

Serbia

Self-rule

INSTITUTIONAL DEPTH AND POLICY SCOPE

Serbia formed a federation with Montenegro in 1992 which was transformed into the somewhat looser state union of Serbia and Montenegro in 2003. In May 2006, following a referendum, Montenegro left the state union and in the same year Serbia passed its constitution as an independent state. Serbia contains one special autonomous region, Vojvodina, and is subdivided into twenty-four *okruzi* (districts). The capital city of Belgrade has its own law. Since 2009 there is an additional layer of intermediate governance, the *regionalni razvojni saveti* (regional development councils).

Okruzi are deconcentrated administrative units with an average population of around 300,000. Apart from the autonomous province of Vojvodina (*Autonomna Pokrajina Vojvodina*) and Kosovo (*Kosovo i Metohija*),¹ only municipalities, towns, and the city of Belgrade have constitutionally grounded “territorial autonomy” (C 2006, Arts. 189–193; Law No. 129/2007).

The capital city of Belgrade (*Beograd*) has around 1.6 million inhabitants (about 23 per cent of the total Serbian population) and the city has its own law and statute (C 2006, Art. 189; Law No. 129/2007; No. 39/2008). Belgrade has similar competences as other cities (*gradovi*) and municipalities (*opštine*) and exercises competences in culture, primary and secondary education, health, social welfare, environmental protection, public transport, and town planning (Council of Europe; Serbia 2011, 2017; Law No. 129/2007, Art. 1; Milosavljević and Jerinić 2016).² Belgrade also has some additional responsibilities in water management, roads, municipal police, and fire protection (Law No. 129/2007, Art. 8). Furthermore, Belgrade is divided into seventeen city municipalities (*gradske opštine*) and intergovernmental relations between the capital city and its city municipalities are regulated by a city statute (Law No. 39/2008; Vučetić 2016).

The constitution allows Vojvodina to implement, but not legislate, policies in regional development and urban planning; agriculture, forestry, hunting and fishing; water management; tourism; environmental protection; industry and crafts; road, river, and rail transport; fairs and other commercial events; education, sports, and culture; health, and social care (C 2006, Art. 183). Subsequent statutes and laws (Law No. 17/2009; No. 99/2009; No. 20/2014; No. 54/2014) expanded the competences of Vojvodina, though still subject to Serbian law (Assembly of

¹ As a UN protectorate, Kosovo is not included in Serbia’s scores. Kosovo declared independence in 2008 and Kosovo obtains a separate entry in the dataset from 2008.

² Serbia also has 27 cities (*gradovi*) which have an average population size of about 100,000. In addition to Belgrade, five cities are also divided into city municipalities (*Novi Sad, Niš, Požarevac, Užice, and Vranje*) and their average population size is slightly above 150,000. We do not code these five cities because their authority is similar to other cities and municipalities (*opština*). In addition, city municipalities have are not considered to be ‘units of self-government’ even though they have assemblies (C 2006, Art. 189; Council of Europe: Serbia 2017; Milosavljević and Jerinić 2016; Vučetić 2016).

European Regions 2010). Vojvodina scores 2 on institutional depth and 2 on policy scope.

Five (seven before 2011) *regionalni razvojni saveti* (regional development councils), including Kosovo, Vojvodina, and the *okruzi* of Belgrade, were established at the NUTS-II level in 2009 (Avlijaš and Bartlett 2011; Law No. 51/2009; No. 30/2010; Jerinic 2016; Milosavljević and Jerinić 2016). The councils can make proposals, but executive power lies with regional development agencies supervised by the central government (Law No. 51/2009, Arts. 34–36; No. 30/2010, Arts. 16–19). The provincial assembly of Vojvodina and the city assembly of Belgrade double as regional development council (Law No. 51/2009, Art. 20; No. 99/2009, Art. 10).³

FISCAL AUTONOMY

As deconcentrated governments, *Okruzi* are financed entirely by intergovernmental grants.

Belgrade can set the rate of a property tax and a tourist tax within limits set by national law (Council of Europe: Serbia 2017; Law No. 62/2006, Arts. 6, 8, and 19).

Vojvodina is also dependent on intergovernmental grants, and revenues collected in Vojvodina go directly to the central state. The constitution stipulates that Vojvodina's budget is a minimum of 7 percent of the national budget, 3 percent of which must be used for capital expenditure (C 2006, Art. 184). The constitution and the autonomy statute of *Vojvodina* (Law No.17/2009, Art. 63; No. 20/20104, Art. 58) prescribe that Vojvodina's revenues be established by law, but enabling legislation has not been enacted (Kresoja 2015; Jerinic 2016).

Regionalni razvojni saveti are reliant on intergovernmental grants from the EU and the national government (Law No. 51/2009, Art. 48).

BORROWING AUTONOMY

Okruzi and *regionalni razvojni saveti* cannot borrow.

Belgrade can borrow to finance deficits for up to five per cent and to finance capital investments as long as the outstanding debt does not exceed 50 per cent of total revenue. In both cases, prior approval from the ministry of finance is required (Council of Europe: Serbia 2017; Law No. 61/2005, Arts. 33–38).

