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Regional cooperation and bilateral issues

33. Underlines the importance of good neighbourly relations and welcomes Montenegro's constructive role in regional cooperation, especially its active participation in numerous regional initiatives in South East Europe; commends Montenegro for maintaining good bilateral relations with all neighbouring countries; regrets, however, that the delimitation of borders with almost all neighbouring countries remains pending; calls for efforts to resolve all remaining open issues in a good neighbourly spirit, and highlights the need to resolve bilateral issues prior to accession; reiterates its call on the Commission and the Council to start developing, in accordance with the EU Treaties, a generally applicable arbitration mechanism aimed at solving bilateral issues between enlargement countries and Member States;

34. Welcomes the continued cooperation of Montenegro within the framework of the Sarajevo Declaration Process with regard to the issue of refugees and displaced persons, notably the agreed Regional Housing Programme supported by the April 2012 International Donors Conference in Sarajevo; underlines the need for sustained efforts towards the resolution of issues pending in this process;

35. Welcomes the signing by Bosnia and Herzegovina, Croatia, Montenegro and Serbia of a ministerial declaration and agreement on a Regional Housing Programme and the financing pledged in support of this programme;

36. Invites Montenegro to align its position on the International Criminal Court with the EU Common Position on the integrity of the Rome Statute;

37. Welcomes the ratification and entry into force of the agreement between the EU and Montenegro establishing a framework for the participation of Montenegro in European Union crisis management operations;

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38. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Montenegro.

P7_TA(2013)0186

2012 progress report on Serbia

European Parliament resolution of 18 April 2013 on the 2012 Progress Report on Serbia (2012/2868(RSP))

(2016/C 045/10)

The European Parliament,

- having regard to the European Council conclusions of 2 March 2012,
- having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States and the Republic of Serbia, to which the European Parliament gave its consent on 19 January 2011 and which is in the final stage of ratification by Member States, the Interim Agreement on trade and trade-related matters between the European Community and the Republic of Serbia, which entered into force on 1 February 2010, and the regulation of the European Parliament and of the Council concerning certain procedures for applying the EC/Serbia Stabilisation and Association Agreement: procedures for applying the Agreement and the Interim Agreement,
- having regard to Council Decision 2008/213/EC of 18 February 2008 on the principles, priorities and conditions contained in the European Partnership with Serbia and repealing Decision 2006/56/EC ⁽¹⁾,
- having regard to the General Affairs Council conclusions of 28 February 2012 and the European Council conclusions of 1 March 2012,

⁽¹⁾ OJ L 80, 19.3.2008, p. 46.

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- having regard to the Council conclusions of 25 October 2010 inviting the Commission to prepare its opinion on Serbia's application for membership of the European Union, to the Council conclusions of 5 December 2011 and the conclusions of the European Council of 9 December 2011 setting conditions for the opening of accession negotiations with Serbia, as well as to the Council Conclusions of 11 December 2012 as endorsed by the European Council of 13—14 December 2012,
 - having regard to the Commission opinion of 12 October 2011 on Serbia's application for membership of the European Union (SEC(2011)1208) and to the Commission communication of 12 October 2011 entitled 'Enlargement Strategy and Main Challenges 2011-2012' (COM(2011)0666),
 - having regard to the Commission's 2012 Progress Report on Serbia of 10 October 2012 (SWD(2012)0333),
 - having regard to the communication from the Commission to the European Parliament and the Council of 10 October 2012 on 'Enlargement strategy and Main Challenges 2012-2013' (COM(2012)0600),
 - having regard to UN Security Council Resolution 1244 (1999), to the ICJ Advisory Opinion of 22 July 2010 on the question of the accordance with international law of the unilateral declaration of independence in respect of Kosovo, and to the UN General Assembly Resolution of 9 September 2010, which acknowledged the content of the opinion and welcomed the readiness of the EU to facilitate the dialogue between Belgrade and Pristina ⁽¹⁾,
 - having regard to the joint statement of the 6th EU-Serbia Inter-Parliamentary Meeting of 27—28 September 2012,
 - having regard to the EU-Serbia readmission agreement of 8 November 2007 ⁽²⁾ and to Council Regulation (EC) No 1244/2009 of 30 November 2009 amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders and those whose nationals are exempt from that requirement ⁽³⁾,
 - having regard to the third Commission Report to the European Parliament and the Council on the Post-Visa Liberalisation Monitoring for the Western Balkan Countries in accordance with the Commission Statement of 8 November 2010, published on 28 August 2012 (COM(2012)0472),
 - having regard to Council Decision 2011/361/CFSP of 20 December 2010 on the signing and conclusion of the Agreement between the European Union and the Republic of Serbia establishing a framework for the participation of the Republic of Serbia in European Union crisis management operations ⁽⁴⁾,
 - having regard to the final report of 19 September 2012 of the OSCE/ODIHR Limited Election Observation Mission which observed the Serbian parliamentary and presidential elections held on 6 and 20 May 2012,
 - having regard to the annual report of 1 August 2012 of the President of the ICTY, presented to the UN General Assembly on 15 October 2012,
 - having regard to its previous resolutions,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas the European Council of 1 March 2012 granted Serbia EU candidate country status, reconfirming its clear European perspective in line with the EU's commitments to the whole Western Balkans region;
- B. whereas in the Presidency Conclusions issued following the Thessaloniki European Council of 19 and 20 June 2003 an unequivocal commitment was made to all the Western Balkan states that they may join the European Union once they meet the established criteria; whereas this commitment was reiterated in the renewed consensus on enlargement approved by the European Council on 14 and 15 December 2006 and in the Council conclusions of 25 October 2010, as well as by the EU/Western Balkans ministerial meeting of 2 June 2010;

⁽¹⁾ A/RES/64/298.

