working decade of their life, between 50 and 64 (30%).

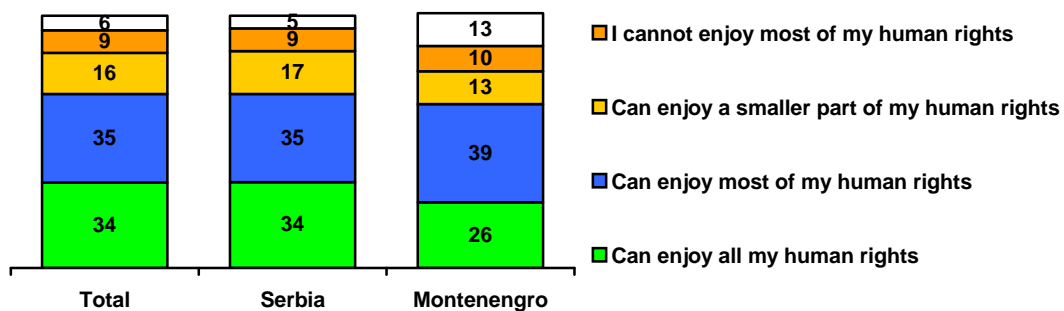
**Which human right is most endangered in our country (one answer)
% in population**



Evaluation of the enjoyment of human rights in SaM is more positive when looked at from personal perspective than in general: more citizens state that they personally manage to exercise *all* human rights (34%), than citizens who thought that the exercise of human rights in SaM was not endangered (26%).

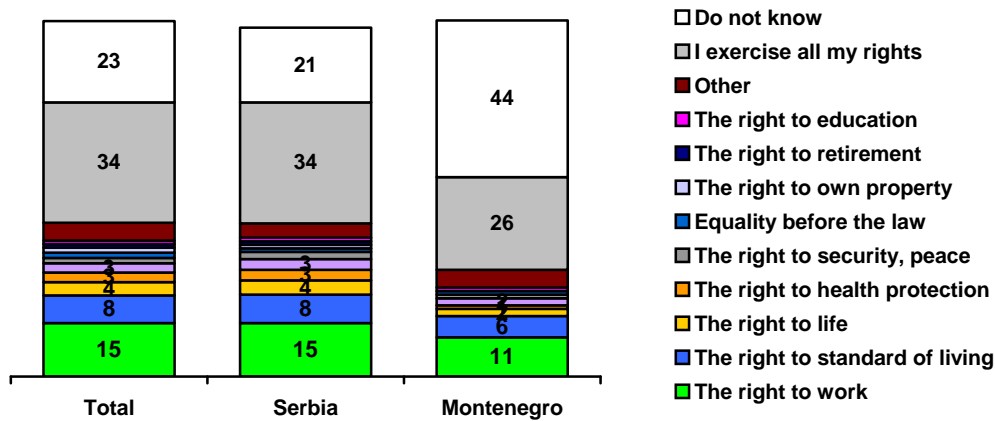
The majority of citizens (69%) think that they are able to enjoy at least most of their human rights. One quarter of the respondents (25%) think that they are not able to exercise all their human rights.

To what extent are you personally able to enjoy your human rights



Every sixth or seventh citizen (15%) in SaM claims that he/she is deprived of the right to work, 8% claim that their right to standard of living is endangered and 4% said so for their right to life.

Which rights are denied to you personally
- % in population



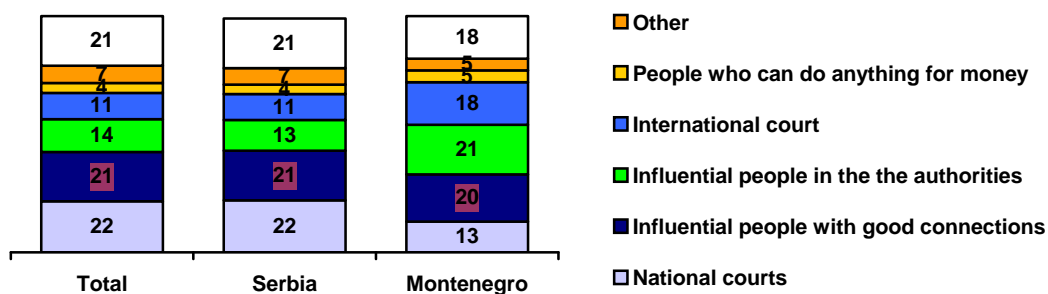
More SaM citizens believe that in case of denial of some of the human rights, it is better to turn to influential people than to seek redress from a court, either national or international.

39% of the respondents think that if human right is denied, it is best to turn to influential people: 21% thought these should be people with good connections, 14% thought it would be best to turn to influential people within the authorities and 4% thought it would be best to seek help from people who can do anything for money.

