

CITIZENS' PERCEPTIONS OF HUMAN RIGHTS  
LAW AND PRACTICE IN SERBIA AND  
MONTENEGRO

July, 2004

for  
Belgrade Center for Human Rights



Realization



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# 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, so that the survey carried out in 2004 was the fifth successive one.

### *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, and in Montenegro: Podgorica (including Danilovgrad), coastal part (including Cetinje) and Northern (mountainous) part of Montenegro.

#### Allocation

According to strata, proportional to size of stratum.

#### Stages

1. Territory of pooling place (circa 200 households) chosen with probability proportional to size – PPS
2. Households chosen by method of random walk from the given address (simulation of SRSWoR sampling scheme)

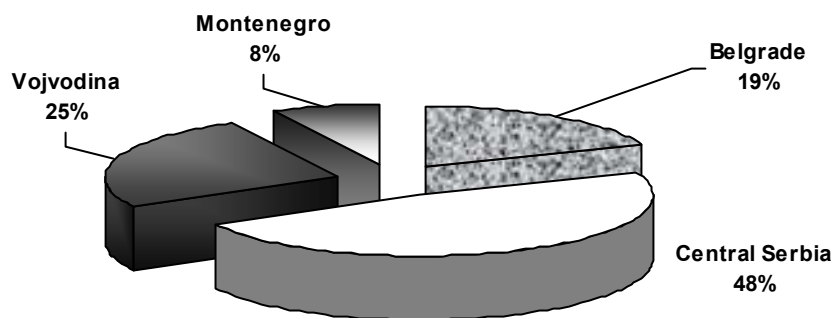
3. Household member chosen by Kish scheme (simulation of SRSWoR sampling scheme)

Sample size

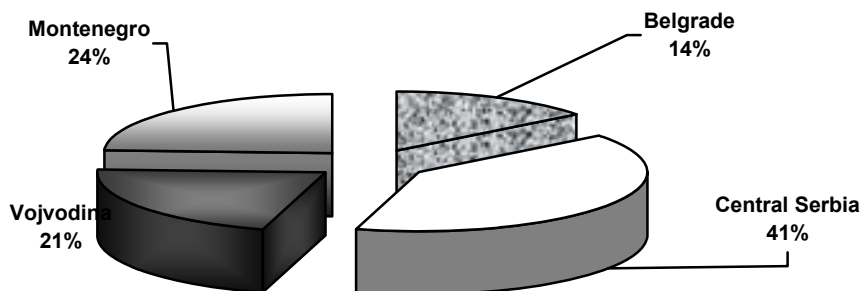
1683 respondents; 1276 from Serbia, 407 from Montenegro.

Sampling error: 2.4% (marginal error) for reliability level of 95% and incidence of answers of 50% (1% for the expected incidence of 5%).

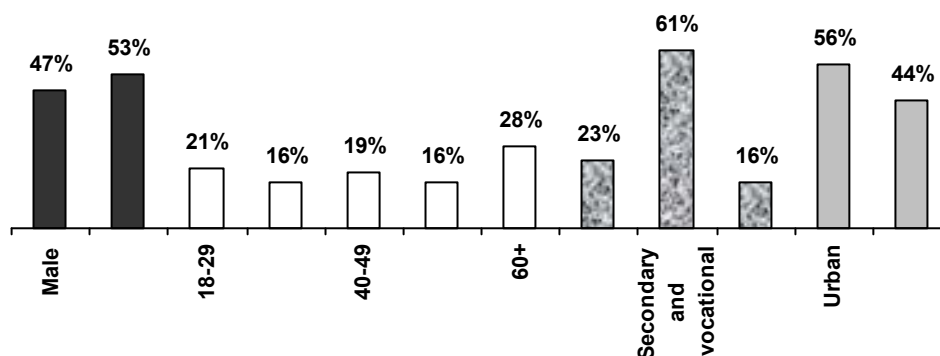
Structure of weighted sample by regions



Structure of non-weighted sample by regions



### 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 consistently, 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

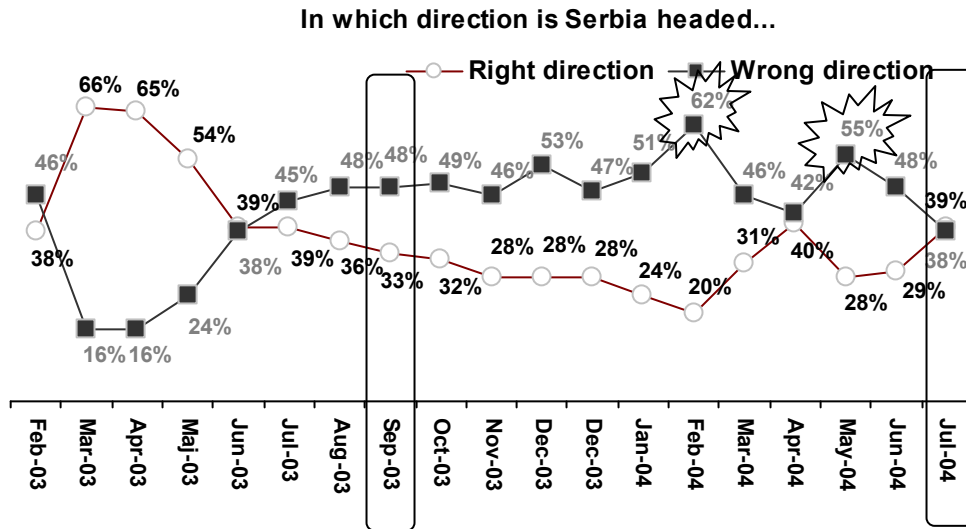
#### *Time period of survey*

Fieldwork was conducted from 15th to 19th July 2004.

## POLITICAL ENVIRONMENT

In the period between two surveys on Citizens' Perception of Human Rights, the turbulent political scene of Serbia was dominantly marked by two events: after the months-long crisis of the Government, Parliamentary elections were scheduled, and Serbia got a new, minority, coalition government, while, after successful Presidential elections in June, Serbia got its first democratically chosen President of republic since the change of Milošević's regime.

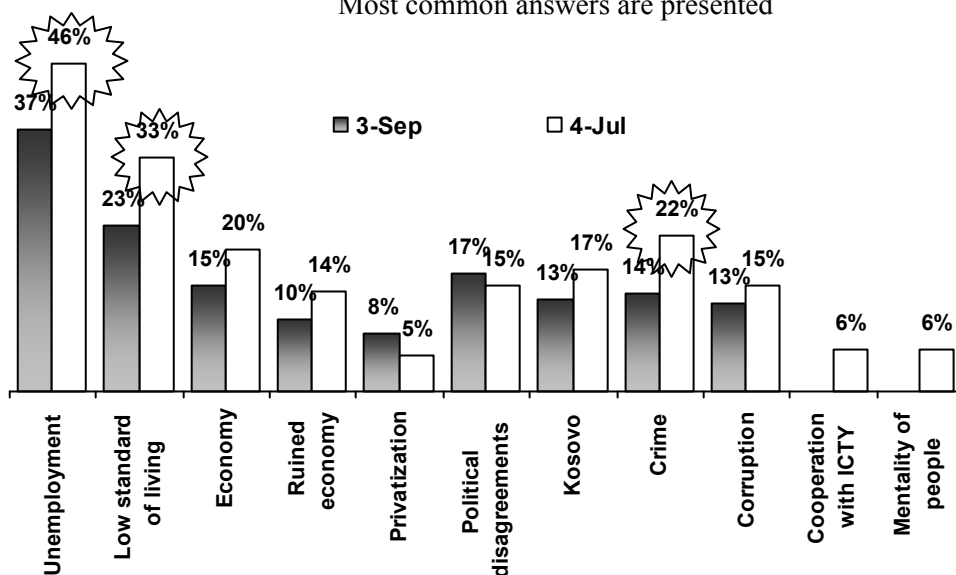
After dramatic downfall of optimism which followed Parliamentary elections (during the two-months-long negotiations concerning establishment of the Government), and the beginning of work of the new Government (formed with the help of SPS), the citizens' optimism started rising again after the victory of the democratic candidate on Presidential elections. Synthetic indicator of the general political climate, measured by answers to the question on how the citizens assess the direction that the country has taken, was identical in July (at the time of survey) with one recorded at the end of state of emergency in May 2003: 39% of total adult respondents considered this direction as a right one, 38% thought that Serbia was on the wrong track, while the remaining 23% had no attitude on this issue.



Economic problems are still topping the list of problems which concern the citizens the most. In comparison with the previous year, the number of citizens which include economic problems (primarily unemployment and low standard) among the three most important problems has considerably increased. With respect to the previous year, bigger number of citizens include crime among the three most important problems.

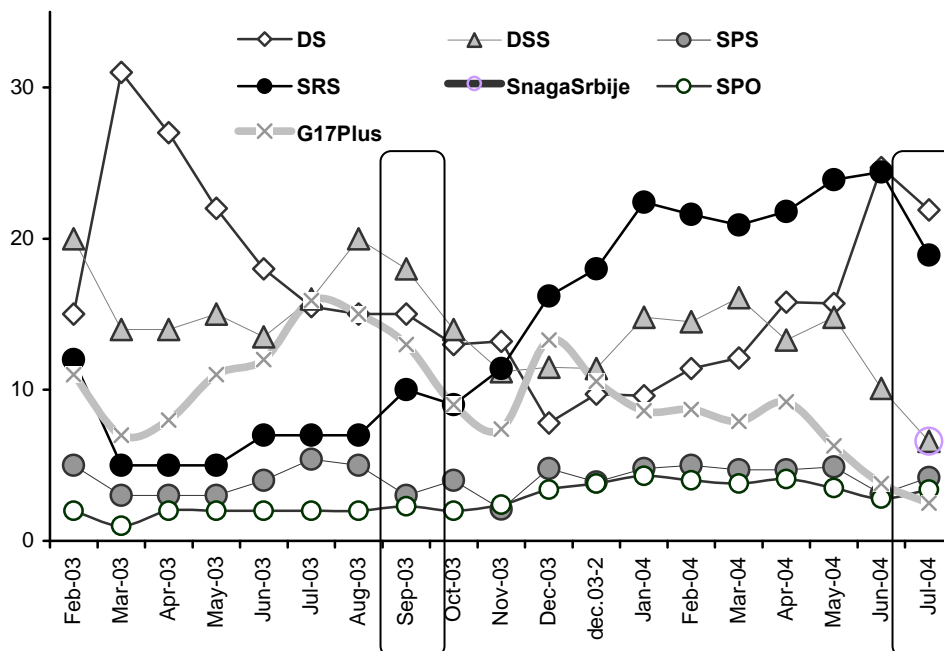
**Spontaneously mentioned main problems in Serbia -  
Three most important problems**

Most common answers are presented



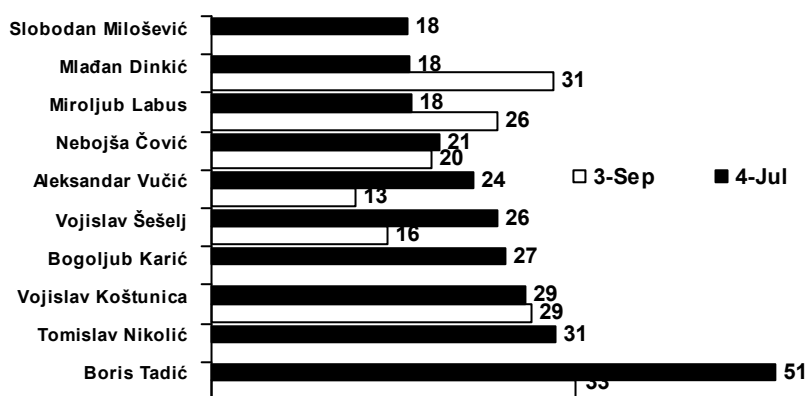
Political scene of Serbia has experienced a dramatic transformation since September 2003 (the period of previous survey): SRS has been in constant rise, and it entered the Parliament as the strongest political party. Only after Presidential elections has DS taken the lead, with just several percents stronger support of electoral body. Other political parties, members of former DOS, have almost vanished from political scene. If Parliamentary elections were held in July, DS, SRS, DSS, Snaga Srbije, SPS and SPO would enter the Parliament. The newly-formed political party of Bogoljub Karić would have the same support of electoral body as DSS.

**If Parliamentary elections were held this Sunday, which political party would you vote for?**



General trend of expansion of the right option is also strongly visible in the rating of political leaders. Although Boris Tadić is indisputably the most popular leader, according to percent of positive grades which citizens of Serbia gave them in July, majority of other democratic leaders lag far behind the three leaders of SRS, even behind the rating of Slobodan Milošević.

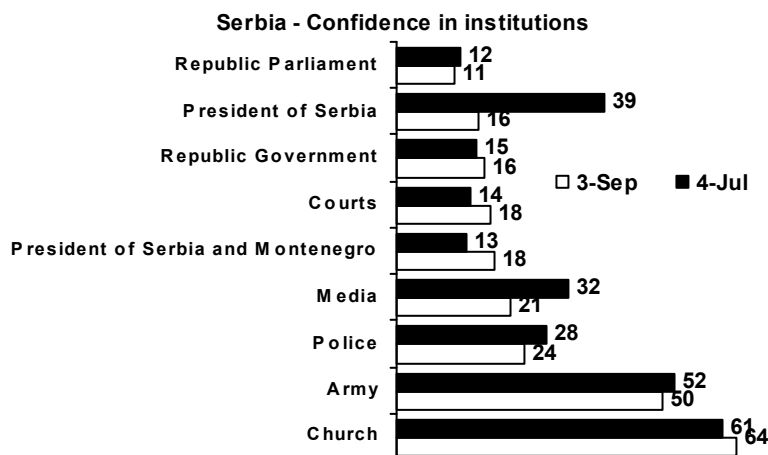
**Rating of political leaders**



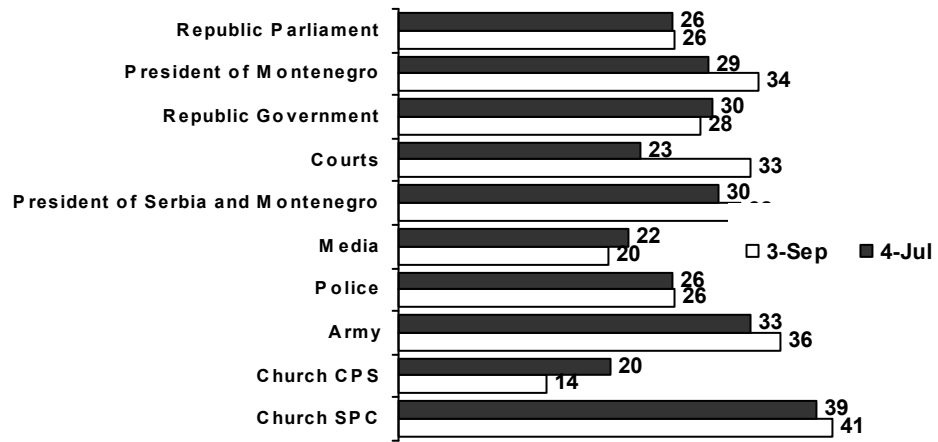


Institutions which citizens of Serbia trust the most are still Church and Army, while the Government and Parliament still occupy the last place on the list. Courts are also positioned at the bottom of the list, with just 14% of the citizens of Serbia who trust them. After successful Presidential elections, percent of citizens who trust the institution of President of Republic increased from 16% (as recorded last year) to 30%. Confidence in media also increased, since, in September 2003, they were trusted by one out of five citizens, and in July 2004 by one out of three citizens of Serbia.