⁽²⁾ OJ L 334, 19.12.2007, p. 46.

⁽³⁾ OJ L 336, 18.12.2009, p. 1.

⁽⁴⁾ OJ L 163, 23.6.2011, p. 1.

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- C. whereas Serbia has taken numerous steps towards the normalization of relations with Kosovo, and has made efforts to sufficiently fulfil the political criteria and conditions of the Stabilisation and Association Process;
- D. whereas only one EU Member State has yet to ratify the EU-Serbia Stabilisation and Association Process;
- E. whereas Serbia, like every country aspiring to EU membership, has to be judged on its own merits in terms of fulfilling, implementing and complying with the same set of criteria;
- F. whereas Serbia is in a position to become an important player in guaranteeing security and stability in the region, and should maintain and enhance a constructive approach towards regional cooperation and good-neighbourly relations, since this is essential for the process of European integration;
- G. whereas bilateral issues should be addressed as early as possible in the accession process, in a constructive and neighbourly spirit and preferably before the opening of accession negotiations, taking account of the EU's overall interests and values; whereas such issues should not represent or be used as an obstacle in the accession process;
- H. whereas the new Serbian government has affirmed its commitment to continue to pursue European integration; whereas building up a solid track record in the adoption and implementation of reforms is necessary in this context;
- I. whereas the EU has placed the rule of law at the core of its enlargement policy;
1. Welcomes the Council's call on the Commission to present a report as soon as Serbia has achieved the necessary degree of compliance with the membership criteria and key priorities, in order to open accession negotiations without further delay; strongly believes that the start of EU accession negotiations in June 2013 is an achievable objective; urges Serbia to continue with the democratic, systemic and socio-economic reforms that will allow it to take on and implement effectively the obligations of membership;
 2. Welcomes the conduct of the parliamentary, local and early presidential elections held in May 2012, characterised, according to the OSCE/ODHIR, by respect for fundamental rights and freedoms; invites the government to take up the recommendations contained in the OSCE/ODHIR final report in order to enhance the transparency of the election process;
 3. Welcomes the commitment of the new government to a continued EU integration course, and highlights the need to deliver reforms; encourages the new government to engage wholeheartedly in the adoption of reforms, particularly the key ones related to the judiciary, anti-corruption, media freedom, protection of all minorities, sustainable management of natural resources, structural economic reform and improvement of the business environment;
 4. Stresses that the opening of accession negotiations with Serbia will be possible as soon as the key priorities are satisfactorily met and provided the reform processes continue, particularly regarding the rule of law; emphasises that this will demonstrate both the EU's commitment to the enlargement process and the Western Balkans countries' EU perspective; welcomes the progress made by Serbia towards meeting the Copenhagen political criteria, as recognised by the Commission in its 2012 progress report, and recalls that further progress in the European integration process is dependent on continuing the reform process, and in particular on guaranteeing democracy and the functioning of democratic institutions, upholding the rule of law, ensuring respect for human rights and the equal and committed protection of all minorities throughout Serbia according to European standards, maintaining good-neighbourly relations and regional cooperation, including peaceful resolution of bilateral issues, as well as on improving the functioning of the market economy;
 5. Emphasises that Serbian accession to the EU is of crucial importance for the quality of the economic and social development in the country;
 6. Underlines the importance of the EU-Serbia Stabilisation and Association Agreement (SAA), which defines the mutual rights and obligations of both parties up to the moment when Serbia joins the EU; notes that Serbia has built up a positive track record in implementing its obligations under the SAA and the Interim Agreement; calls on the one Member State which has not done so to complete swiftly the ratification process of the Stabilization and Association Agreement, so as to enable its entry into force as soon as possible in order to enhance and give further impetus to EU-Serbia relations;

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7. Welcomes the progress made by Serbia towards meeting the political Copenhagen criteria, as recognised in the Commission's 2012 progress report; recalls that further progress in the European integration process is directly dependent on pursuing an irreversible path of reform and meeting the Council's set conditions; stresses that implementation is key;

8. Notes with regret that the 9th round of the high-level Belgrade-Pristina Dialogue ended without a comprehensive agreement on the scope of authority of the community of Serbian municipalities; calls on both parties to continue and intensify talks in order to find a mutually acceptable and sustainable solution to all outstanding issues as soon as possible; underlines the fact that normalisation of relations is in the best interest of Serbia and Kosovo and is a key step to unblocking the European integration process; calls for full implementation of the agreements reached so far by both parties; welcomes the meetings between the Serbian and Kosovo Prime Ministers, Ivica Dačić and Hashim Thaçi, as crucial steps towards a genuine reconciliation between Serbians and Kosovars and normalisation of relations between Serbia and Kosovo; commends the proactive role and leadership of High Representative/Vice-President Catherine Ashton in facilitating the dialogue between Serbia and Kosovo; looks forward to progress in other areas, such as telecommunications and energy, and urges both sides to actively engage in efforts to resolve the issue of missing persons; welcomes the instruction of the Serbian government on the implementation of the agreement on inclusive regional cooperation, the decision to appoint a liaison officer to each of the Pristina and Belgrade EU offices, as well as the signature of the IBM agreement and the first steps of its implementation; calls on Belgrade to continue to cooperate closely with EULEX in the rule of law area, and to step up the joint efforts in the fight against organised crime; encourages Serbia to cooperate fully with and assist the EULEX Special Investigative Task Force (SITF) in its work;