The constitution (C 2006, Art. 93) and the statute of the autonomous province of Vojvodina (Law No.17/2009, Arts. 27 and 34; No. 20/20104, Arts. 25 and 31) grants borrowing rights to the region, but this has not been implemented in legislation (Kresoja 2014; Jerinic 2016). A law on the national bank forbids it from approving credits or loan facilities to subnational governments or their agencies (Law No. 72/2003, Art. 62).

REPRESENTATION

Okruzi do not have representative bodies. The city assembly of Belgrade (*skupština grada Beograda*) is directly elected for four-year terms and the city assembly elects the mayor of the city of Belgrade (*gradonačelnik grada Beograda*) from among its members (Law No. 129/2007, Arts.

³ We do not include Belgrade and Vojvodina in the score for *regionalni razvojni saveti* when we derive a country score.

10 and 23). Before 2008, the mayor was directly elected (Council of Europe: Serbia 2017).

The parliament of the autonomous province of Vojvodina (*Skupština Autonomne pokrajine Vojvodine*) is directly elected on a four-year cycle (C 2006, Art. 180; Law No. 3/2012). The assembly chooses its president as well as the members of the government (Law No. 4/2010).

Each *regionalni razvojni saveti* has a council of local government representatives, a national government appointee, and non-voting representatives chiefly from the public sector (Law No. 51/2009, Art. 32). Local representatives predominate, so *regionalni razvojni saveti* score 1 on assembly. Executive power lies with regional development agencies supervised by the central government (Avlijaš and Bartlett 2011).

Shared rule

Okruzi, *Beograd*, and *regionalni razvojni saveti* have no role in shared rule, but the special autonomous province of Vojvodina has power sharing.

LAW MAKING

Serbia's national parliament is unicameral. Vojvodina is not a unit of representation in the national legislature (*L1*), and the Vojvodina government cannot send delegates to the parliament (*L2*). The country forms a single electoral constituency in which seats are allocated in rough proportion to votes. However, the Vojvodina assembly has a legal right to propose a law to the Serbian parliament (*L5*) (C 2006, Art. 107).⁴

EXECUTIVE CONTROL

There are no routine meetings between the Serbian central government and the government of Vojvodina. The Law spelling out the competences of the province allows the central government to establish a standing intergovernmental commission with representatives from both central and provincial governments (Law No. 99/2009, Art. 5), but this has not been implemented (Kresoja 2015; Jerinic 2016).

FISCAL CONTROL

According to the constitution, Vojvodina is entitled to 7 percent of the national budget (C 2006, Art. 184) and Vojvodina's share in revenues is regulated by law (Law No. 99/2009, Art. 8). Neither arrangement is subject to negotiation. Vojvodina does not have a role in amending the Serbian constitution (C 2006, Art. 203), and the competence law can be altered by a two-thirds majority in the Serbian national assembly (C 2006, Art. 182).

BORROWING CONTROL

Vojvodina does not have borrowing control.

⁴ The Vojvodinan assembly has put forward forty law proposals between October 2000 and June 2014 and five proposals were put on the agenda of the Serbian parliament (Kresoja 2014).

CONSTITUTIONAL REFORM

Amending the Serbian constitution is a matter for the unicameral national assembly of Serbia (C 2006, Art. 203). Vojvodina has several avenues to exert control over its constitutional status. Its assembly can provide an opinion on constitutional amendments which concern the province (Law No. 17/2009, Art. 34). A law that revokes or merges or changes the borders of the province requires approval in a regional referendum (C 2006, Art. 182). And most decisively, the approval of Vojvodina's assembly is required for revision of its autonomy statute (C 2006, Art. 185).

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Self-rule in Serbia

			Institutional depth	Policy scope	Fiscal autonomy	Borrowing autonomy	Representation		Self-rule
							Assembly	Executive	
Okruzi	I	2006-2008	1	0	0	0	0	0	1
	I → II	2009-2018	1	0	0	0	0	0	1
Beograd	I	2006-2018	2	2	1	1	2	2	10
Vojvodina	I	2006-2018	2	2	0	0	2	2	8
Regionalni razvojni saveti	I	2009-2018	1	0	0	0	1	0	2

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Shared rule in Serbia

		Law making						Executive control		Fiscal control		Borrowing control		Constitutional reform		Shared rule	
		L1	L2	L3	L4	L5	L6	M	B	M	B	M	B	M	B		
Okruzi	2006-2018	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Beograd	2006-2018	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Vojvodina	2006-2018	0	0	0	0	0.5	0	0	0	0	0	0	0	0	0	4	4.5
Regionalni razvojni saveti	2009-2018	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

National legislature has: L1 = regional representation; L2 = regional government representation; L3 = majority regional representation; L4 = extensive authority; L5 = bilateral regional consultation; L6 = veto for individual region. Total for shared rule includes the highest score of either multilateral (M) or bilateral (B).

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