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P9_TA(2021)0511

Forced labour in the Linglong factory and environmental protests in Serbia

European Parliament resolution of 16 December 2021 on forced labour in the Linglong factory and environmental protests in Serbia (2021/3020(RSP))

(2022/C 251/13)

The European Parliament,

- having regard to its previous resolutions on Serbia,
 - having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States of the one part, and the Republic of Serbia, of the other part ⁽¹⁾, which entered into force on 1 September 2013, and its candidate status,
 - having regard to the Commission's 'Serbia 2021 Report' of 19 October 2021 (SWD(2021)0288),
 - having regard to the conventions of the International Labour Organization,
 - having regard to the European Convention on Human Rights (ECHR),
 - having regard to the Universal Declaration of Human Rights of 1948,
 - having regard to Rule 144(5) and 132(4) of its Rules of Procedure,
- A. whereas Serbia must be judged, as is any country aspiring to become a Member State of the EU, on its own merits in terms of the fulfilment and implementation of and compliance with the criteria and common values required for accession;
- B. whereas democracy, human rights and the rule of law are fundamental values on which the EU is founded and are at the heart of the enlargement, stabilisation and association processes; whereas sustainable reforms are needed to tackle the significant challenges that remain in these areas;
- C. whereas Serbia needs to develop an irreversible track record in adhering to, upholding and defending the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights;
- D. whereas freedom of expression and the independence of the media remain serious concerns which need to be addressed as a matter of priority;
- E. whereas Serbia is increasing the number of contracts it has with major Chinese industrialists and granting China more and more legal privileges, even when these are contrary to EU law; whereas the agreement between Belgrade and Beijing on the employment of foreigners allows Chinese labour law to be applied in Serbia; whereas in March 2021, there were press reports of mistreatment of employees of the Chinese company Zijin Mining, which took over a copper mine in eastern Serbia in 2018, while they were deprived of their passports and housed in precarious conditions;
- F. whereas there have been serious allegations against the Chinese tyre production company Linglong Tire in Zrenjanin, northern Serbia, regarding the working conditions of 500 workers from Vietnam; whereas these allegations include violations of human rights, human trafficking and conditions that could endanger human health and lives; whereas the workers' passports were confiscated; whereas the contracts of the employees in the Linglong Tire factory include irregularities which indicate that labour exploitation has taken place in relation to salaries, leave and working hours, contrary to the applicable regulations of the Serbia Labour Law;

⁽¹⁾ OJ L 278, 18.10.2013, p. 16.

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- G. whereas widespread environmental protests have recently been reported across Serbia against the backdrop of the rushed adoption of two laws, the Law on Referendums and People's Initiative and the Law on Land Expropriation; whereas the latter law is seen as opening space for controversial foreign investment projects, such as the Rio Tinto mine, with a heavy impact on the environment; whereas the citizens of Serbia exercised their fundamental human right to peaceful assembly; whereas strong allegations have stressed that police forces violated their obligation to protect the lives, rights and freedoms of citizens, as well as the protection of the rule of law; whereas the police used a serious amount of force and arrested several protesters; whereas protesters were attacked by unidentified armed groups, hooligans and bulldozers;
- H. whereas the Serbian Government made a decision to withdraw the Law on Land Expropriation from the parliamentary procedure after the president returned it for reconsideration; whereas the government will analyse the law and introduce changes after a broad public debate; whereas on 10 December 2021, the national assembly adopted amendments to the Law on Referendums and People's Initiative referring to the certification of signatures and the abolition of the fee for verifying signatures;
- I. whereas both the Linglong Tire factory and the environmental protests involve allegations of intimidation and physical attacks against media workers, activists, civil society organisations (CSOs) and non-governmental organisations (NGOs);
- J. whereas cluster 4 in the accession negotiations with Serbia was opened on 14 December 2021 at an intergovernmental conference;
1. Expresses deep concerns over the alleged forced labour, violation of human rights and human trafficking of around 500 Vietnamese people at the Chinese Linglong Tire factory construction site in Serbia;
 2. Urges the Serbian authorities to investigate the case carefully and ensure respect for fundamental human rights in the factory, especially labour rights, to provide the EU with the conclusions of its investigations and to hold the perpetrators to account; calls on the Serbian authorities to allow free, meaningful and unhindered access to the Linglong Tire factory in Zrenjanin and the lodging facilities of the Vietnamese workers for NGOs, CSOs, EU officials and officials from other international organisations; urges the Delegation of the European Union to the Republic of Serbia to closely follow up on these processes and the fate of the 500 Vietnamese workers;
 3. Calls on Serbia to improve alignment with EU labour law, adopt a new law on the right to strike, tackle undeclared work and amend the law on inspection oversight to comply with the relevant International Labour Organization conventions, which it has ratified;
 4. Expresses its deep concern over serious problems with corruption and the rule of law in the environment area, over the general lack of transparency and over environmental and social impact assessments of infrastructure projects, including from Chinese investments and loans as well as from multinational companies such as Rio Tinto; notes, in this context, the opening of Cluster 4 'Green Agenda and Sustainable Connectivity' in the EU accession negotiations; calls on the EU and the Serbian authorities to follow up on the legitimate concerns expressed in the environmental protests and to urgently address these problems during the negotiations;
 5. Expresses concern over China's increasing influence in Serbia and across the Western Balkans; calls on Serbia to strengthen its legal compliance standards for Chinese business activities; emphasises that Serbian labour and environmental laws should also apply to Chinese companies operating in the country;
 6. Expresses deep concern over the increasing violence by extremist and hooligan groups against peaceful environmental demonstrations; regrets the amount of force used by the police against protesters; condemns the violent behaviour of hooligans towards peaceful demonstrators; strongly condemns any violation of the fundamental right to peaceful assembly; stresses that freedom of assembly is a human right; urges the Serbian authorities to properly investigate recent cases of mass protests during which the police force allegedly overstepped its authority or failed to protect protesters from violence and protect their human right to peaceful assembly; calls on the Serbian authorities to publicly condemn the actions of these hooligans against the protesters;