9. Emphasises the need to ensure the involvement of Serbia's and Kosovo's parliaments and civil societies in the dialogue process; stresses that the outcomes of the dialogue need to be communicated in a transparent and coherent manner to the public of both Serbia and Kosovo in order to strengthen the process's credibility and boost public support; calls for joint communications and public consultations on issues to be discussed in the dialogue where appropriate, and for all agreements reached to be published not only in English but also in Serbian and Albanian;

10. Reiterates that notions of partitioning concerning Kosovo or any other country of the Western Balkans run counter to the spirit of European integration; calls for the dismantling of the parallel institutions maintained by the Serbian state in northern Kosovo, and in particular for the withdrawal of security services and judicial organs; underlines the importance of ensuring socio-economic development in the region; reiterates that economic support needs to be fully transparent, in particular the financing of schools and hospitals in northern Kosovo; stresses that both the Serbian and the Kosovar authorities need to continue working on ensuring the protection of all minorities and their inclusion in the wider society;

11. Welcomes Serbia's cooperation with the ICTY, which has resulted in all war crimes suspects being handed over to the Hague Tribunal for trial; encourages further cooperation with the Tribunal; endorses the repeated calls by the ICTY chief prosecutor for the thorough investigation and prosecution of the persons engaged in the support networks which enabled fugitives to remain at large for so long, particularly in the military and civilian security services; notes that domestic war crimes prosecutions have proceeded steadily, but draws attention to the need to deal more vigorously with the issue of missing persons; furthermore calls on the authorities to ensure the credibility and professionalism of the Witness Protection Programme (WPP) and to provide it with adequate resources so that the judiciary can effectively continue its proceedings on war crimes; draws attention to the fact that a number of former police officers voluntarily opted out of the WPP because of its considerable shortcomings;

12. Calls on the Serbian authorities and political leaders to refrain from statements and actions that undermine the authority and integrity of the court, and on Serbia to keep its promise and remain consistently dedicated to regional cooperation and reconciliation in the Western Balkans, despite the manifest disappointment of Serbian public opinion after the recent acquittals in the Gotovina, Markac and Haradinaj cases; welcomes the signing of the protocol on cooperation in the prosecution of perpetrators of war crimes, crimes against humanity and genocide between Serbia and Bosnia and Herzegovina;

13. Stresses that more efforts need to be made by the authorities to obtain justice for survivors of conflict-related sexual violence in Serbia and elsewhere in the Western Balkans;

14. Welcomes the government's commitment to fight against corruption and organised crime, as being crucial for Serbia's EU integration process; stresses the importance of strengthening independent institutions in the fight against corruption, in particular the Anti-Corruption Agency and Anti-Corruption Prosecutor, and improving inter-agency

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coordination; calls on the authorities to finalise the National Anti-Corruption Strategy 2012-2016 and corresponding Action Plan and to ensure that the Anti-Corruption Agency plays an important role in their implementation as an independent body; emphasises that political will is crucial for establishing a solid track record of investigation and conviction for high-profile corruption cases, including the 24 controversial privatisations, and hopes that the special and proactive role of the First Deputy Prime Minister in this area will yield results;

15. Notes that Serbia is developing a new strategy for judicial reform, and supports the efforts being made to devise a new court system in order to improve the efficiency and independence of the whole judicial system; welcomes the government's commitment to tackling shortcomings in the reform of the judiciary, particularly by ensuring that the legal framework leaves no room for undue political influence and addressing the issues of parliament's power to appoint judges and prosecutors and the direct political participation of officials in the work of the High Judicial and State Prosecutorial Councils; underlines the importance of adopting clear and transparent evaluation criteria for appointed judges and prosecutors that will ensure their independence and professionalism; furthermore stresses the need to implement measures, in line with the recommendations of the Venice Commission, to address the growing backlog of cases; notes that the Justice Ministry still has responsibility for capital expenditure and that this could further limit the independence of the judiciary; calls on the government to focus on the quality of reform rather than its speed, using the available technical expertise from abroad; stresses also the need for initial and continued professional training of judges and prosecutors, following the extensive changes to the law;

16. Reiterates the need for the continued and comprehensive training of prosecutors and police with a view to their conduct of complex investigations, especially those of a financial nature; stresses that the key to the fight against systemic corruption lies in severing the bonds between political parties, private interests and public enterprises; draws particular attention to the need to make party financing transparent and bring it into line with EU standards; calls on the authorities to fully implement the law on party financing; maintains that the principle of the presumption of innocence must at no point be endangered in the fight against corruption; stresses that whistleblowing is essential for the detection of corruption; calls, therefore, on the government to enact and implement whistleblower protection rules and to actively encourage people to denounce corruption at all levels; recalls that both authorities and media bear the responsibility to inform the public about ongoing corruption investigations in a credible manner, since this is a necessary condition for successful and professional operations by the judiciary and the police;

17. Calls for stronger political commitment to the reform of the public administration, particularly in ensuring the completion of the legislative framework and its full alignment with international standards;

18. Notes the efforts of the new government to address the concerns expressed by the European Parliament regarding the call for immediate revision of Article 359 of the Criminal Code, but expresses concern that the same provisions have been included in Article 234 of the same code; emphasises that the provisions of the new Article 234 of the Criminal Code must not be applied either to owners of private domestic or foreign companies or to responsible persons occupying posts in foreign companies outside Serbia, and calls on the authorities to cease all criminal proceedings against such persons. This should be applied also in reclassification on a case-by-case basis. The cases of the unjustly frozen assets should be solved as soon as possible because they aggravate the state of the Serbian economy;