On the average, confidence in institutions is stronger among the citizens of Montenegro than among the citizens of Serbia. The only apparent decrease of confidence concerns the institution of courts, which, in September 2003, were trusted by one third of the citizens of Montenegro, while, in July 2004 by just 23%.



### Montenegro - Confidence in institutions



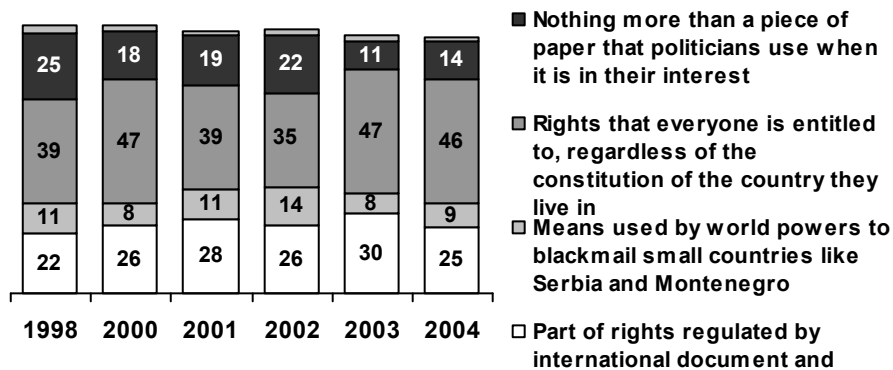
# UNDERSTANDING OF HUMAN RIGHTS

## Perception of Human Rights

Similar to situation recorded last year, the citizens of Serbia and Montenegro mainly perceive human rights in naturalist way (as rights that naturally belong to everyone) - 46%, or in positivist way (segments of rights regulated by international documents and Constitution) - 25%.

In comparison with the last year, the share of respondents accepting the positivist view has decreased, while the share of those who perceive human rights in realistic-political way (something that politicians resort to when it is in their interest) has increased.

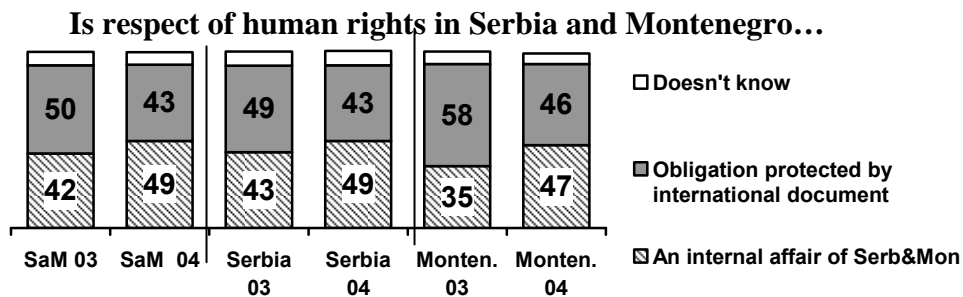
### What are Human Rights?



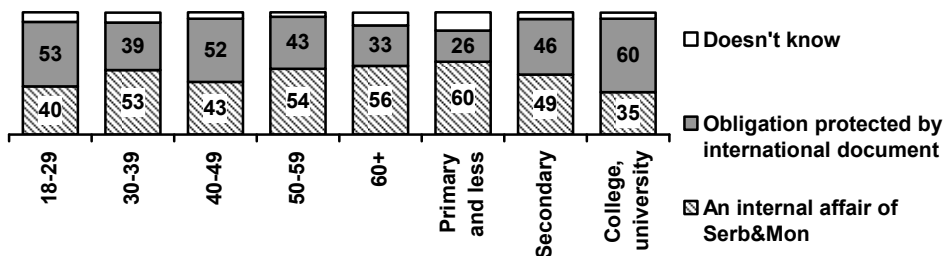
## Protection of Human Rights in Serbia and Montenegro

Despite the fact that majority of the citizens of Serbia and Montenegro perceive human rights either as natural rights that everyone is entitled to, or rights protected by international document, almost one half of the citizens assert that respect of human rights is an internal affair of Serbia and Montenegro. Percent of citizens who support this opinion increased from 42% (as recorded last year) to 49% (recorded this year), while the percent of citizens who think that respect of human rights is protected by international document

decreased from 50% (as recorded last year) to 43% (recorded this year).



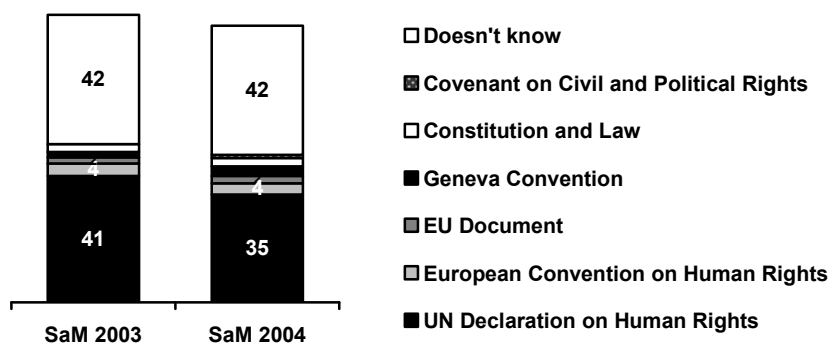
Belief that respect of human rights is an internal affair of Serbia and Montenegro is the most present among older citizens, and those with lower levels of education, however, this belief is also shared by 40% of young respondents, aged between 18 and 29 years, as well as by 30% of citizens with post secondary and university education.



Lack of information among the citizens about protection of human rights is also substantiated by the fact that 42% of the citizens who think that respect of human rights is protected by an international document, were not able to say which document is in question, and majority of the remaining respondents (35%) think that this document is the UN Declaration on Human Rights. Just 1% of the citizens specified Covenant on Civil and Political Rights.

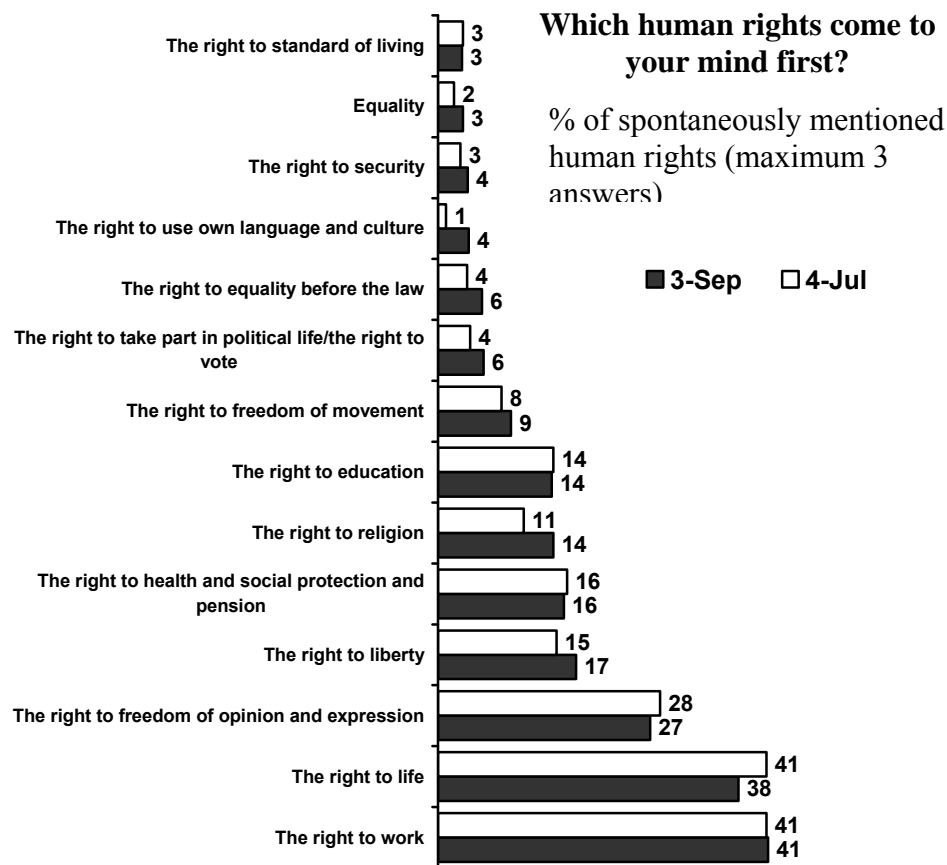
## Which document guarantees respect of human rights in Serbia and Montenegro?

*Percent of answers of the part of population who thinks that respect of human rights in Serbia and Montenegro is protected by some international document*



## Importance of Particular Human Rights and their Respect in Serbia and Montenegro

*Right to work, Right to life and Right to freedom of opinion and expression*, are three human rights of which the citizens of Serbia and Montenegro still think in the first place spontaneously. Right to work and right to life were spontaneously mentioned by 41% of respondents.



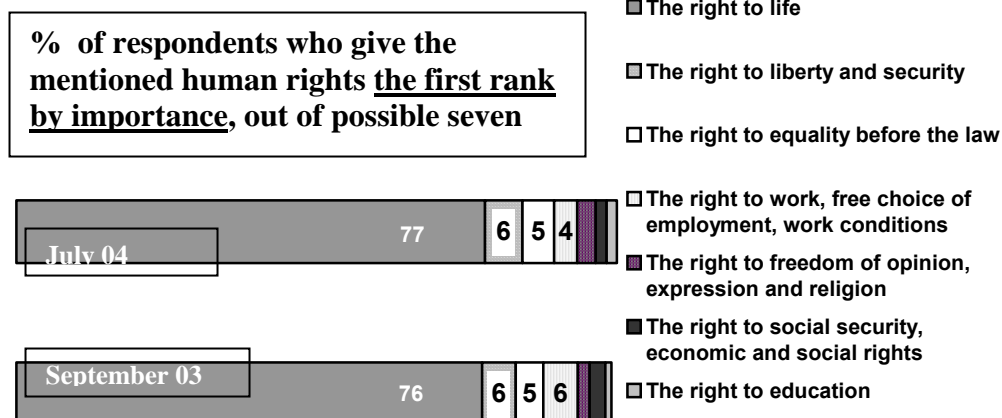
Similar to situation recorded last year, *the right to work* was mentioned more frequently by citizens with the highest level of education (49%), and *the right to freedom of opinion and expression* by the youngest segment of population (35%), citizens aged from 30 to 40 years (38%), and particularly the citizens with the highest level of education (42%). Respondents with the lowest level of education mentioned above the average *the right to health protection* - 22%.

Three human rights, which respondents consider the most important among the seven proposed human rights are (similar to last year) *the right to life, the right to liberty and security, and the right to equality before the law*.

**The right to life is perceived as the most important right:** 76% of the citizens give this right the first rank according to importance,

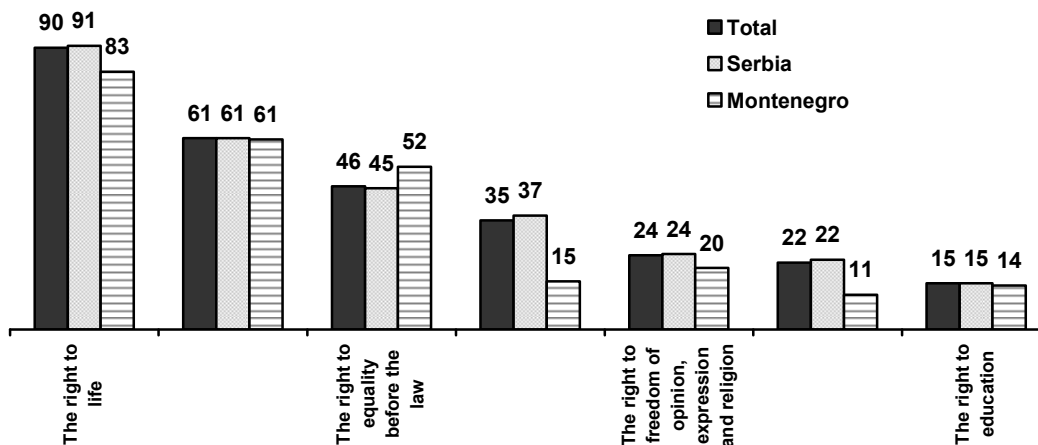
while, as much as 90% of the citizens, rank it among the three most important human rights.

### The rank of seven human rights by importance



### The rank of seven human rights by importance

**% of population who rank the specified rights among the First three, most important human rights**

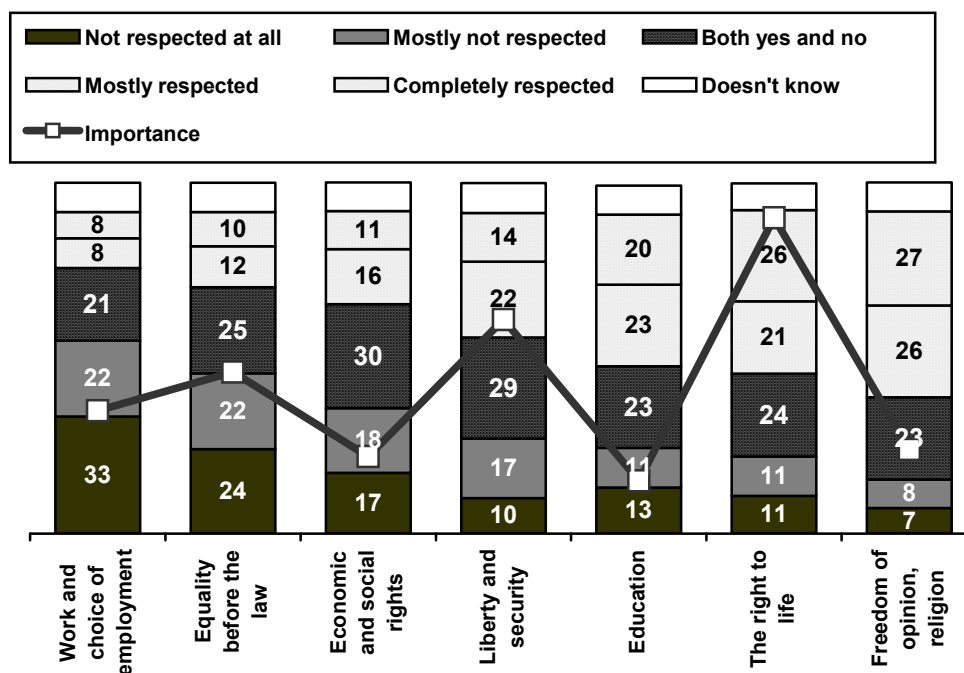


Citizens of Montenegro mention in higher percent than citizens of Serbia *The equality before the law*, while considerably higher percent of Serbian citizens than Montenegrin mention *The right to work, free choice of employment and work conditions*. Similar to situation recorded last year, citizens of Montenegro, in contrast to

citizens of Serbia, gave more importance to the Right to freedom of opinion, expression and religion than to The right to work.