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7. Condemns also, in this context, the role of hooligan groups in the protection of the mural of the convicted war criminal Ratko Mladić in Belgrade, and corresponding incidents which have exposed close links between hooligans and the police; expresses concern over the authorities' apparent unwillingness to ensure the permanent removal of the mural in opposition to both the wishes of tenants and formal municipal decisions;
 8. Expresses concern over the limited time and space available to openly debate the Law on Referendums and People's Initiative and amendments to the Law on Land Expropriation; takes note of the decision to withdraw and reconsider the Law on Land Expropriation and the adopted amendments to the Law on Referendums and People's Initiative;
 9. Regrets the long-term trends of media bias and the blurring of lines between the activities of state officials, police and party politicians; regrets the deterioration of media freedom and the increase in abusive language, intimidation and even hate speech towards members of the parliamentary opposition, independent intellectuals, NGOs, journalists and prominent individuals, including from members of the ruling parties, whose responsibility to act with respect towards all representatives of the media is of the utmost importance; urges the Serbian authorities to take immediate measures to guarantee freedom of expression and media independence and to ensure proper investigations into these cases;
 10. Notes with concern that the work of CSOs and NGOs takes place in an environment that is not open to criticism; deplores the recent attacks on the leader of the United Opposition of Serbia, Marinika Tepić, based on her ethnic origin, which occurred on a government-sponsored TV channel; calls on the Serbian authorities to counter the shrinking of the space for civil society and independent media and ensure that they can work free from all restrictions, including intimidation or criminalisation of these organisations; urges the authorities to foster an atmosphere that is conducive to the work of all CSOs as soon as possible;
 11. Calls on the Commission and the European External Action Service to strengthen their cooperation with and support for civil society, NGOs and the independent media on the ground; reiterates its support for the work of democratic European political foundations in strengthening Serbia's democratic processes and fostering a new generation of political leaders;
 12. Calls on the Serbian Government to work on effective and verifiable fundamental reforms, and to address structural reforms and shortcomings in the areas of the rule of law, fundamental rights, media freedom, the fight against corruption and the functioning of democratic institutions and the public administration;
 13. Welcomes the fact that EU membership continues to be Serbia's strategic goal and that it is among the priorities of the government; encourages the Serbian authorities to more actively and unambiguously communicate their commitment to EU values in the public debate and expects a clear and unambiguous commitment by Serbia, in both words and deeds, to fulfil its obligations under the EU accession process in a visible and verifiable way;
 14. Expects that the opening of negotiations on cluster 4 on the green agenda and sustainable connectivity, (chapters 14, 15, 21 and 27) will be accomplished by a renewed drive to fully implement EU standards;
 15. Instructs its President to forward this resolution to the President of the European Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States and the President, Government and Parliament of Serbia.
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