19. Is concerned about the legal and political uncertainty regarding the autonomy of Vojvodina and the rising political tensions between the central and the provincial authorities following the intention of the Vojvodina Assembly to pass a declaration on the province's autonomy; calls on the Serbian Government to restore the status quo ante and abjure centralising measures and to start immediate negotiations with the government of the Autonomous Province in order to find solutions which respect the principles of rule of law and subsidiarity; reminds the parties that according to the Constitution the law on financing of the Autonomous Province should have been adopted by the end of 2008; thus encourages the Government to draft such a law and submit it to the Parliament without further delay, since this is indispensable for the functioning of democracy and the rule of law in Serbia;

20. Calls once again for a review of the cases of unjustified freezing of assets and of inappropriately increased and retroactively applied taxes imposed on individuals and private companies; calls on the Ministry of Justice and the Constitutional Court to put an immediate stop to the selective application of the 'law of one-time tax on extra profit and extra property acquired by taking advantage of special benefits', as well as of all the provisions of the other tax laws which permit the imposition of unacceptably high fines that lead to bankruptcy, before the final judgment in tax proceedings; calls on the Serbian authorities to provide fair compensation for affected private persons and companies;

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21. Expresses its concern over contradictory legislative initiatives such as the changes to the law governing the National Bank introduced in August 2012 which undermined the independence and autonomy of that institution in the face of undue influence by the government; stresses that the Copenhagen political criteria include the independence of state institutions; welcomes the subsequent amendments adopted in November 2012 to the changes to the above law, in line with the Commission's recommendations and aimed at ensuring greater continuity of the National Bank and reducing the impact of each change of government on its governorship;
22. Reiterates its call on the authorities to continue their efforts to eliminate the legacy of the former Communist secret services, as a step in the democratisation of Serbia; recalls the importance of further security sector reform and increasing parliamentary oversight and control over the security services, as well as of opening up the National Archives, and in particular allowing access to the files of the former intelligence service, the UDBA; encourages the authorities to facilitate access to those archives that concern other ex-Yugoslav republics, and to return them to the respective governments if they so request;
23. Welcomes the gradual increase in civilian control of the security services; notes, however, that the overall legislative framework is not coherent and should be brought further in line with European standards; is concerned at the trend towards increased unauthorised surveillance; calls on the authorities to adopt comprehensive and modern legislation with the aim of clearly defining mechanisms for civilian control of the security services, both civil and military; notes that the current ambiguity of the legal framework defining the authority of the security services leaves room for undue political influence and undermines the general efforts to establish a genuine rule of law in the country;
24. Is concerned at the repeated allegations of police brutality and abuse of office, particularly in the towns of Kragujevac, Vranje and Leskovac; recalls that the independence and professionalism of state institutions are part of the Copenhagen criteria; calls on the authorities, in this respect, to take all necessary measures to restore public trust in the police and prosecute all perpetrators of alleged incidents;
25. Stresses the need to develop independent supervision and capacity for the early detection of wrongdoing and conflicts of interest in the areas of public procurement, management of public enterprises, privatisation procedures and public expenditure, which are currently particularly vulnerable to corruption; expresses its concern at the procedural shortcomings in the setting-up of the Commission for the Protection of Bidder's Rights; stresses that the highest standards of integrity should be required of the independent regulators dealing with public procurement, since this is identified as one of the main sources of corruption in the country;
26. Welcomes Serbia's efforts in fighting match-fixing in sport and the fact that this practice has been criminalised in an amendment to the Criminal Code;
27. Notes with satisfaction that the Instrument for Pre-Accession Assistance (IPA) works well in Serbia; stresses the importance of the IPA funds allocated in December 2012 by the Commission to support Serbia's efforts to implement its EU reform agenda; emphasises that this funding is to be used to increase the efficiency of the judicial system, develop asylum capacities, and fight organised crime, including trafficking in people and corruption; encourages both the government and the EU to simplify the administrative procedures for IPA funding with the aim of making it more accessible for smaller and non-centralised beneficiaries; stresses the need to maintain an adequate level of pre-accession support in the forthcoming review of the EU's financial framework;
28. Recommends amending the Law on Restitution in order to remove all procedural obstacles and legal impediments concerning restitution in kind;
29. Notes that corruption and organised crime are widespread in the region, and calls for a regional strategy and enhanced cooperation between all the countries for purposes of tackling these grave issues more effectively;
30. Considers that an early launch of accession negotiations would, for Chapters 23 and 24, benefit the fight against corruption and organised crime and the consolidation of the rule of law; in this respect, encourages the authorities to deliver concrete results in the justice field alongside progress in the fight against corruption and organised crime, and to establish a credible track record of high-profile corruption cases;
31. Recalls that a vigorous, professional and independent media constitute an essential element of a democratic system; calls on the authorities to speed up the implementation of the Media Strategy adopted in October 2011 and its accompanying action plans; is deeply concerned about the continued violence and threats against journalists, particularly those investigating corruption and organised crime; underlines the utmost importance of solving the cases of murdered journalists from the 1990s and 2000s, as evidence of the new government's commitment to ensure the rule of law and

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freedom of the media; is concerned about the attempts to control and interfere in the media sector, and calls on the authorities to ensure its independence from political pressure in order to provide journalists with a safe environment where they can conduct their work effectively and without self-censorship; underlines the need to take steps against concentration of media ownership and lack of media transparency, as well as to ensure equal access to the advertising market — hitherto dominated by a handful of economic and political actors — including the release of public funds for purposes of advertising and promotion; calls on journalists to respect the Code of Ethics; notes that the level of internet access remains low, recognises the importance of the internet for media freedom, and urges the authorities to maximise their efforts in this field; notes that media reporting during the election campaign lacked the necessary analytical element, which points to the need to clarify the issue of media ownership; welcomes the fact that the Strategy respects the constitutional rights regarding minority language media, and stresses that the right to operate regional public radio and television should also apply within Vojvodina;