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

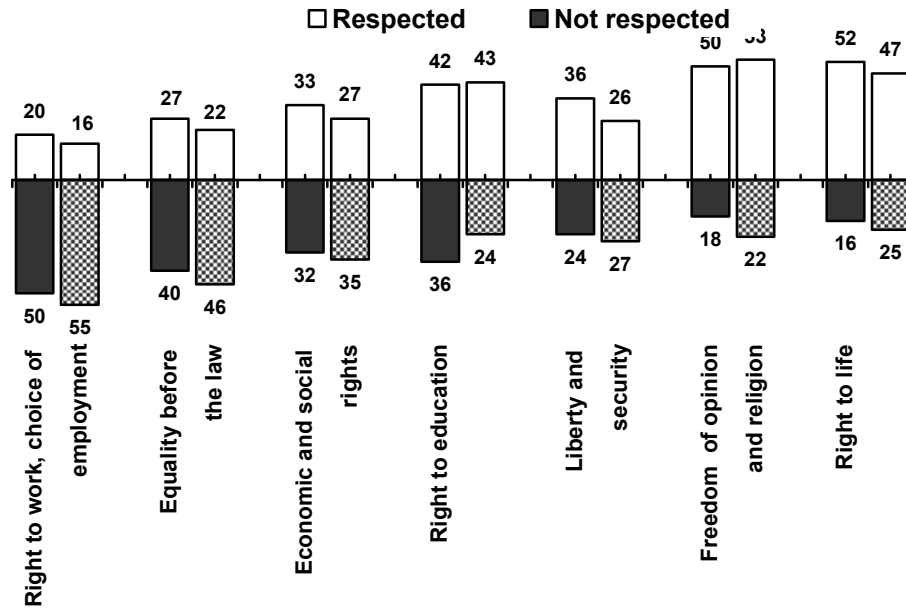
*% of answers in population in relation to importance stated by ranking of that right among the three most important rights*



The right to work and employment is still perceived as the human right which is the least respected in Serbia and Montenegro, and the human rights which follow this one are the right to equality before the law, and economic and social rights.

Compared with last year's results, percent of citizens who think that basic human rights are not respected in Serbia and Montenegro has increased, with the exception of right to education. More than one half of the citizens (55%) think that the right to work and choice of employment is not respected, nearly one half of respondents (46%) think that the right to equality before the law is not respected, 35% think that the right to social security, economic and social rights are not respected. One of four citizens think that the human right which is not respected in Serbia and Montenegro is the right to life.





## SPECIAL RIGHTS

In the area of knowledge of special rights, there are generally no significant differences with respect to the last year: knowledge differs from right to right, however, just a minor, and more educated segment of the citizens, are familiar with majority of their own human rights.

Similar to results recorded last year, the respondents are much more aware of formal protection of their human rights than protection of own rights in practice. Slight increase of percent of the citizens who are aware of their human rights, on one hand, and equal distrust in practical realization of protection of these rights, on the other hand, make this disparity between the formal and the real even more evident.

# 1. Prohibition of Discrimination

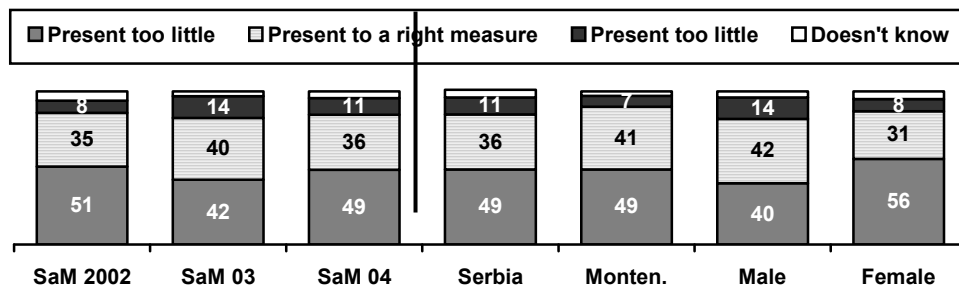
**Trend of increase of sensitivity to the problem of discrimination which citizens of Serbia and Montenegro expressed in 2003 compared to 2002 has mainly been stopped, while they express a moderate, but still negative trend, towards the problem of discrimination of ethnic minorities.**

**Opinion of the citizens of Serbia and Montenegro about discrimination of three groups - women, ethnic minorities and homosexuals – has not changed significantly: homosexuals are in the least favorable position, after that women, and finally ethnic minorities, where discrimination is the least present.**

More than one half of population (53%) think that homosexuals are discriminated against, 38% of respondents think that women are in more unfavorable position than men with respect to employment and career advancement, and just 15% think that ethnic minorities are in less favorable position than the rest of population concerning the same human rights.

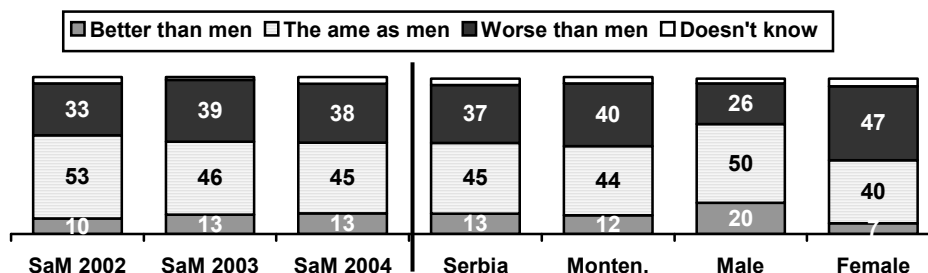
This year, somewhat higher percent of citizens (49%) than last year (42%), think that women are represented in political life too little. Although this opinion is much more expressed by women (56%) than men (40%), men made a bigger shift than women compared to last year (men: from 33% to 40%; women: from 52% to 56%).

**To which extent are women present in political life in Serbia and Montenegro? - % of answers**

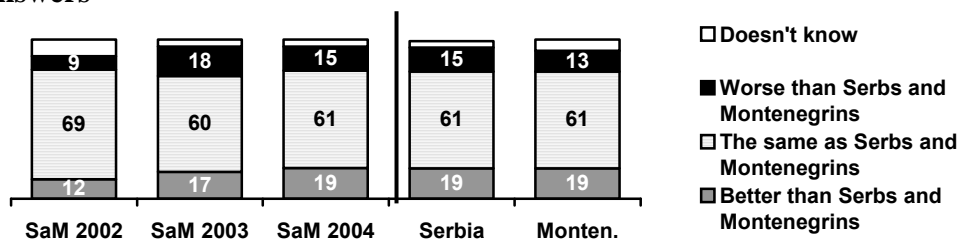


Position of women concerning employment is still assessed much more positively by men than by women: 50% of men and 40% of women think that the prospects of men and women are the same, while, as much as 20% of male respondents, and 7% of female respondents think that women have better employment chances than men.

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

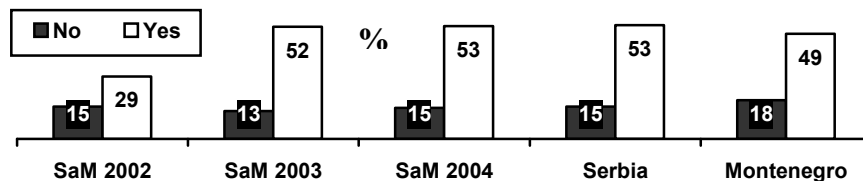


**What chances of employment and career advancement do ethnic minorities have in comparison to Serbs and Montenegrins – % of answers**

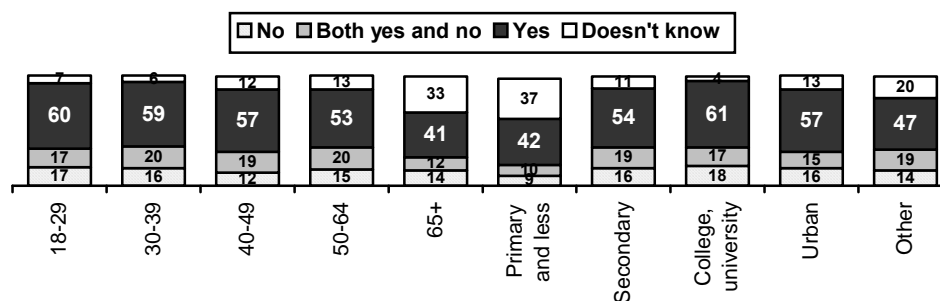


The truth that awareness about the presence of discrimination definitely doesn't mean own tolerant attitude towards it is substantiated by the fact that 53% of population think that homosexuals are boycotted and discriminated against, but, at the same time, 48% of respondents state that they would object to having homosexuals in their neighborhood, 63% would object to having such persons in leading positions in the country, 64% would object to being their friends and visiting them, and 75% would object to having homosexuals as their children's teachers.

**Is there boycott and discrimination against homosexuals in our country?**



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



**The biggest differences in the attitudes towards presence of discrimination still exist between the citizens with different level of education.** Much higher percent of citizens with higher education are sensitive to all mentioned forms of discrimination.

**Younger segment of population (18 to 29 years)** think, to a much higher extent than other segments of population, that ethnic minorities are discriminated against in terms of employment, as well as that homosexuals are boycotted and discriminated against in Serbia and Montenegro.

## 2. Right to Life

**Majority of citizens still think that life of the citizens in Serbia and Montenegro is endangered, and this percentage has increased from 64% (recorded last year) to 68% this year.** According to respondents, the reasons for this vulnerable position, the same as last year, are primarily the existing economic problems.

Similar to last year's results, this attitude is more present among the citizens of Serbia (69%) than the citizens of Montenegro (61%).

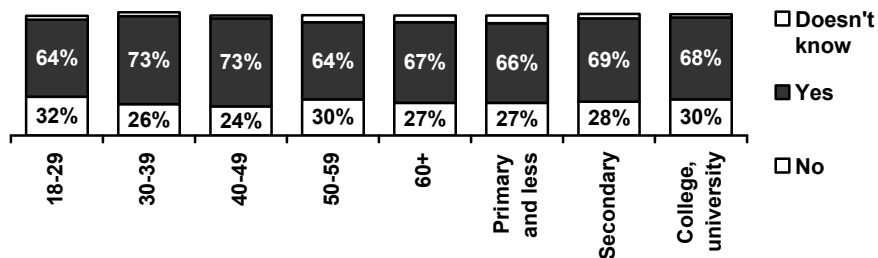
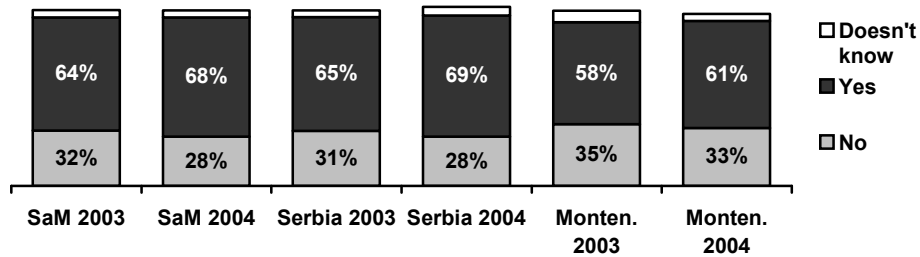
Circa 66% of respondents who think that life of the citizens of Serbia and Montenegro is endangered (which, this year is 45% of total population, and last year 41% of total population), mention spontaneously some of the reasons connected with economic situation in the country: low standard of living (47%), unemployment (14%), undeveloped economy (5%).

This year, similar to last year, economic reasons were mentioned more by Montenegrins than by Serbian citizens.

While economic reasons, as the source of vulnerability, have been mentioned this year by somewhat higher percent of citizens than last year, the feeling of being endangered by crime has not changed: crime, as a source of threat was mentioned (as well as last year) by 15% of the citizens of Serbia (circa 10% of total population of Serbia), and just 5% of Montenegrins (3% of total population of Montenegro).

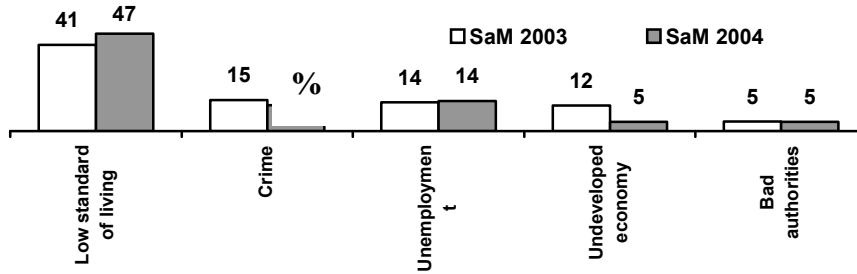
**Majority of the citizens of Serbia and Montenegro agree that life of the citizens in Serbia and Montenegro is endangered to a much higher extent than life of the citizens of EU member countries, and this percent is somewhat higher compared to last year (increased from 78% to 81%).**

### Is life of citizens in Serbia and Montenegro endangered in any way?



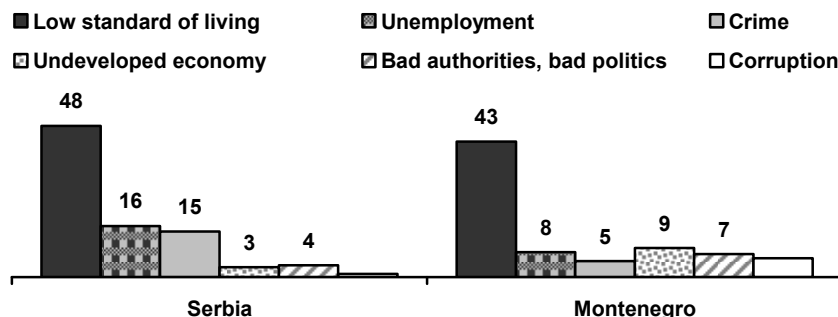
### What endangers life of the citizens the most?

spontaneous answers of segment of population thinking that life of citizens in Serbia and Montenegro is endangered (up to 3 answers)

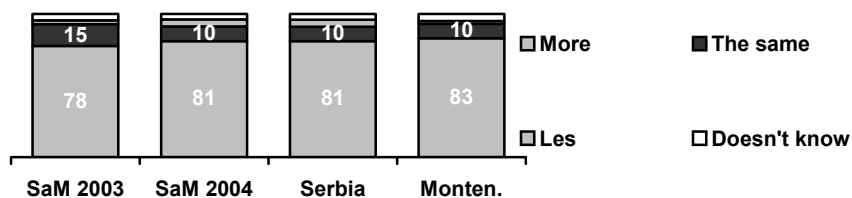


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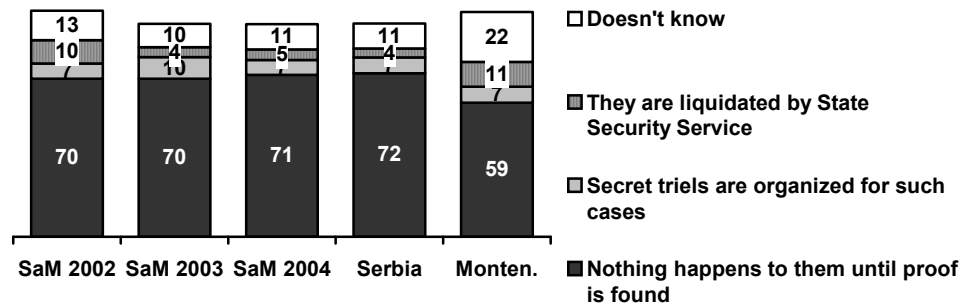


### To what extent is life of citizens in Serbia and Montenegro endangered in comparison to EU countries?



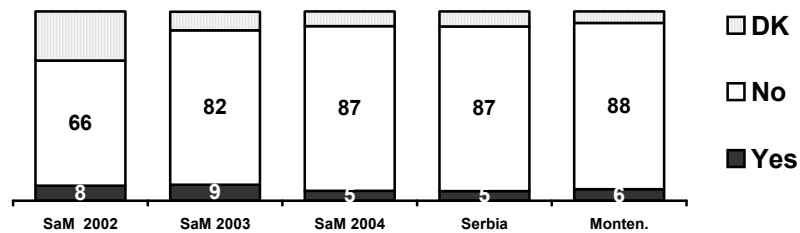
Contrary to feeling that their right to life is in jeopardy, majority of the citizens think that right to life of hardened criminals is mainly respected: 71% of the respondents think that hardened criminals bear no consequences until proofs for their crimes are found, and this attitude has not changed since last year.

**What happens in Serbia and Montenegro with people who are known to be hardened criminals, but there is no evidence prove this?**



Number of citizens who think that there is no capital punishment in Serbia and Montenegro still shows a growing trend, currently reaching 87% of respondents.