35% of the respondents think that it would be best to turn to a court: 22% to a national court and 11% to an international court.

21% of the respondents did not know who they should turn to in case of denial of a human right.

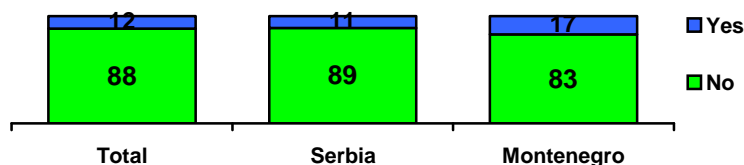
If we were deprived of a human right who should we turn to



Although one quarter (25%) of the respondents stated that they were denied at least some of their human rights and 35% stated that they could exercise most

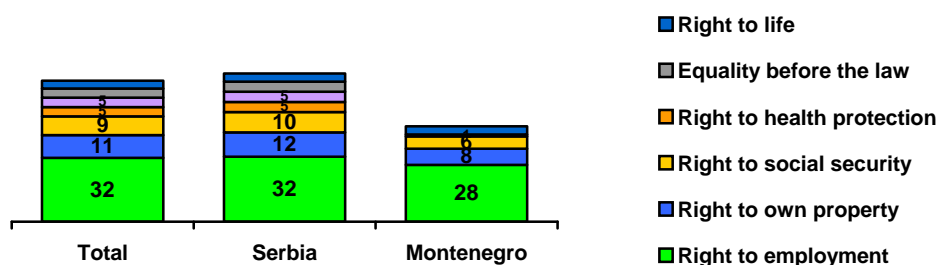
but not all their rights, only 12% said that they had ever turned to anybody to protect the denied human rights.

Have you ever turned to anybody to protect some human right denied to you



Which human right was denied to you

% of answers of those who turned to somebody to protect the human right denied to you (Serbia and Montenegro 12%, Serbia 11% and Montenegro 17%)



CONCLUSION

The majority of respondents from Serbia and Montenegro were in principle aware of the notion of human rights. However, just one half of them knew that human rights were protected by international law.

Attitudes towards human rights were strongly influenced by concerns about the economic situation, primarily about unemployment and low standard of living, problems perceived as priority. *The right to work and choice of employment* was the right the respondents were preoccupied the most with. *The right to work* was most frequently found at the top of the list, as the human right most frequently thought to be jeopardized in Serbia and Montenegro, although the *right to life*, *right to security and freedom* and *equality before the law* were perceived as the three most important rights. Low standard of living and unemployment were mentioned most frequently as endangering the right to life of citizens of Serbia and Montenegro, the human right which was evaluated as the most important one.

Awareness about individual rights varied from one right to the other, but a common element in all domains was the attitude that protection of rights in Serbia and Montenegro was rather formal than recognized in practice: at the same time, interviewed citizens showed an awareness of the right to fair trial and lacked confidence in courts. They were aware of the right to freedom of thought but believed that the media are controlled, and that independent media were in a minority; they were aware of the political rights but believed that elected politicians do not represent the interests of citizens; they knew that there were laws punishing

acts of violence against women and children are punishable, as well as that slavery and forced labour but believed that the relevant institutions were hardly cared of these problems...

The majority of respondents shared the opinion that, in principle, implementation of human rights in Serbia and Montenegro was in jeopardy, but also that they somehow managed to enjoy either all or at least the majority of their human rights. While just one in five citizens think that human rights are not jeopardized in Serbia and Montenegro, somewhat more than one third claimed to enjoy all their human rights and the same percentage claimed to be able to enjoy the majority of their human rights.

General mistrust in state institutions was found to be present in the domain of human rights as well: in case that some of their human rights were jeopardized, the majority of citizens would seek protection through informal channels, by approaching powerful people rather than turning to legal institutions. Just one in five citizens would turn to national courts, and one in ten to international courts.

However, it appears that human rights are in the minds of citizens present in a relativised fashion, and that they themselves are not really ready to support the recognition of human rights in practice without exceptions: almost one half of citizens would restrict the right of national minorities in their right to use their mother tongue; one in two or three citizens would resent an Albanian to be their superior at work, one in three citizens would resent a Muslim/Bosniak, Roma or Croat to be their superior, and one in four citizens would be against having a Hungarian as a superior. At the same time, the majority of the citizens think that opportunities for employment and successful career of members of national minorities are either equal (60%) or even better than the opportunities of the Serb and Montenegrin majority (17%).

Finally, the fact that one half of the respondents were not aware that human rights were protected by international law, as well as the fact that more than two fifths of respondents believed that human rights were an internal matter of the state, indicate that the awareness of human rights law of the average citizen of Serbia and Montenegro is relatively low.