32. Welcomes the role played by independent regulatory bodies in improving the efficiency and transparency of the country's institutions; urges the authorities to work towards the highest possible standards in ensuring the coherence of the legal system and the even-handed implementation of all legal provisions; commends, in particular, the work of the Ombudsman and Commissioner for Information of Public Importance and Personal Data Protection; urges the authorities to provide the State Audit Institution, the Commission for the Protection of Competition, the Public Procurement Office and the Commission for the Protection of Bidders' Rights with adequate financial, administrative and office capacities enabling them to carry out their duties; calls on the authorities to follow up on the findings of the Anti-Corruption Council, which have been instrumental in making the public aware of high-profile corruption; urges the authorities to boost the follow-up of the recommendations of the independent regulatory bodies and to ensure the independence of the Republic Broadcasting Agency, as well as its secular character; reiterates that independent regulatory bodies are essential for the success of the fight against systemic corruption and are a central part of the checks-and-balances mechanism for effective oversight of the government;

33. Emphasises the importance of fight against all forms of discrimination affecting vulnerable groups, especially minorities, Roma, women, LGBT persons and persons with disabilities; calls on the authorities to take swift action to align the legislation on anti-discrimination with the *acquis*, particularly with regard to the exceptions granted to religious institutions, the obligation to provide reasonable accommodation to disabled employees, the definition of indirect discrimination and the role of NGOs in judicial proceedings; noted with regret that a track record of prosecutions and final convictions for offences related to discrimination has not been established; calls on political leaders to actively engage in campaigns promoting tolerance, especially with regard to Roma, women, persons with disabilities and the LGBT population; welcomes the positive actions undertaken by the Ombudsman and the Commissioner for Equality to promote these values in Serbian society;

34. Recognises women as important agents for change in Serbian society; notes the improvement in women's representation in the Serbian Parliament following the 2012 elections; welcomes the fact that 84 out of 250 parliamentary seats went to women; however, encourages the Serbian authorities to make further efforts to guarantee equal representation; stresses that women still face discrimination on the labour market and in other sectors of society, and that they are not yet fully represented in the political life of the country, including governmental positions; is concerned that although both legislation and implementation bodies are in place as regards both anti-discrimination and gender equality, no progress could be reported on equality of opportunity between women and men; notes that effective implementation of the existing legislation and further strengthening of administrative capacity remain major challenges, and urges the Serbian authorities to step up their efforts to this end;

35. Welcomes Serbia's signing of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence; highlights the importance of rapid implementation and adequate enforcement of the convention, given that violence against women still remains an area of concern;

36. Calls on the authorities to focus on policies for reducing unemployment and poverty among and discrimination against persons with disabilities;

37. Is concerned about the threat posed by violent hooligan groups to the rule of law and public security in Serbia, especially after the government announced that it was incapable of controlling these groups when cancelling the Belgrade Pride in October 2012; calls on the Serbian Government to immediately ensure concerted action by all relevant government and security institutions so that these groups cease to be a threat and any form of violence or criminal activity perpetrated by their members leads to their prosecution;

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38. Encourages the Serbian authorities to guarantee the security of women human rights defenders (WHRD); is concerned that hate speech, threats and physical attacks, not least against LGBT rights activists and activists raising the importance of facing the past, still exist in 2012;
39. Stresses the importance of systematically punishing hate speech and the need for the government to condemn hate speech when it is committed by public officials;
40. Condemns the government's decision to ban the Belgrade Pride Parade which was supposed to take place on 6 October 2012; calls on the Serbian authorities to draw up and implement an action plan to increase knowledge and understanding of LGBT rights, combat homophobia and improve security, in order to ensure that a Pride or other such initiative can freely, successfully and safely take place in 2013 and the years after; calls on the authorities to strengthen their commitment to freedom of assembly, in particular by effectively banning extreme right-wing organisations and informal sports fans' organisations which are closely connected to organised crime; welcomes, in this connection, the Constitutional Court's rulings banning two such organisations;
41. Welcomes the fact that the legislative framework with regard to national, ethnic and cultural minorities in Serbia is in place; stresses, however, that more efforts are needed to ensure its effective implementation throughout Serbia; calls on the authorities to address known shortcomings, particularly with regard to the fair representation of minorities in the public administration, judiciary and police; insists that more consistent and prompt measures are necessary to ensure unrestricted access to quality education in minority languages at state and provincial level, since this is necessary to preserve ethnic and cultural identity, and in particular to provide all necessary textbooks and other educational materials; calls on the authorities to ensure that all necessary budgetary subsidies are provided to Minority Councils; calls on the Commission to continue to closely monitor Serbia's efforts in this area;
42. Notes with regret that the Republican Council for National Minorities has not been active since 2009; calls on the authorities to facilitate in good faith the formation of the Bosniak National Council, as well as the integration of the two Islamic Communities in the country; draws attention to the fact that Sandžak and South and South-East Serbia, where a significant number of minorities live, are economically underdeveloped regions which require further efforts by the authorities to combat high unemployment and social exclusion; reiterates the importance of implementation of the protocol on national minorities signed by the Romanian and Serbian governments in Brussels on 1 March 2012; calls on the Serbian authorities to improve the situation of all minorities, including Roma, Bosniak, Albanian and Bulgarian minorities, which are disproportionately affected by the economic downturn, and to ensure consistent application of the legal framework on the protection of minorities throughout Serbia, notably in the areas of education, language and cultural rights; regrets the recent incidents in Vojvodina involving attacks on ethnic minorities; calls, therefore, on the authorities, particularly the forces of law and order, to investigate all details of the cases concerned;
43. Notes that the 2011 census was published only with considerable delay, further notes that the count was largely boycotted by the Albanian-speaking population of southern Serbia, and calls on the Serbian authorities, particularly at the local level, to refrain from using the aforementioned boycott as a pretext for discrimination against Albanian-language speakers;
44. Underlines the need to improve the position of the Roma population; recognises that some progress has been made, such as the increase achieved in the enrolment rate of Roma children in the education system, as well as the measures taken to increase their social inclusion, such as support for registering 'legally invisible' persons; stresses, however, that more concentrated and targeted efforts are needed to improve the socio-economic status of Roma, among other means through the EU Framework for National Roma Integration Strategies; expresses concern at the continued phenomena of severe discrimination, social exclusion, forced eviction and high unemployment, particularly affecting Roma women; notes furthermore the need to fully harmonise anti-discrimination law with EU policy;
45. Welcomes the important steps taken to implement inclusive education, leading to a marked increase in the proportion of Roma children enrolled in primary school, with two out of three Roma children now completing primary school compared to just over one in four some years ago; remains concerned at the continuing low proportion of Roma children attending secondary school and the fact that 70 % of Roma children are not attending school at all; calls on the Serbian Government to ensure that all Roma children and young people are given an equal chance or second chance to return to school; emphasises that equal access to quality early childhood education is of particular importance for children from deprived backgrounds and is paramount to breaking the intergenerational cycle of poverty and social exclusion; notes with concern that young children are being disproportionately affected by the economic crisis, as reflected in the dramatic increase in the proportion of children living in absolute poverty between 2008 and 2010; recalls that poverty in childhood