**Is there capital punishment in Serbia and Montenegro?**

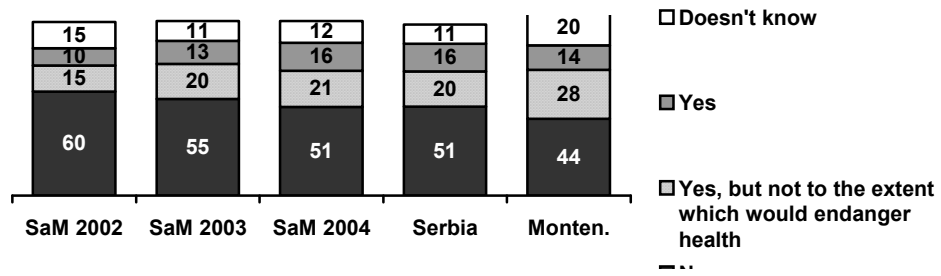


**3. Prohibition of Torture, Inhuman or Degrading Treatment**

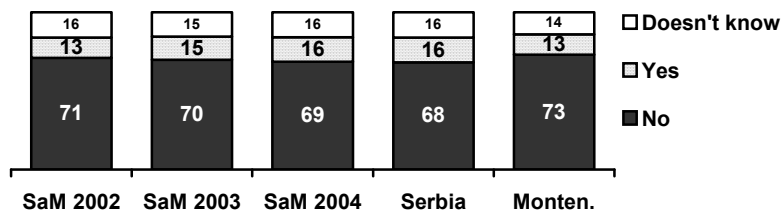
In comparison with the preceding years, continues the trend of increase of the number of citizens who think that use of force in obtaining confession is allowed. Just somewhat more than one half of the respondents (51%) think that use of force in order to obtain confession is not allowed. However, much higher percent of the citizens (68%) think that corporal punishment doesn't exist in Serbia and Montenegro.



**Is use of force over persons accused of grave offences permitted in our country in order to obtain confession?**



**Is there corporal punishment in Serbia and Montenegro?**

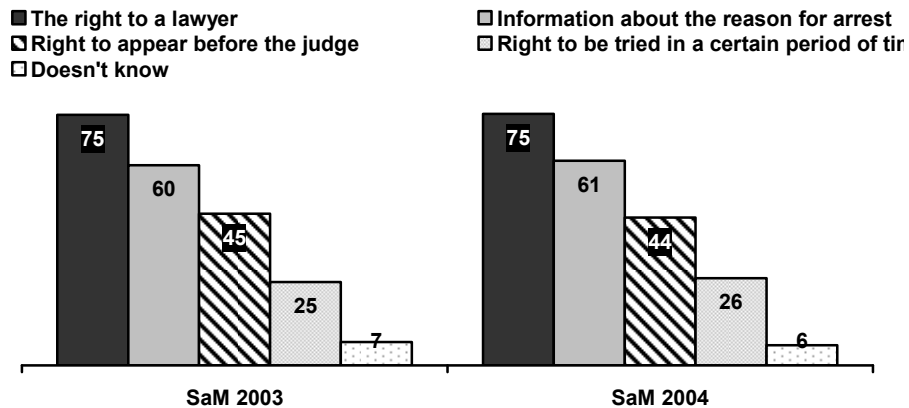


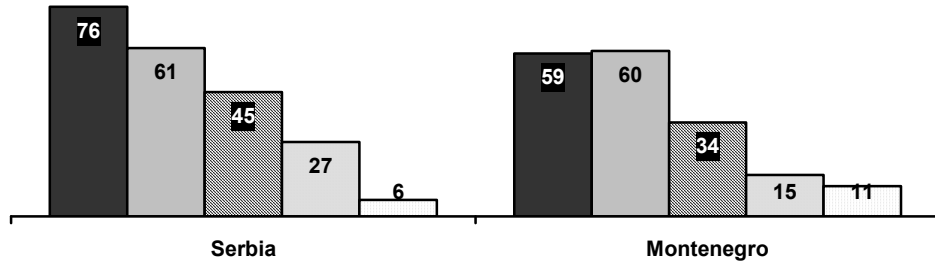
#### 4. Right to Liberty and Security of the Person; Treatment of Prisoners

**There is no change in the awareness of these rights: similar to situation recorded last year, less than one half of population on the average are familiar with rights of the detained:** majority of respondents think that the arrested person has the right to a lawyer (75%) and information on the reasons for arrest (61%). However, less than one half of the respondents think that such persons have the right to appear before the judge (44%), and just one fourth of the respondents think that they have the right to appear before the judge in a certain period of time.

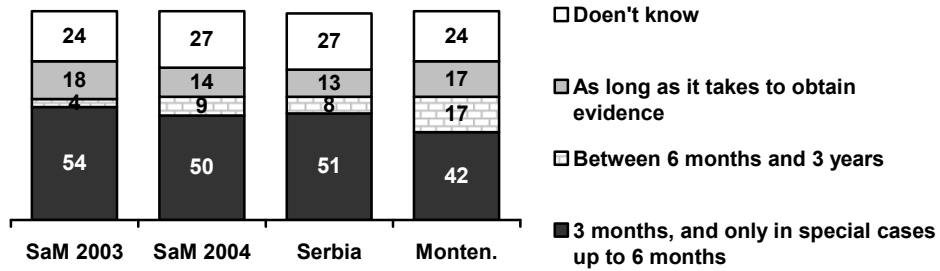
One half of the citizens gave correct answer to the question concerning maximum custody period permitted by law in Serbia and Montenegro, and less than one third of the respondents gave correct answers concerning the period in which the arrested should appear before the judge.

##### **What are the rights of the detained, what obligations do the Police have towards such persons?**

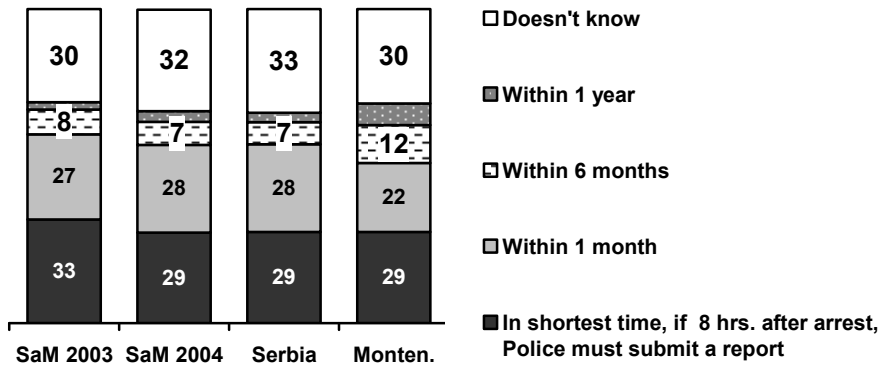




**How long, according to our law, can the detained person be kept in custody for investigation?**



**When should the detained person appear before the judge?**

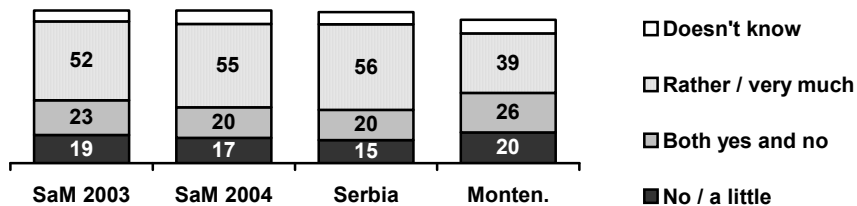


## 5. Prohibition of Slavery and Forced Labor

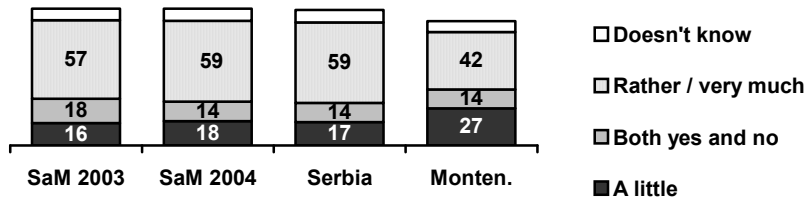
Awareness of the problem of prohibition of slavery and forced labor, as well as the attitudes of the respondents towards these problems have not changed in comparison with last year's results.

Somewhat more than one half of the respondents (55%) think that human trafficking is Present in Serbia and Montenegro to a rather large or very large extent, 59% of the respondents think that this type of crime is rather serious, or very serious for the society, but, much higher percent of respondents (75%) think that official institutions attend to this problem too little.

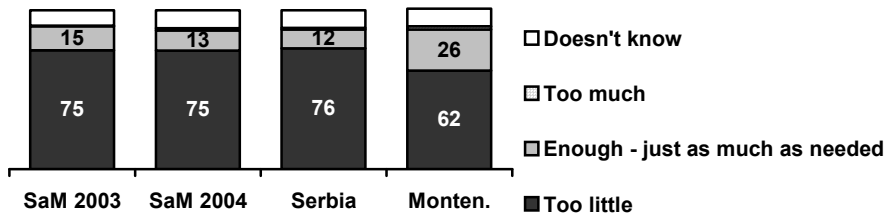
### To what extent is sex trafficking present in Serbia and Montenegro?



### How serious is this type of crime for the society?



### To what extent are official institutions addressing this problem?

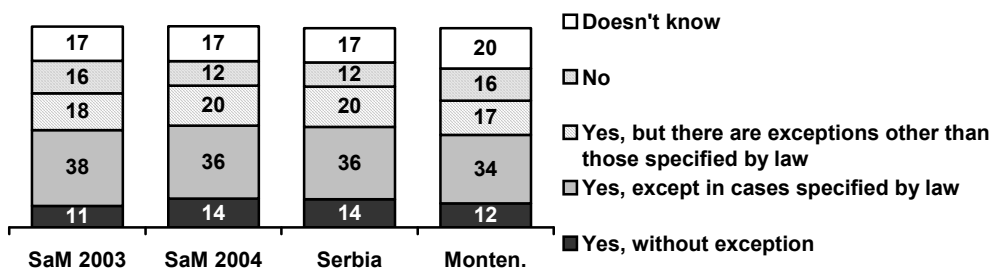


## 6. Right to a Fair Trial

**On the average, less than one half of the citizens express belief that right to a fair trial is respected in Serbia and Montenegro, much the same as last year: 50% of the citizens believe that right to a public trial is exercised in Serbia and Montenegro (14% without exception, 36% with the exception of cases specified by law. However, just 40% of the respondents believe that the rule according to which everybody is presumed innocent until proved guilty is applied in practice.**

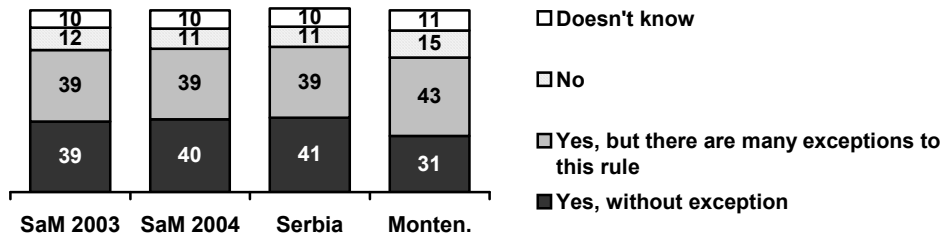
**More than one half of population (53%) think that judges are bad and dependent on politicians. Distrust of judges has visibly increased with respect to the previous two years (from 46% to 53%).**

### Is the right of public judicial trial respected in Serbia and Montenegro?



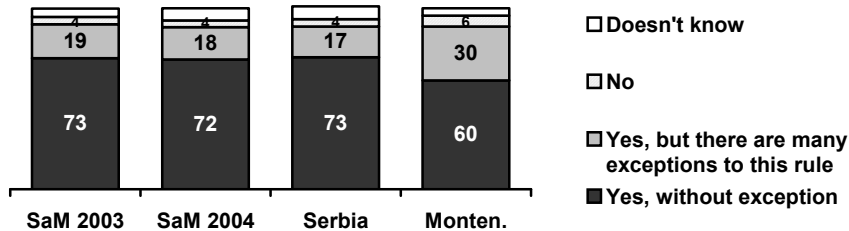
In comparison with the last year, percent of citizens of Montenegro who believe that the rule according to which everybody is presumed innocent until proved guilty has decreased, consequently, percent of the respondents from Serbia who believe this considerably exceeds the percent of respondents from Montenegro who share this opinion.

**Is in Serbia and Montenegro the rule according to which everybody is presumed innocent until officially proven guilty applied?**



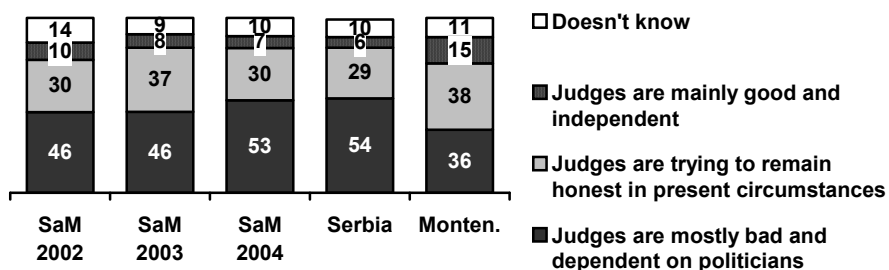
Within respect of the right to fair trial, majority of population still believes that only the right to free choice of legal council is respected, 72%.

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



Similar to last year's results, citizens of Montenegro trust judges much more than citizens of Serbia, and, in contrast to respondents from Serbia, whose confidence has even decreased with respect to the last year, opinion of respondents of Montenegro about the judges has remained unchanged.

**What is your opinion of the judges that are at present administering justice in Serbia and Montenegro? Which attitude comes closest to your own...?**

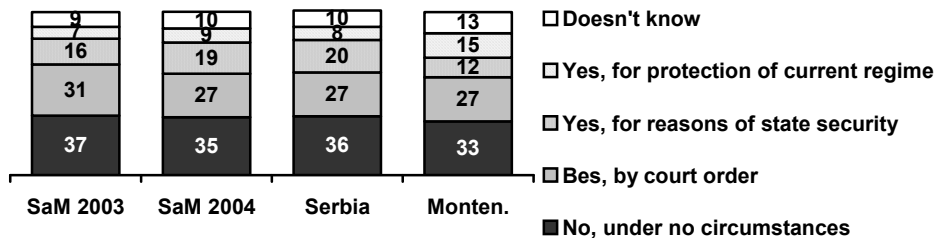


## 7. Right to Protection of Privacy, Family, Home and Correspondence

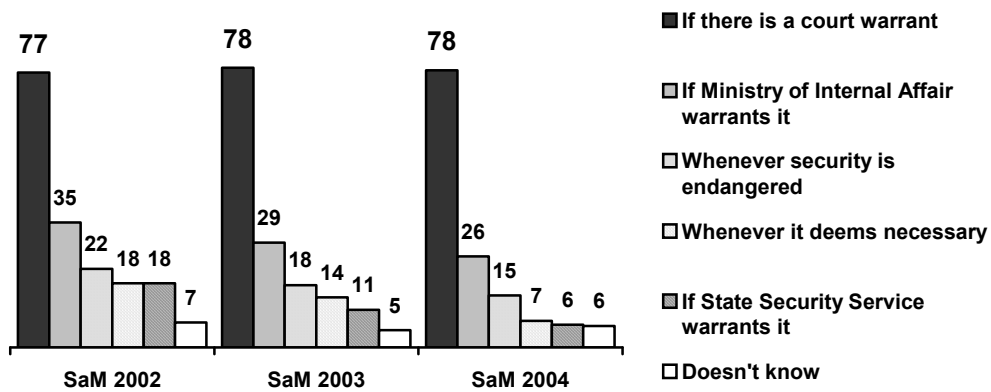
**Majority of citizens of Serbia and Montenegro believe, the same as last year, that right to protection of privacy, family, home and correspondents can be violated in Serbia and Montenegro under various circumstances: bigger percent of the respondents think that this is permitted by decision of the court, and lesser percent thinks that it is permitted whenever security is endangered, based on warrant issued by Ministry of Internal Affairs, State Security Service, and even on Police estimate.**

Somewhat more than one third of respondent (35%) think that opening of letters and tapping of phones is not permitted under any circumstances, while 56% think that this is permitted under various circumstances. According to respondents, these circumstances have slightly shifted compared to last year: this year somewhat smaller percent of respondents mention authorization of the court - 27% (last year - 31%), and somewhat bigger percent mentions state security - 19% (last year - 16%), protection of regime - 9% (last year - 7%).

## Is it permitted to open letters and tap telephones in Serbia and Montenegro?



## In which cases can the police search private homes? (Multiple answers)?



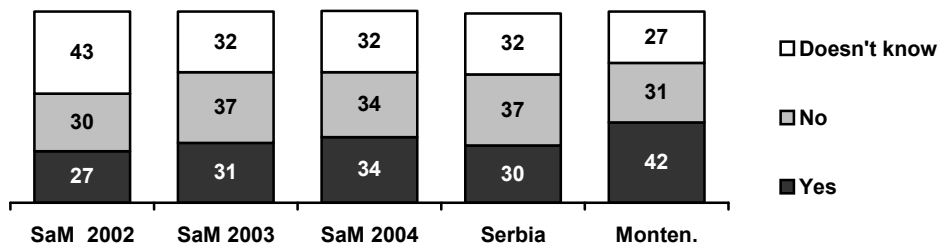
## 8. Right to Freedom of Thought, Conscience and Religion

Regarding school curricula, the citizens' lack of information is as striking as it was last year. Respondents' opinions are still divided on whether the school curricula in Serbia and Montenegro should be harmonized with some official program, in that there is a slight shift towards the opinion that harmonization with some official program exists: 34% of respondents think that school curricula should be harmonized with some official program (last year - 31%), 34% think that they need not be harmonized (last year - 37%); 32% of the respondents could not answer this question.



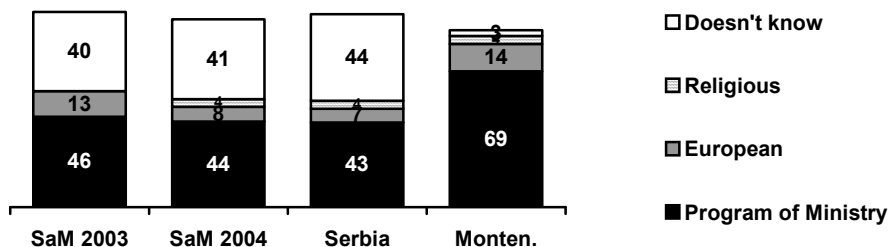
Lack of information among the citizens, particularly those in Serbia, is substantiated by the fact that, among those in whose opinion school curricula must be harmonized with some official program, 41% do not know which program is in question.

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



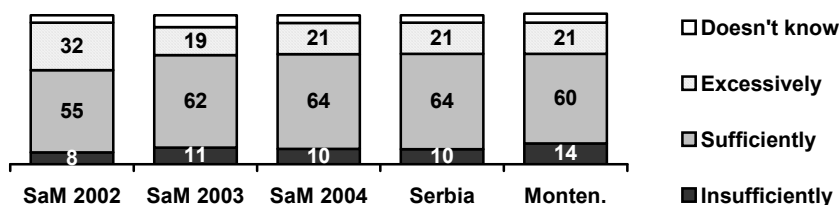
**Which official program?**

*% of spontaneous answers of the segment of population (34%) who think that school curricula should be harmonized with some official program*



As regards the freedom of religious confession and religious beliefs, majority of the citizens still believe that they exist to a sufficient extent. Percent of citizens who share this attitude (64%) is even higher than last year (62%), as well as percent of citizens who think that this freedom exists to an excessive measure (21%), in contrast to last year's 19%.

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



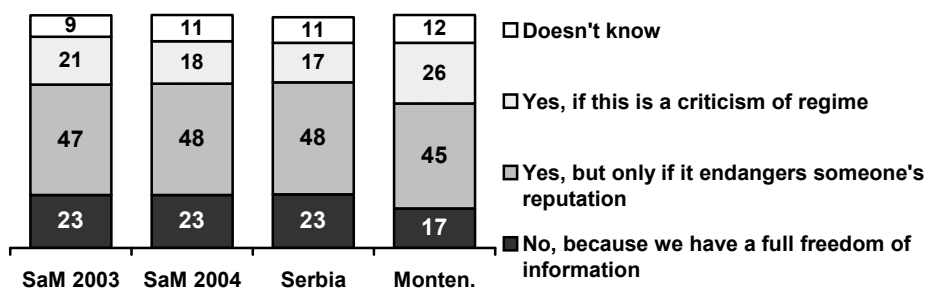
## 9. Right to Freedom of Expression

Similar to last year, majority of respondents think that, at the same time the freedom of expression and information is respected in Serbia and Montenegro (71%), but there is also a censorship of printed media, either officially (35%), or unofficially (44%). In comparison with the previous year, percent of citizens who think that there is official censorship of printed media has decreased (from 31% to 25%), however, the number of citizens who think that censorship is applied unofficially has decreased (from 39% to 34%).

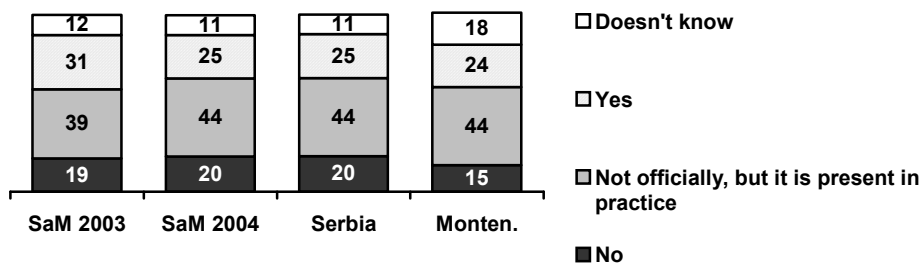
Out of 71% of the respondents who think that the right to freedom of information is respected, 23% think that this freedom is unlimited, while 48% think that sanctions are applied only in cases when someone's reputation at stake.

In comparison with the last year, somewhat lesser percent of citizens think that, in Serbia and Montenegro, dissemination of information which criticize the regime is punishable (18%, against last year's 21%).

### Can a person imparting information and opinion be punished in our country?



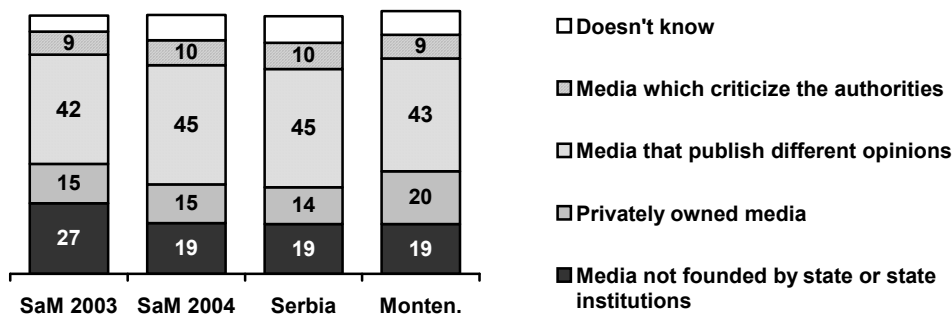
### Is there censorship of the printed media in our country?



The notion of “independent media” is still vague for the citizens of Serbia and Montenegro, however, confidence in independence of media (in whatever interpretation) has increased.

The meaning of independent media for majority of respondents is still “media which publish different/everyone’s opinions”. Number of citizens who share this opinion has even increased since last year (from 42% to 45%), while the number of respondents who understand the meaning of independent media as “media not founded by state or state institutions” has decreased since last year (from 27% to 19%).

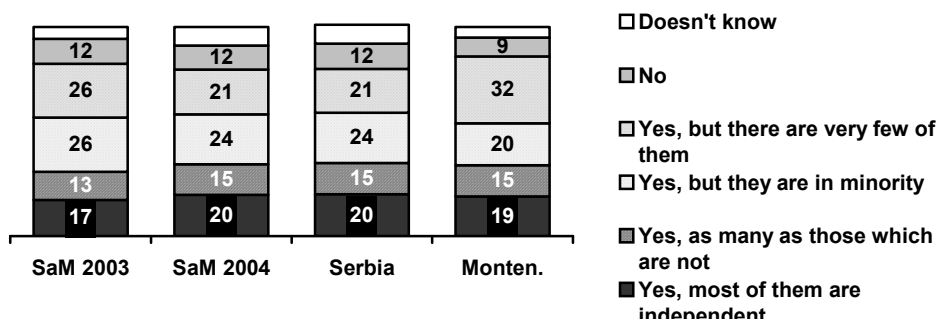
### What is meant by “independent media”?



**In comparison with the last year, the number of citizens who believe in media independence has increased.** Currently one out of five citizens believes that majority of media are independent (against 17% recorded last year), and one out of six to seven citizens believes that equal number of media aren't independent (against 13% recorded last year).

Although 45% of respondents still think that independent media are in minority (24%), or that their number is scant (21%), this percent is still lower than last year, when this opinion was shared by 52% of the respondents. Similar to last year, 12% of the citizens think that independent media are a non-existent category.

### Are there any independent media in our country?

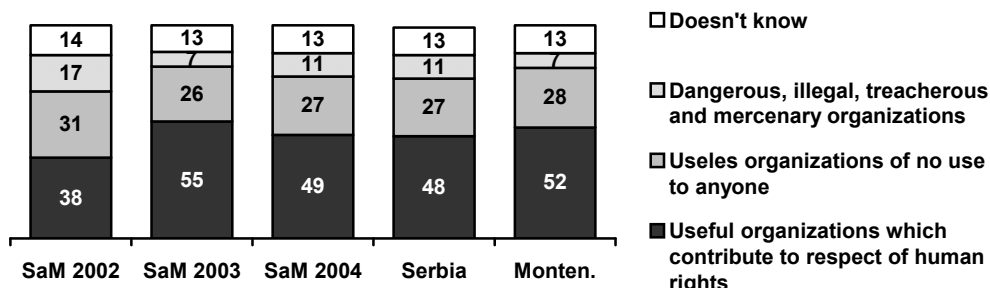


**Distrust of organizations which deal with violations of human rights has increased in comparison with the last year.**

Although almost one half of the respondents still have a positive attitude towards these organizations, this percent has decreased in comparison with the last year (from 55% to 49%), and percent of respondents who consider these organizations as dangerous and

treacherous increased from 7% to 11%. Consequently, the positive trend of confidence in these organizations which was recorded in 2002 was stopped in 2003.

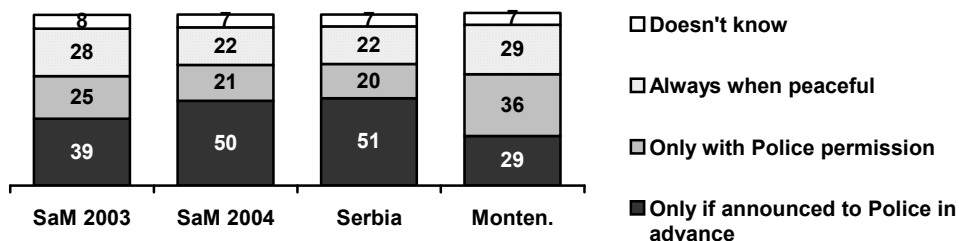
### What do you think about organizations which deal with violations of human rights?



## 10. Freedom of Peaceful Assembly

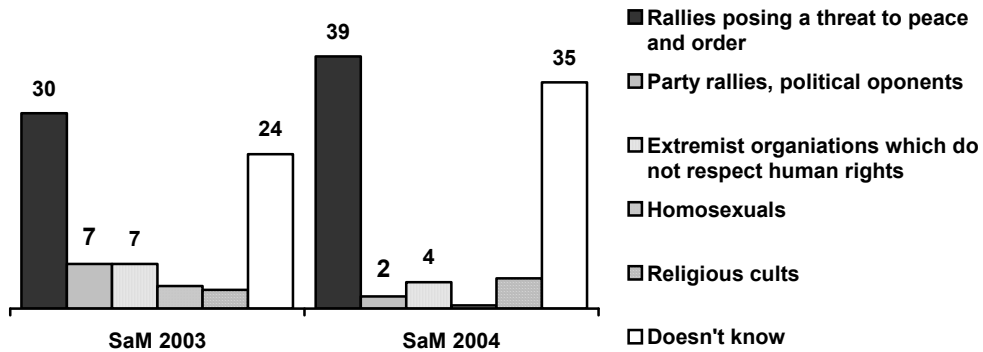
Awareness of the freedom of peaceful assembly has increased considerably: 50% of the respondents state that assembly in public places is allowed with prior announcement to police (last year - 39%), and another 22% believe that assembly is always allowed when peaceful. This opinion is shared by much higher percent of Serbian than Montenegrin citizens, where 36% of respondents think that permission from police is necessary (20% in Serbia).

### Under which circumstances is peaceful assembly in public places permitted by law in our country?



### Who can be denied the right to assembly?

(Answers of the segment of the population who think that assembly requires a permission)

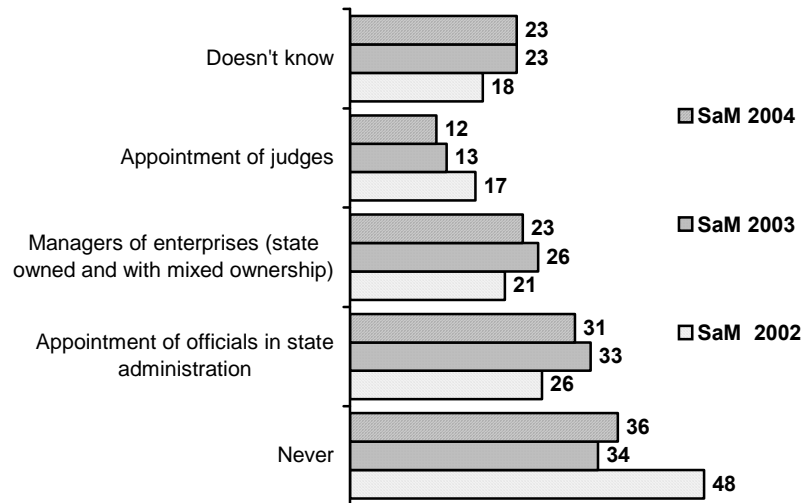


## 11. Freedom of Association

**Compared to last year, respondents have specified lesser number of functions this year which, in their opinion, legally require membership in some of the ruling parties. However, just slightly above one third of the respondents - 36% think that law does not stipulate the candidate's membership in some ruling party (which is just 2% more than last year, and 12% less than in 2002).**

The most frequently mentioned functions which, according to respondents, legally require membership in some ruling party, were the functions in state administration (31%), functions of directors of state-owned or mixed enterprises (23%), while 12% think that membership is required even in selection of judges. Almost one quarter of population (23%), similar to last, was not informed what the legal requirements were.