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is closely and consistently associated with poorer physical health, impaired cognitive development, underachievement in school and social risks, entailing higher costs to the legal and social protection systems; calls on the Serbian Government to act to address child poverty and social exclusion;

46. Reiterates its call on the Serbian authorities to initiate further measures for crossborder cooperation with the neighbouring EU Member States, Bulgaria, Hungary and Romania, including in the framework of the EU Strategy for the Danube Region, in order to facilitate inter alia the economic development of border regions and areas populated by minorities; underlines, in this respect, the importance of opening a terminal for commercial trucks and goods at the border crossing at Ribarci-Oltomantsi;

47. Welcomes the progress made in reforms to the childcare system and the continued implementation of the 2011 Social Welfare Law; is concerned over the growing number of children in care, and in particular the slow decrease in the numbers of children with disabilities in institutions and of Roma children in special schools; expresses its concern, furthermore, over the rise in both juvenile violence and violence against children, and calls on the authorities to ensure full protection of the rights of vulnerable children, including Roma children, street children and children in poverty;

48. Reiterates the central importance of regional cooperation for the success of the Western Balkan countries' European integration process, insofar as it demonstrates the willingness and capacity of applicant countries to fulfil the obligations of an EU member state and participate constructively in the further development of European integration in the context of the EU institutions; welcomes the work carried out on reconciliation, and believes that Serbia should continue to play an active and constructive role in the region and go on searching for ways to acknowledge the suffering and respect the right to truth and justice of all war crimes victims, including support for the establishment of RECOM; recalls that true reconciliation between nations and peoples, the peaceful resolution of conflicts and the establishment of good neighbourly relations between European countries are essential to sustainable peace and stability and contribute substantially to a genuine European integration process; encourages the Serbian authorities to work closely with the countries of the former Yugoslavia for the resolution of all outstanding problems of legal succession;

49. Deeply regrets President Nikolić's statements of July 2012 in which he denied that genocide took place in Srebrenica, and urges him to reconsider his stance and rhetoric in order to make genuine and lasting reconciliation possible; reiterates that there must be no denial of any of the war crimes and human rights violations that occurred during the 1990s conflicts in the former Yugoslavia, and that this includes the genocide in Srebrenica, which was recognised as such in findings and rulings by the ICTY and ICJ;

50. Reaffirms its staunch support for visa liberalisation for the Western Balkan countries; calls on Serbia and the EU Member States most affected to tackle together the issue of bogus asylum applicants; recalling that this liberalisation represents the most visible and concrete achievement of the European integration process in the region, calls on them to do their utmost to strictly implement all the necessary criteria and measures for visa-free travel to the Schengen countries; stresses that putting the visa-free regime on ice would be a significantly setback for the accession process of the Western Balkan countries benefiting from it; notes that Serbia needs to further engage further with the EU Member States' authorities in dealing with bogus asylum applicants, also through the adoption and implementation of reforms to improve the situation of minorities whose members have in many cases abused the visa-free regimes and asylum policies of some Member States; calls on the Member States that are most affected by the inflow of false asylum seekers to adopt appropriate mechanisms for dealing with these cases, above all by classifying the Western Balkan countries as 'countries of safe origin'; furthermore, calls on the Member States to assist Serbia in its efforts to fight organised crime in connection with the trafficking of false asylum seekers; notes, moreover, that Serbia is increasingly becoming a recipient country of asylum seekers, needing therefore more efficient management of asylum requests; stresses that it is necessary to duly inform citizens about the limitations of the visa-free regime in order to prevent any kind of abuse of freedom of travel and visa liberalisation policy; notes that this liberalisation is one of the biggest achievements in Serbia's recent progress towards EU, and that any suspension would certainly have negative social, economic and political implications;