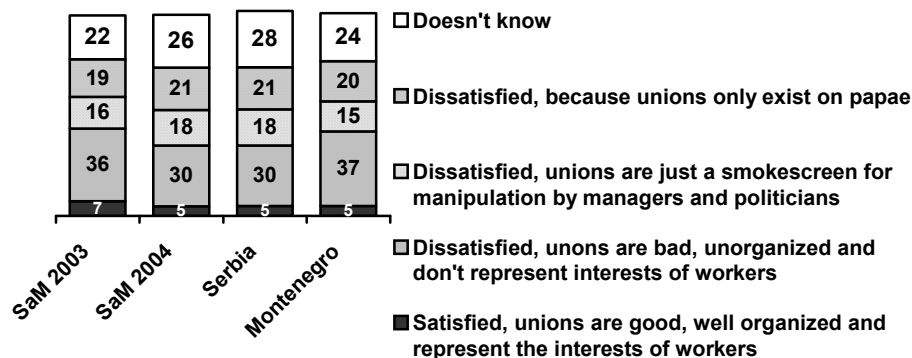
**When is membership in a ruling party required by law?**  
(Multiple response)



**Majority of respondents (69%) are dissatisfied with the way trade unions function, while 26% have no attitude on this issue:** 30% think that the unions are disorganized and that they poorly represent the interests of workers, 18% of the respondents think that trade unions are just a smokescreen for manipulations by directors and politicians, while 21% think that trade unions exist only on paper.

In comparison with the last year, the reasons for dissatisfaction have somewhat changed: lesser percent of respondents mention disorganization of trade unions, and somewhat higher percent mention manipulations by directors and politicians, and the fact that trade unions exist only on paper.

## Are you satisfied with the way that trade unions function?



## 12. Right to Peaceful Enjoyment of Property

**Number of respondents who support privatization of state-owned enterprises has decreased in comparison with the last year from 42% to 36%, while the percent of opponents has increased from 31% to 36%.**

Conditions under which the opponents of privatization and those who are indecisive would support privatization have not changed significantly since last year: the highest percent would support privatization if it were supported by a program for social protection of workers (69%), if they believed that enterprises are sold at their real price (67%) and if they were certain that money from privatization would be adequately used (66%); for somewhat smaller part of opponents and the indecisive respondents privatization would become acceptable also under the condition that enterprises are sold to citizens of Serbia and Montenegro (46%).

**Compared to last year, the number of citizens who think that corruption is very much present in privatization process has considerably increased:** 40% of respondents think that privatization is just a smokescreen for corruption among political elite (last year - 33%); 41% of the respondents (the same as last year) think that corruption is present, but that some tenders are fair; just 10% of the respondents think that corruption is present to a lesser extent (last

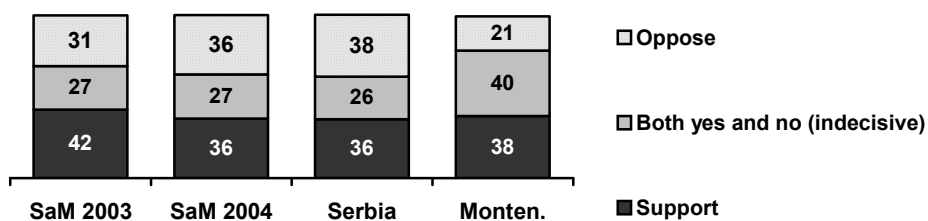


year - 6%), while 1% think that there is no corruption (last year - 3%).

Among the opponents of privatization 70% think that privatization is just a smokescreen for corruption among political elite, and another 22% think that it is present very much. It is interesting, however, that 72% of respondents who support privatization also think that corruption is very widespread (15% think that it is just a smokescreen for corruption of political elite, and 57% that it is very much present).

Citizens of Serbia are much more convinced that privatization is just a smokescreen for corruption of political elite than the citizens of Montenegro (41% and 28% respectively).

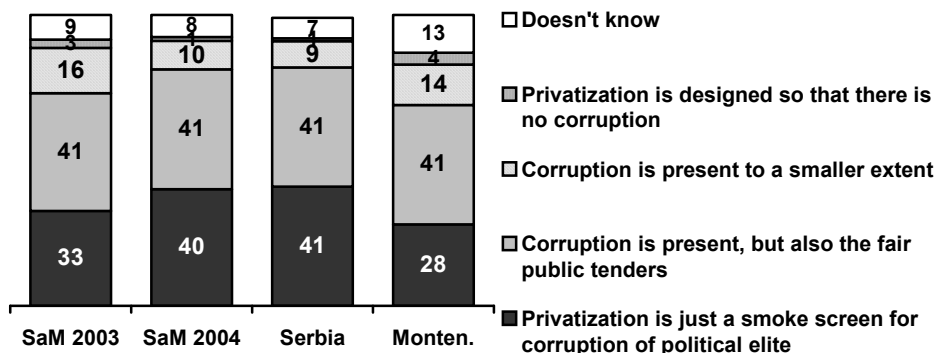
### Do you support or oppose privatization of state-owned enterprises?



**Would you support privatization under the following conditions  
(attitudes of the citizens who oppose privatization, or those who  
are indecisive)**

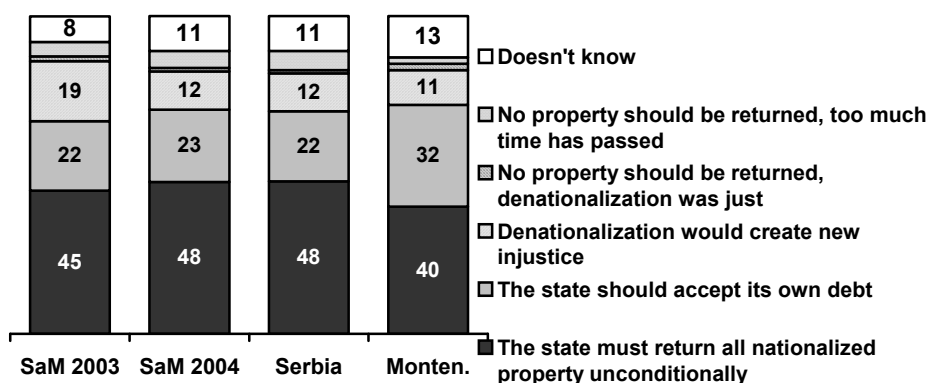


### To what extent is corruption present in privatization process?



**Right to peaceful enjoyment of property observed through attitudes of the citizens towards denationalization has gained even more supporters: 71% of the citizens support denationalization** (last year 66% did the same); 48% of respondents think that the state must return all nationalized property or compensate the owners unconditionally, while 23% think that the state must find the way to accept its debt. Only 18% of the citizens think that nationalized property should not be returned, mainly because of belief that denationalization would create new injustice.

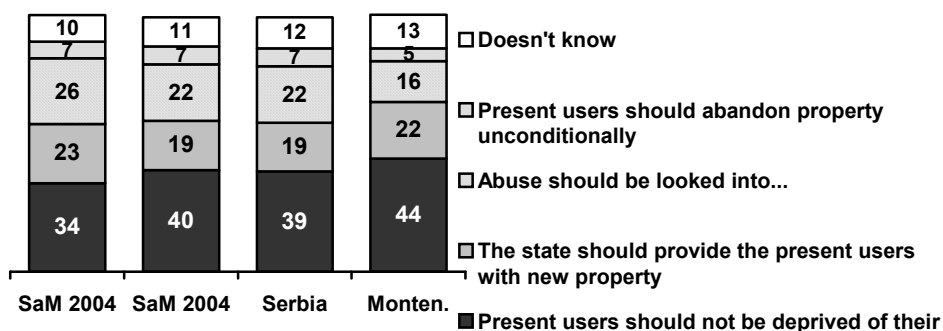
### Regarding denationalization, which of the following attitudes is the closest to your own...?



Number of respondents who think that the state should take care about present owners of nationalized property, primarily through finding the way of compensating the original owners, without

denying the rights to the users has increased - 40% (against 34% recorded last year).

**In case of denationalization, what should be done with present users of nationalized property?**



### 13. Minority Rights

**Similar to last year, majority of the citizens think that ethnic minorities should have the unconditional and unlimited right to publish books and attend schools in their native languages.**

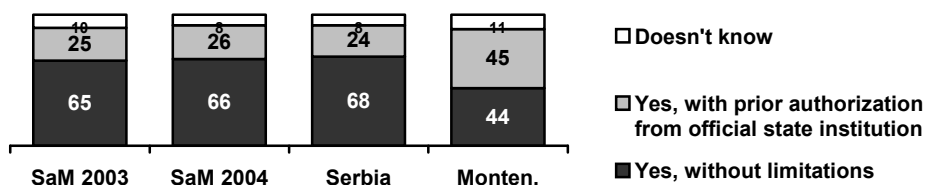
**According to respondents, the rights which the state grants to its ethnic minorities regarding the use of their native language, are more extensive that they should be, so, no improvement has been recorded since the last year:** 66% of the respondents think that ethnic minorities in Serbia and Montenegro have the right to publish books and attend school in their native language without any limitations, but just 50% (last year 52%) agree with such policy of the state towards use of the languages of ethnic minorities; 18% would limit these rights to disloyal ethnic minorities (against last year's 16%), and 26% of the respondents would limit these rights to all ethnic minorities.

Similar to last year, citizens of Montenegro perceive the state as less tolerant towards the right to use the language of ethnic minorities than the citizens of Serbia: 44% of respondents from Montenegro, and 68% of respondents from Serbia think that ethnic minorities can publish books and attend schools in native language without any

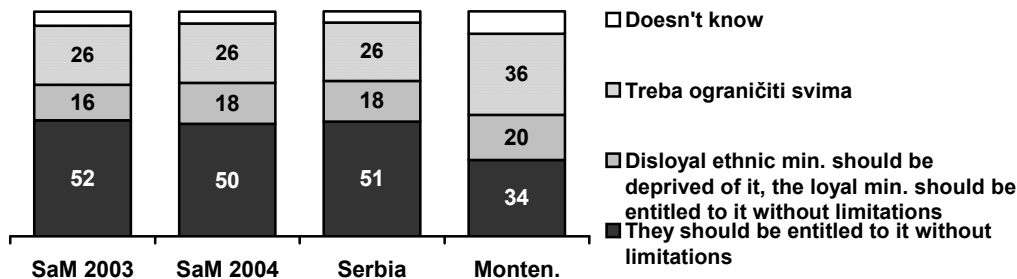
limitations; 45% of respondents from Montenegro and 24% from Serbia think that approval from authorized state institutions is needed for this.

Montenegrin citizens also have a less tolerant attitude towards the right to use of the language of ethnic minorities than Serbian citizens: 34% of respondents from Montenegro and 51% from Serbia think that ethnic minorities should have the right to publish books and attend schools in native language without any limitations, while 36% of respondents from Montenegro, and 26% from Serbia 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 native language?**



**What is your personal attitude towards the right of ethnic minorities to publish books and attend school in native language?**



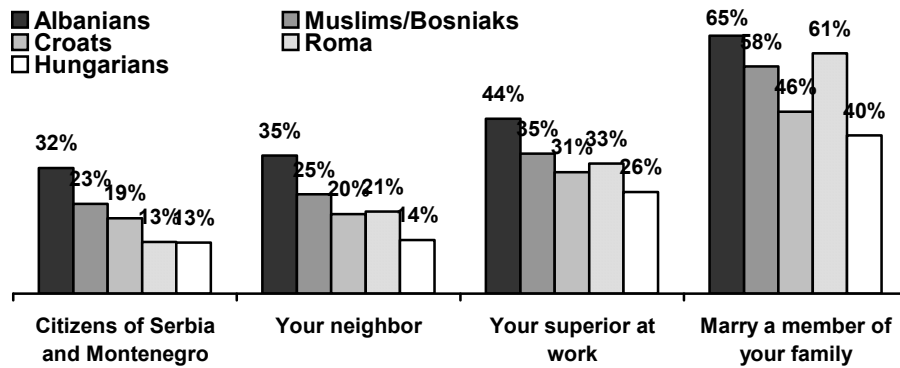
Compared to last year, tolerance towards ethnic minorities, measured by acceptance/disapproval of ethnic minorities being the citizens of Serbia and Montenegro and neighbors to majority nation, has increased. However, when the measure of ethnic distance are the attitudes which imply increased personal closeness – acceptance/disapproval of ethnic minorities being their superiors at work or becoming family members through marriage, in this case the tolerance is equally low as the last year.

The highest level of intolerance is shown towards Albanians, then towards Muslims / Bosniaks.

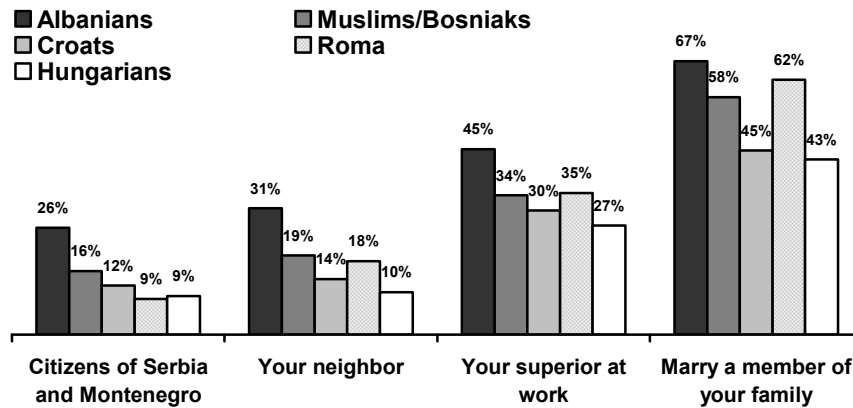
Ethnic distance – Would you mind if members of the following nations were...

(% of “YES” answers)

Serbia and Montenegro 2003



Serbia and Montenegro 2004



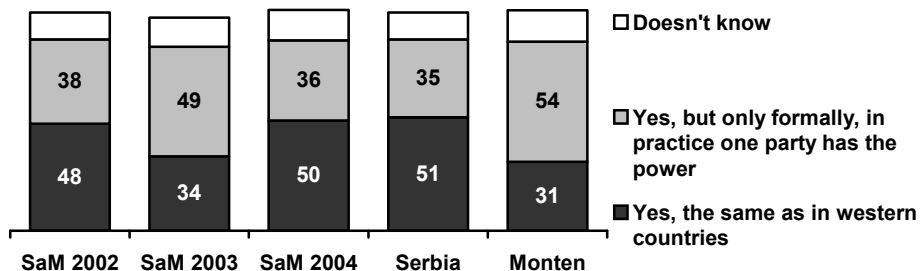
## 14. Political Rights

Conviction that citizens of Serbia and Montenegro have formal political rights increased considerably, but not the belief that these rights in practice lead to realization of the citizens' interests.

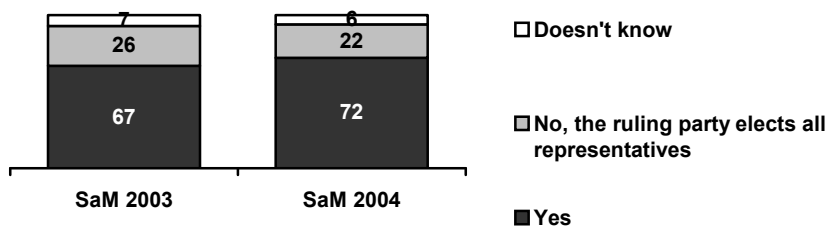
In comparison with the last year, the number of respondents who think that multi-party system which exists in Serbia and Montenegro is the same as those existing in western countries, increased considerably (from 34% to 50%), as well as the number of respondents who think that the citizens of Serbia and Montenegro have the right to elect their representatives in government bodies (from 67% to 72%). However, percent of respondents who think that the elected representatives really act for the interest of the citizens has remained on last year's level (even slightly decreased from 15% to 13%).

Considerably higher percent of respondents from Montenegro (54%) than from Serbia (35%) assert that multi-party system exists only formally.

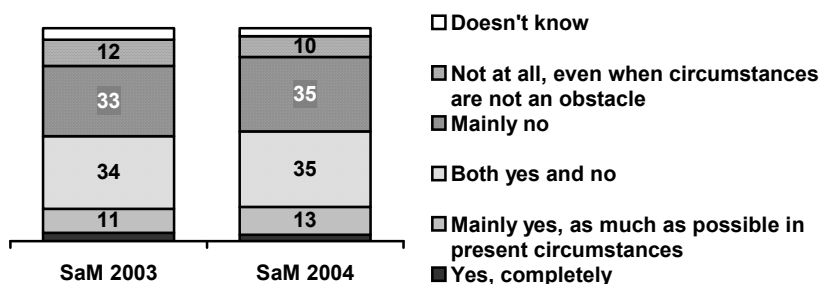
**Is multi-party system in Serbia and Montenegro the same as in the western countries?**



**Do citizens have the right to elect their representatives in government bodies?**



**Do the elected representatives really represent the interests they promoted in electoral campaigns?**



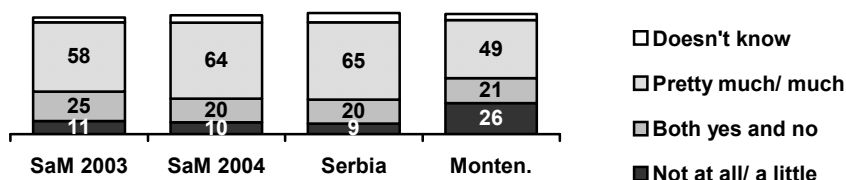
### 1.5 Special Protection of Family and Child

**Respondents' awareness about the right to special protection of family has increased since last year.**

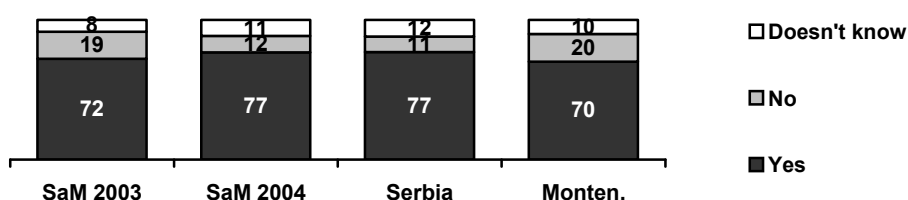
Percent of respondents who think that family violence against women and children is present to a large extent in our country has increased from 58% to 64%, and percent of those who know that this kind of violence is punishable according to our laws has increased from 72% to 77%. Percent of respondents who think that authorized institutions are not dealing adequately with this problem has also increased (from 66% to 71%).



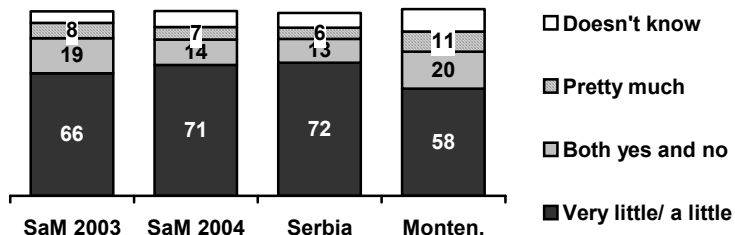
**To what extent is violence against women and children in families present in our country?**



**Is family violence against women and children punishable by our law?**



**To what extent are the authorized institutions addressing this problem?**



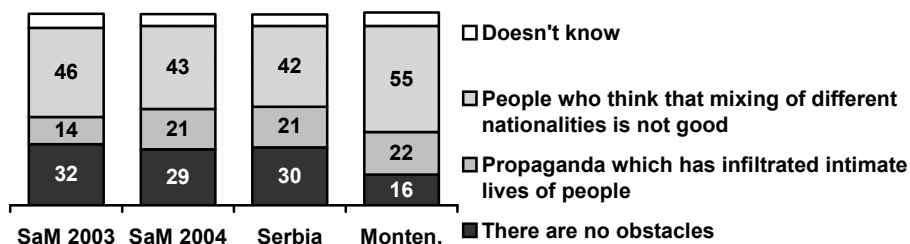
**Awareness about the problems of entering into mixed marriages has somewhat increased in comparison with the last year.**

Percent of respondents in whose opinion there are no obstacles for mixed marriages has decreased (from 32% to 29%), while the percent of those who think that the main obstacle is propaganda which infiltrated intimate lives of people has increased (from 14% to 21%).

Nevertheless, the commonest opinion (43%) is still that the main obstacle to mixed marriages are the people, who think that mixing of different nationalities is not good (last year 46%), while almost none

of the respondents think that the obstacles could come from restrictive measure of the state.

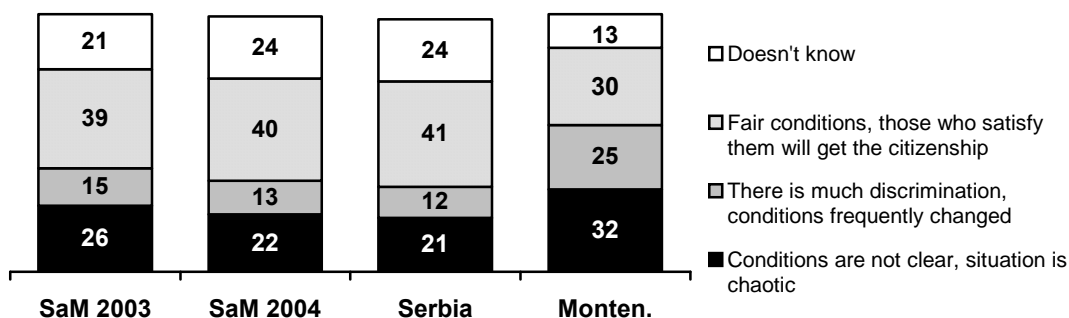
### What is the biggest obstacle to entering into mixed marriages in our country, if any?



## 16. Right to Citizenship

Opinions of the respondents concerning the right to citizenship of Serbia and Montenegro are still divided: 40% think that conditions for obtaining the citizenship are fair, and that everyone who satisfies these conditions can obtain the citizenship. 35% of respondents (6% less than last year) think that situation with citizenships is chaotic, either because the conditions are not clearly defined (22%), or because the conditions are often changed, so there is much discrimination (13%). Percent of respondents who could not answer this question has slightly increased (from 21% to 24%).

### Regarding conditions for obtaining the citizenship of Serbia and Montenegro, which attitude is the closest to your own?



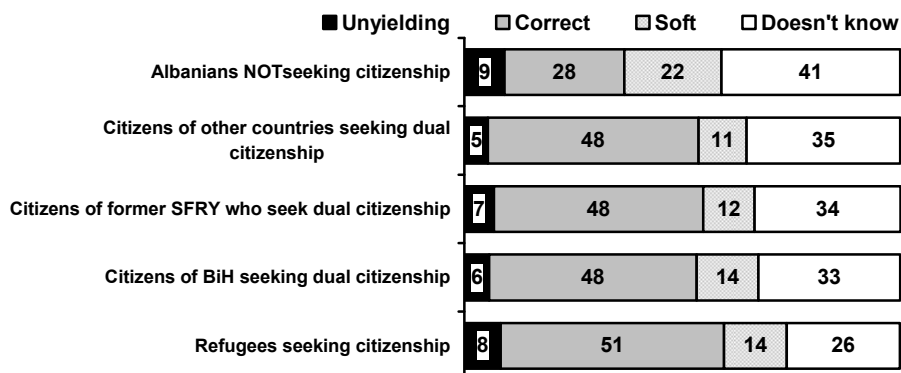
Regarding the attitude of the state towards different groups of people who have unregulated citizenship status, **the most frequent opinion, as well as last year, was that attitude of the state was correct.**

**In comparison with last year, percent of respondents who think that attitude of the state towards the issue of citizenships is soft has decreased, while percent of those who could not answer this question has increased.**

Similar to last year, respondents think that, regarding the right to citizenship, **refugees who seek citizenship of Serbia and Montenegro are given the most favorable treatment by the state** (51% think that this attitude is correct, 14% think that this attitude is soft).

**Attitude of the state towards Albanians who DO NOT seek the citizenship is much more often characterized as soft (22%),** than the attitude towards other groups. Considerably more frequently than in case of other categories, the respondents were unable to answer this question (as much as 41%).

### What is the attitude of the state towards...?



## 17. Freedom of Movement

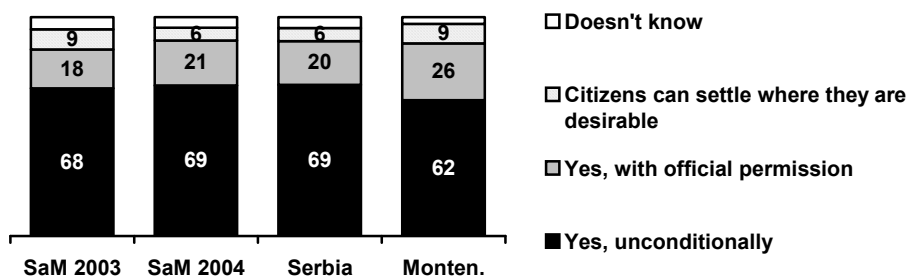
**Although majority of respondents think, the same as last year, that right to freedom of movement is respected in Serbia and Montenegro (69% assert that citizens can settle wherever they want unconditionally), the number of respondents who think that**

there are some limitations to freedom of movement is still considerable, even somewhat bigger than last year.

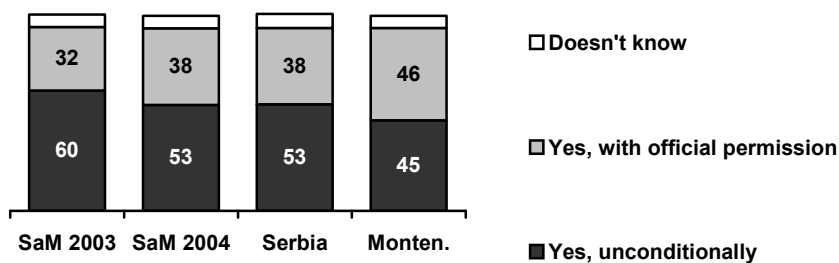
One out of five citizens of Serbia, and, as much as 26% of the citizens of Montenegro, think that citizens of Serbia and Montenegro must get an official permission from authorized institution if they want to settle where they want.

Just slightly above one half of the respondents (53%) think that each citizen of Serbia and Montenegro can leave the country freely, in contrast to 38% of respondents (46% in Montenegro) who think that this is possible with permission of the authorized organ.

**Can every citizen of Serbia and Montenegro settle wherever he/she wants?**

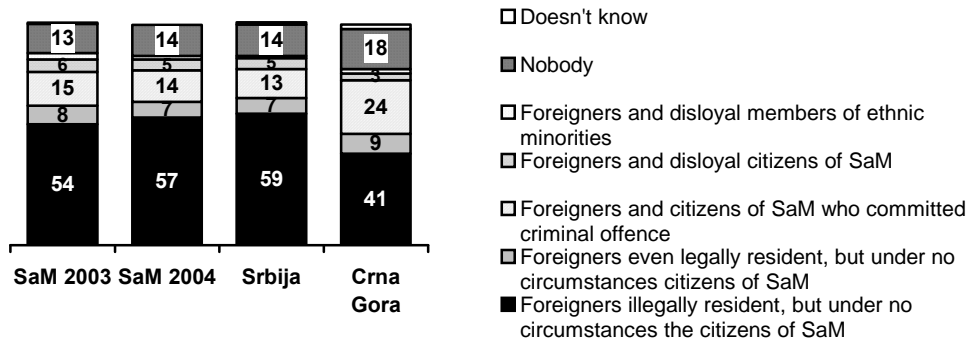


**Can every citizen leave Serbia and Montenegro freely?**



Majority of respondents think that the state can not, under any condition whatsoever, expel from its territory the citizens of Serbia and Montenegro (71%), but 19% assert that this is possible if the citizen commits a criminal offense - 14% (and as much as 24% in Montenegro), or if the citizen is disloyal (5%).

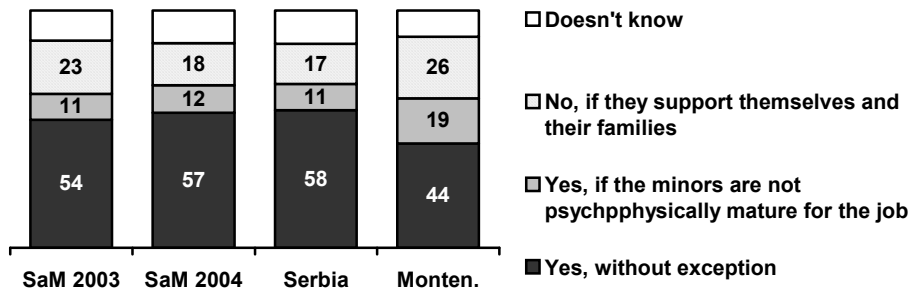
### Which citizens can be expelled from our country today?



## 18. Economic and Social Rights

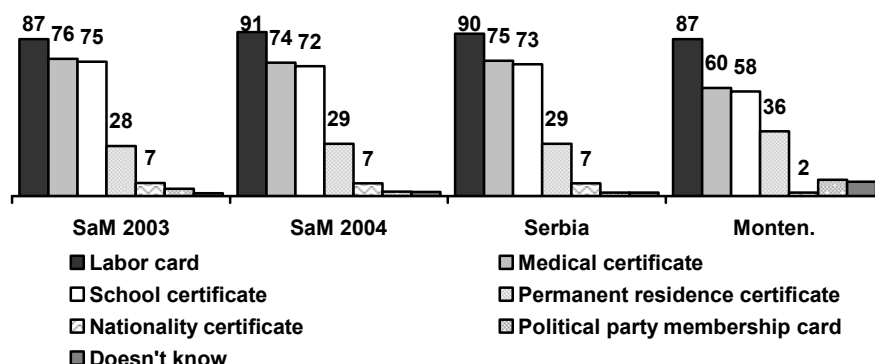
Majority of respondents are aware of the fact that employing minors under 16 years of age is punishable (57%), but 30% still think that there are some circumstances which make the exception (last year 34% thought the same): 12% think that punishment follows only if the person is not psychophysically mature for the job, and 18% think that employment is permitted if the minors supports themselves and their family.

### Is it punishable by law to employ minors under 16 years of age?



Greater part of the citizens of Serbia and Montenegro think that the documents needed for employment are: labor card (91%), medical certificate (74%) and school certificate (72%); 29% think that it is necessary to have a certificate of permanent residence, while 7% think that certificate of nationality is necessary.

**Which documents are required for starting the employment  
(multiple response)**



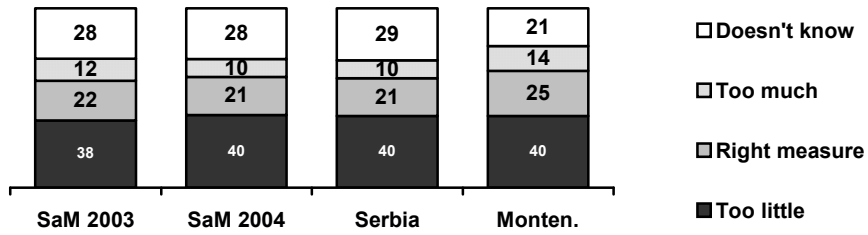
**The most frequent opinion about the frequency of use of contraceptives is that they are used too little (40%), that they are used just to a right measure (21%), but 10% of the respondents think that they are used too much. In comparison with the last year, the attitudes have made a slight shift towards “used too little”.**

Considerably bigger number of female respondents (46%) than male respondents (35%) think that contraceptives are used too little. This opinion is much more present among the citizens with secondary (44%) and post secondary education (52%) than among the citizens with primary education (24%). It is worth mentioning that 51% of the citizens with lower level of education were not able to answer this question.