51. Stresses the central role of active and independent civil society organisations (CSOs) and of the Serbian parliament for the strengthening and consolidation of democratic political processes in the country; underlines the importance of dialogue with the CSOs, and stresses the crucial role of civil society actors in contributing to the promotion of dialogue and enhanced regional cooperation;

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52. Welcomes closer cooperation of the government with NGOs, but calls for them to be more broadly consulted in policymaking, including the formulation of policies and legislation and the monitoring of the authorities' activities; calls on the Serbian Government to engage with CSOs, non-state actors and social partners at all stages of the accession process and to provide the necessary information in the country as a proof of its commitment to the principle of including civil society in policymaking, since this is essential to ensure the accountability and openness of the process;
53. Congratulates the Serbian Government on its pursuit of the weapons destruction programme; notes that the success of this programme is a relevant factor in overcoming the legacy of violence in Serbian society inherited from the 1990s belligerency;
54. Welcomes the official visit by Prime Minister Ivica Dačić to Bosnia and Herzegovina and the official support for the territorial integrity and sovereignty of that country; is of the opinion that Serbia's direct relations with the authorities of the Republika Srpska must be in line with this stated support and should not undermine the integrity, sovereignty, competences and effective functioning of the institutions of the state of Bosnia and Herzegovina; furthermore, urges the Serbian authorities to actively support all necessary constitutional changes that would enable the Bosnian state-level institutions to carry out challenging reforms as part of the European integration process;
55. Welcomes the idea of starting negotiations for the signature of a treaty of good neighbourly relations with Bulgaria, and hopes this will lead to a more positive development in the regional context;
56. Encourages political leaders in Croatia and Serbia to make efforts to improve their mutual relations; in this respect, supports all initiatives leading to the enhancement of cooperation and reconciliation between the two countries; stresses the importance of good neighbourhood relations in the process of European integration, and urges the authorities of both countries to make further efforts to resolve the issue of missing persons; calls on both governments to resolve pending border issues and to actively support the return of refugees;
57. Welcomes the improvements in relations between Montenegro and Serbia; calls for closer coordination between the respective governments on EU-related reforms, in particular when addressing common challenges to the rule of law; encourages both governments to step up their efforts to find a solution for the remaining border issues;
58. Welcomes the agreement reached between Serbia and the former Yugoslav Republic of Macedonia on the free movement of citizens in addition to the agreements already signed by Serbia; takes note of and welcomes the offer of President Nikolić to mediate a solution to the long-standing dispute between the Orthodox churches in the two countries, on a basis of full respect for the principle of separation of church and state; asks both governments to open more checkpoints in order to facilitate fast border-crossing for the local population in the border regions;
59. Welcomes the progress made as regards the Sarajevo process, and the active involvement of Serbia in advancing it; welcomes the outcome of the international donors' conference held in Sarajevo in April 2012, at which Bosnia and Herzegovina, Croatia, Montenegro and Serbia agreed on a joint Regional Housing Programme; strongly supports this programme, and encourages cooperation between the countries in finding solutions for refugees and displaced persons in the region; calls on all parties to implement the programme with no undue delay;
60. Urges Serbia to respect the territorial integrity of Kosovo and to resolve all bilateral issues in dialogue with Pristina in a good European spirit of neighbourhood and mutual understanding;
61. Notes the tough economic policy challenges that need to be addressed; stresses the need to improve the business environment as a response to high unemployment and the resurgence of inflation; notes that new austerity measures cannot be effective on their own and must be combined with a policy for growth;
62. Encourages Serbia to pay additional attention to further improving the business environment, in particular concerning privatisation procedures and public procurement;
63. Welcomes the presentation of the Renewable Energy Action plan, which aims to institute concrete measures through which Serbia hopes to realise its commitment made in the framework of the Energy Community Treaty to the effect that renewables should account for 27 % of its total energy consumption by 2020;
64. Reiterates the importance of historical reconciliation concerning the atrocities of 1941-1948, and underlines the importance of the commitment made by both the Hungarian and Serbian Presidents to pay the relevant due tribute;

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65. Regards the two-year functioning of the Joint Serbian-Hungarian Historians' Committee as a positive step in the process of mutual understanding and reconciliation in the context of historical traumas, and urges the authorities to consider extending the model to all of Serbia's neighbours;

66. Welcomes the agreement reached between Serbia's and Croatia's Ministers of Foreign Affairs on forming a joint mixed commission that will address outstanding issues between the two countries, including the genocide charges the two countries have raised against each other; considers this an important step forward, for the whole region, on the path to EU integration; calls on the Council, in this regard, to step up and strengthen EU-funded, joint cross-border projects with a view to further developing good neighbourly relations and enhancing regional cooperation;

67. Calls on the Serbian Government, which will take over the presidency of the Energy Community in January 2013, to take all necessary steps to bring the Energy Strategy adopted by the Ministerial Council of the Energy Community in Budva on 18 October 2012 into line with the EU's environmental standards and climate goals, ensuring at the same time that all relevant stakeholders, including civil society organisations, are included in the consultation process;

68. Asks the Commission to extend the Energy Roadmap 2050 to include the countries of the Energy Community, since those countries, like the EU, are striving towards a fully integrated internal market for electricity and gas, and are applying the EU energy acquis;