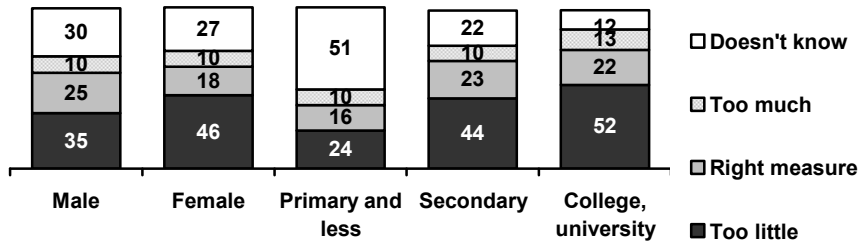
The main reason for insufficient use of contraceptives, according to majority of respondents, is unwillingness, negligence and ignorance (66%), and insufficient engagement of the state on popularization of use (30%).

Citizens with higher levels of education mention, in above average percent, negligence and ignorance (71%), and they accuse state for such situation much less (22%).

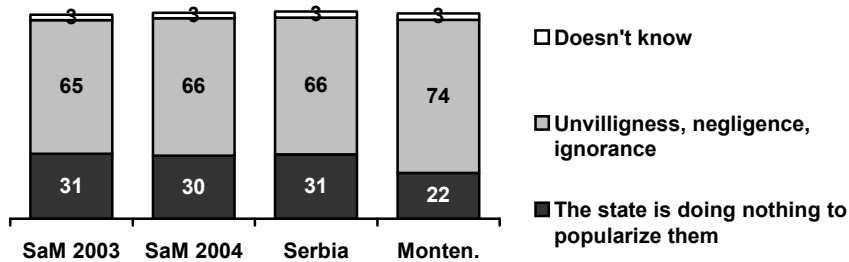
**In your opinion, to what extent are contraceptives used today?**



**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 population who think that contraceptives are used too little)**



**ENJOYMENT OF HUMAN RIGHTS**

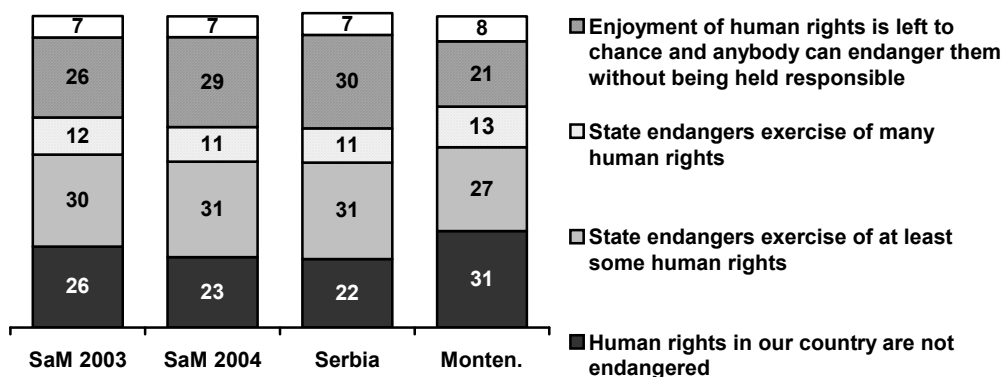
Majority of respondents - 71% (3% more than last year), think that enjoyment of human rights in Serbia and Montenegro is endangered: 31% think that the state disrespects at least some human rights, 12% of the respondents think that numerous human rights are disrespected, while 29% (last year - 26%) think that enjoyment of human rights in Serbia and Montenegro is left to chance, so anyone can endanger them without being held responsible.

Less than one quarter of respondents - 23% (last year - 26%) think that human rights are not endangered in Serbia and Montenegro.

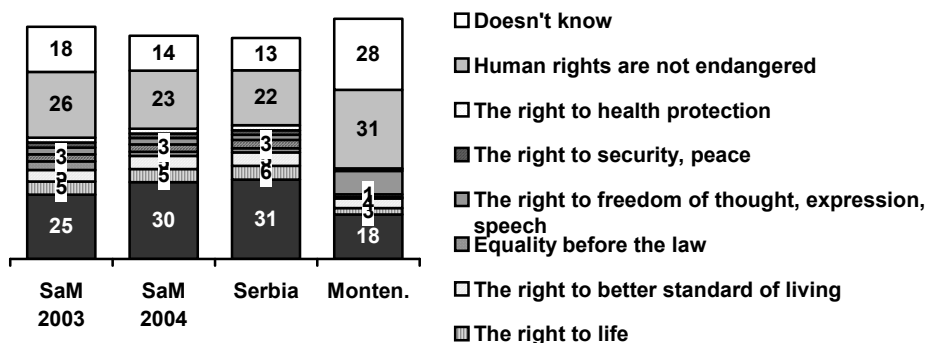
**According to respondents, the most endangered human right is the right to work. Percent of respondents who perceive this right as the most endangered one increased from 25% to 30%.**

The right to work as the most endangered right was mentioned more by citizens of Serbia (31%) than those from Montenegro (18%), and citizens with the highest education (40%) mentioned it much more than the citizens with the lowest education (23%).

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



### Which human right is the most endangered in our country? (one answer) % in population





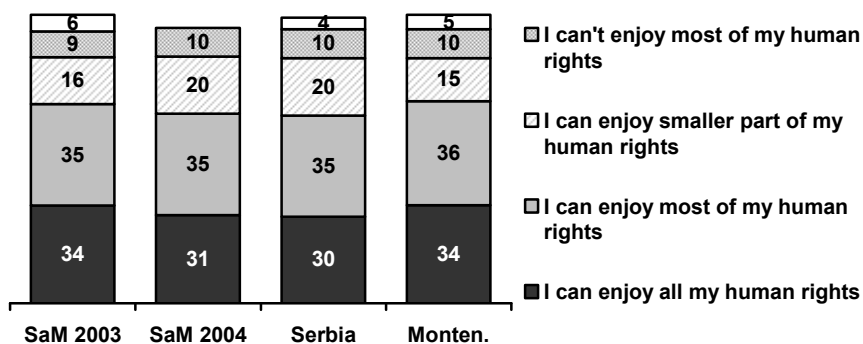
Similar to situation recording last year, assessment of human rights in Serbia and Montenegro is more positive from personal perspective, than in general: the number of citizens who state that they manage to exercise *all* human rights (31%) exceeds the number of those who think that human rights in Serbia and Montenegro are not endangered (23%).

However, in comparison with the last year, percent of respondents who think that they are able to exercise all human rights has decreased by 3%, and percent of those who claim that they are able to exercise just minor part of human rights has decreased by 5%.

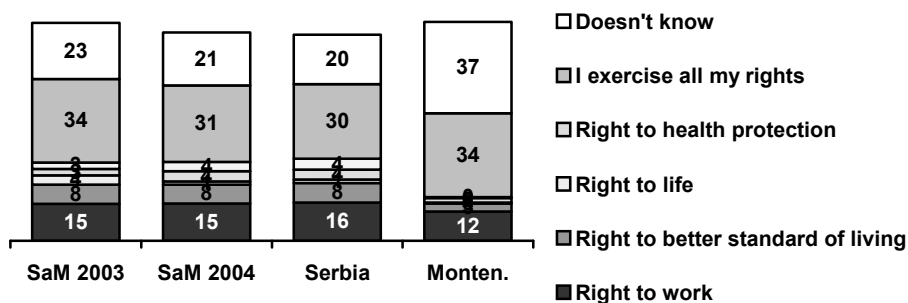
Nevertheless, majority of respondents (66%) think that they are able to enjoy at least majority of human rights (35%) or even all of them (31%).

According to respondents, the right that they personally are the most deprived from is the right to work: 15% of respondents think that they are deprived from the right to work. Young people feel that they are in the worst position regarding this right: one in five respondents aged from 18 to 29 years (21%) think that they are deprived from the right to work, and somewhat more frequently those aged from 30 to 50 years (22%).

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



**Which right are you personally the most deprived from?  
( % in population)**

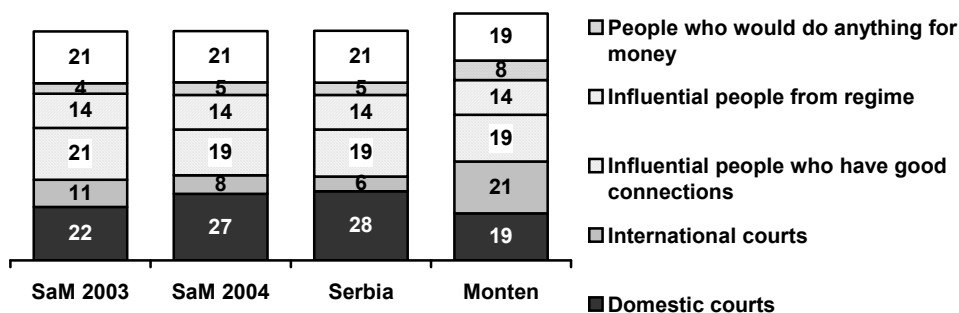


Although confidence in the institution of courts is somewhat lesser this year (14%) compared to last year (18%), in case of denial of some human rights, somewhat higher percent of respondents would turn to domestic court (27%) than was the case last year (22%). On the other hand, percent of respondents who would turn to international court has decreased (from 11% to 8%).

**Bigger number of citizens still think that, in case of denial of some right, the best thing is to turn to influential people, rather than to courts, either domestic or foreign: 19% to people who have connections, 14% to influential people from regime, and 5% to people who would do anything for money.**

More than one fifths of the respondents (21%) could not answer where it would be the best to turn in case of denial of some rights, the same as last year.

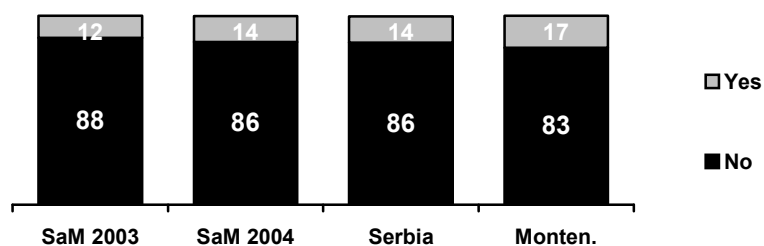
**If we were deprived of some human right today, who should we turn to?**



Although 30% of respondents claim that they are not able to exercise a good part, or even majority of their human rights, and another 35% state that they are able to exercise most, but not all of their human rights, just 14% state that they have ever addressed anyone to protect the denied human rights.

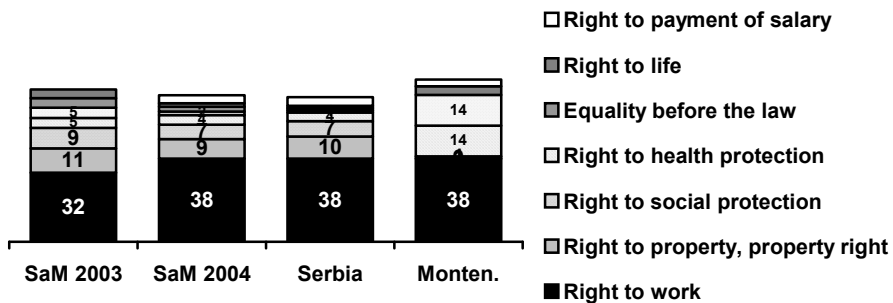
In majority of cases the denied human right was the right to work - 38% (5% in total population), then property rights - 9% (1.3% in total population), and right to social protection - 7% (1% in total population).

### Have you ever turned to anyone to protect some human right denied to you?



### Which human right was denied to you?

% of answers of respondents who turned to someone to protect the human right which was denied to them (S&M 12% that is, 14%, Serbia 14% and Montenegro 17%)



## CONCLUSION

In comparison with the survey realized in December 2003, in July 2004, awareness of the citizens of Serbia and Montenegro about human rights shows a little positive shift on the average. However, this shift predominantly concerns formal protection of human rights, while confidence in realization of human rights in practice has remained on the last year's low level. Similar to situation recorded last year, much more frequently the citizens show awareness about formal protection of their human rights, than confidence in protection of their rights in practice: at the same time there is an awareness of the right to a fair trial and distrust in courts; awareness of the right to freedom of thought and expression, and belief that press is censored; awareness of political rights and conviction that chosen representatives do not act for the interests of the citizens; awareness of the existence of laws according to which violence against women and children is punishable, slavery and forced labor are prohibited, along with conviction that authorized institutions deal with this problem very little...

More than two thirds of the citizens are aware of the category of human rights, however, percent of the respondents in whose opinion protection of human rights is an internal affair of Serbia and Montenegro has increased from 42% to 49%, and percent of those who know the fact that human rights are protected by international document fell from 50% to 43%.

Similarly, percent of the citizens who think that basic human rights are not respected in Serbia and Montenegro has also increased. More than one half of the respondents (55%) think that right to work and choice of occupation is not respected, almost one half (46%) think that right to equality before the law is not respected, more than one third of the respondents (35%) assert that right to social protection is not respected, as well as economic and social rights. One out of four citizens thinks that right to life is not respected in Serbia and Montenegro.

Citizens' concern because of bad economic situation, primarily their own low standard of living, fear from unemployment, and, connected with it, even bigger preoccupation with the *right to work and choice of occupation*, was this year again the top of mind right, and one assessed as the most endangered right in Serbia and Montenegro.

Low standard of living and unemployment were mentioned by respondents, even more frequently than last year, as the main reason for belief that their life is endangered.

Despite preoccupation with the right to work, the rights which were singled out again this year as three most important human rights *are right to life, right to security and freedom, and right to equality before the law,*.

Similar to last year, the number of citizens who assert that they are not able to enjoy their human rights is much smaller than the number of those who claim that enjoyment of human rights in Serbia and Montenegro is generally endangered. Majority of respondents (66%) still state that they manage to realize all of their human rights, or at least their greater part, although this percent is lesser by 5% compared to last year.

In case of being deprived from some of their human rights, bigger number of citizens would turn for protection to informal solutions, by addressing influential people (38%), than to domestic or international courts (35%). It is interesting, however, that, despite the decline of general confidence in institutions of the system, percent of the citizens who would turn to domestic courts if some human rights were denied to them, has increased from 22% to 27%.

Similar to last year, awareness of the citizens that realization of protection of human rights equally depends on themselves and on official policy, has remained on the same low level. Akin to last year, sensitivity to endangerment of own human rights considerably decreases when rights of other persons are concerned, different by nationality, gender or sexual preferences: 44% of respondents think that ethnic minorities should be limited in their right to publish books and attend schools in their native languages; 61% of respondents think that chances for employment and career advancement of members of ethnic minorities are the same as these rights of Serbs and Montenegrins, and another 19% think that their chances are even better. At the same time 45% of the citizens would object to having an Albanian as their superior at work, more than one third would object to having a Muslim/Bosniak or Roma as a superior, somewhat less than one third would object to a Croat, and more than one quarter would object to having a Hungarian as a superior; 53% of respondents are aware that homosexuals are boycotted and discriminated against, however, instead of being aware that this is a disrespect of their human rights, majority of respondents support such situation (almost one

half of the respondents would object to having a homosexual as their neighbor, 63% would object to having homosexuals in leading positions in the state, 64% would not be in friendly relations and visiting them, and 75% would object to have a homosexual as a teacher of their children).

Finally, despite general belief that human rights are endangered in our country (and in compliance with other contradictions and confusion in citizens' general perception), distrust in organizations which point to violation of these rights has also increased, consequently, scarcely one half of the respondents think that these organizations are useful.