69. Calls for the promotion of economic policies that ensure sustainable growth, environmental protection and job creation; calls for further efforts to facilitate the operations of SMEs, as a means of both raising incomes and reducing the current high rates of unemployment, particularly among young people, as well as increasing access to finance; recalls that the existence of state and private monopolies severely hampers the transition towards an open market economy, and calls on the government to take measures to abolish them;

70. Draws attention to the considerable rise in the public debt and the high unemployment rate; encourages the government to proceed with measures aimed at reducing the budget deficit and to draw up an employment strategy focusing on the most affected social categories and on youth;

71. Stresses that the global financial crisis has negative effects on society, and especially on vulnerable groups; calls, therefore, on the authorities to make every effort to minimise the adverse effects — poverty, unemployment, social exclusion — but also to address and combat their root causes;

72. Emphasises that Serbia has ratified the major labour rights conventions of the International Labour Organisation (ILO) as well as the revised European Social Charter; draws attention to the fact that labour and trade union rights still remain limited, despite constitutional guarantees, and calls on Serbia to further enhance those rights; is concerned that the social dialogue remains weak and that consultation of the social partners is irregular; calls for further steps to be taken to strengthen the Economic and Social Council so that it can play an active role in strengthening the social dialogue and a more active consultative role in lawmaking;

73. Notes with regret the lack of progress in relation to labour and trade unions rights; calls on the authorities to swiftly proceed with creating the conditions for a genuine social dialogue which has not taken place so far, to simplify the procedures for registering a trade union, and to promote the recognition of already registered unions; draws attention to the shortcomings in the Law on Labour, which has not been brought into line with the acquis, as well as to the law on strikes, which does not comply with EU and ILO standards; points out, furthermore, that favouritism and nepotism remain significant problems in Serbia; underlines the importance of merit-based recruitment and promotion, especially in the public sector, and stresses that dismissal of employees on grounds of their political opinion or affiliation is unacceptable;

74. Welcomes the work done so far by the Agency for Restitution; calls on the authorities to ensure that all necessary administrative and financial resources are provided to the agency so that it can carry out its work independently; encourages restitution in kind wherever it is deemed possible; underlines the need to tackle the systemic acquisition of public property by private interests by compiling a full list of public and state property and by bringing the Law on land and construction into line with European standards; draws attention to the fact that urban land has been particularly subject to acquisition through inadequate legal procedures and has been targeted for money-laundering by organised crime and private interests;

75. Welcomes the adoption of the new regulation on the European Capital of Culture project, which allows for participation of EU candidate countries in the 2020-2030 period; supports the initiative of the Belgrade city authorities to launch the Belgrade European Capital of Culture 2020 campaign, and encourages related projects aimed at bringing Belgrade and Serbia culturally closer to the EU, in particular with regard to interethnic coexistence, multicultural understanding and interreligious dialogue;

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76. Stresses the importance of developing public transport with regard, in particular, to upgrading or creating rail links within the framework of a sustainable transport system; regrets that little progress has been achieved either in this field or that of combined transport;
77. Urges the Serbian authorities, in particular, to simplify and speed up the administrative procedures for issuing construction permits, licensing and establishing network connections for renewable energy projects;
78. Points out that significant efforts are required in the field of the environment, and in particular in the areas of water management, nature protection and air quality; emphasises that no substantial progress can be achieved without sufficiently strengthening administrative capacity, and calls on the Serbian Government to take the necessary measures in this respect;
79. Regrets the decision of the Serbian Government to raise the maximum permitted level of aflatoxin in milk from 0,05 to 0,5 micrograms per kilogram in order to cope with the recent milk crisis; urges the Serbian authorities to tackle, in due time, the root causes that brought about this increased level of aflatoxin in milk and subsequently to lower the maximum permitted level in line with EU standards;
80. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Serbia.

P7_TA(2013)0187

European integration process of Kosovo

European Parliament resolution of 18 April 2013 on the European integration process of Kosovo (2012/2867 (RSP))

(2016/C 045/11)

The European Parliament,

- having regard to the European Court of Auditors' Special Report No 18/2012 on European Union Assistance to Kosovo related to the rule of law, published on 30 October 2012,
- having regard to the Council decision of 22 October 2012 authorising the Commission to open negotiations on a framework agreement with Kosovo on participation in Union programmes,
- having regard to the Commission communication of 10 October 2012 on a Feasibility Study for a Stabilisation and Association Agreement between the European Union and Kosovo (COM(2012)0602),
- having regard to the Commission communication of 10 October 2012 to the European Parliament and the Council on Enlargement Strategy and Main Challenges 2012-2013 (COM(2012)0600),
- having regard to the end of the mandate of the International Civilian Representative in September 2012 and the phasing-out of the International Civilian Office by the end of 2012,
- having regard to the reports of the Secretary-General of the United Nations on the ongoing activities of the United Nations Interim Administration Mission in Kosovo and developments related thereto, the latest one of 8 November 2012 covering the period from 16 July to 15 October 2012,
- having regard to the ratification on 7 September 2012 by the Kosovo Assembly of the agreement with the EU on the extension of the mandate of EULEX until June 2014,
- having regard to Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo, as amended by Council Joint Action 2009/445/CFSP of 9 June 2009, by Council Decision 2010/322/CFSP of 8 June 2010 and by Council Decision 2012/291/CFSP of 5 June 2012,
- having regard to the conclusions of the General Affairs Council meetings of 7 December 2009, 14 December 2010 and 5 December 2011, which stress and reaffirm, respectively, that Kosovo, without prejudice to Member States' position on its status, should also benefit from the prospect of eventual visa liberalisation once all conditions are met, and welcoming the launch of a visa dialogue in January 2012 and the presentation of the visa liberalisation roadmap in June 2012,