

Wednesday 11 March 2015

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2014 Progress Report on the former Yugoslav Republic of Macedonia

European Parliament resolution of 11 March 2015 on the 2014 Progress Report on the former Yugoslav Republic of Macedonia (2014/2948(RSP))

(2016/C 316/06)

The European Parliament,

- having regard to the European Council decision of 16 December 2005 to grant the status of candidate country for EU membership as well its conclusions of 17 December 2013; having regard to the conclusions of the Council of the European Union of 16 December 2014,
 - having regard to the Presidency conclusions of the Thessaloniki European Council of 19-20 June 2003 concerning the prospect of the Western Balkan countries joining the Union,
 - having regard to the eleventh meeting of the Stabilisation and Association Council between the country and the EU, held on 23 July 2014,
 - having regard to the Commission's Progress Report (SWD(2014)0303) and to its communication of 8 October 2014 entitled 'Enlargement Strategy and Main Challenges 2014-2015' (COM(2014)0700), as well as to its Indicative Strategy Paper (2014-2020) adopted on 19 August 2014,
 - having regard to UN Security Council resolutions 817 (1993) and 845 (1993),
 - having regard to the judgment of the International Court of Justice on the Application of the Interim Accord of 13 September 1995,
 - having regard to the opinion of the Venice Commission on the seven amendments to the Constitution of the country, adopted on 10-11 October 2014,
 - having regard to the findings of the OSCE/ODIHR international election observation mission carried out for the presidential and early parliamentary elections,
 - having regard to the 12th meeting of the EU-Former Yugoslav Republic of Macedonia Joint Parliamentary Committee (JPC) held on 26-27 November 2014,
 - having regard to its previous resolutions,
 - having regard to the work of Ivo Vajgl as the standing rapporteur on the country of the Committee on Foreign Affairs,
 - having regard to Rule 123(2) of its Rules of Procedure,
- A. whereas the former Yugoslav Republic of Macedonia has been an EU candidate for nine years and is the most advanced country in terms of alignment with the *acquis*;
- B. whereas the Commission has recommended to the Council, for the sixth consecutive time, the opening of negotiations; whereas the country is prepared to negotiate with the EU; whereas for the past eight years Parliament has called continuously for the opening of accession negotiations with the country, and whereas further delays in opening the negotiations might have a negative impact on the reform processes in the country and the credibility of the EU in the region;
- C. whereas the Council has been blocking progress to the next stage of the accession process owing to the unresolved name issue with Greece; whereas bilateral issues are not meant to obstruct the accession negotiations with the European Union; whereas the lack of progress in the EU integration process may increase the costs for regional stability, affect the EU's credibility and lead to a decline in the country's democratic standards;
- D. whereas this further postponement is adding to the growing frustration of Macedonian public opinion at the stalemate in the EU integration process, and risks exacerbating domestic problems and internal tensions;

Wednesday 11 March 2015

- E. whereas each (potential) candidate country will be judged on its own merits, and the speed and quality of the necessary reforms determines the timetable for accession;
- F. whereas bilateral issues should be addressed in a constructive spirit as early as possible, taking into account the principles and values of the UN and of the EU;
- G. whereas the lack of constructive and inclusive government-opposition dialogue and the post-election boycott by the opposition have plagued parliamentary work; whereas it is the shared responsibility of both government and opposition to ensure sustainable political cooperation, which is essential for the country's democratic development and the pursuit of the European agenda; whereas the elections took place under biased media coverage and in a climate of insufficient separation of state and party activities;
- H. whereas at the 12th meeting of the JPC no joint recommendation could be adopted; whereas a fully functioning JPC is instrumental in ensuring parliamentary control over the accession process;
- I. whereas the rule of law, freedom of the media, regional cooperation and good neighbourly relations are essential parts of the EU enlargement process;
- J. whereas corruption and organised crime continue to be serious problems; whereas freedom of expression and the independence of the media continue to be under threat;
1. Reiterates, for the ninth consecutive time, its call on the Council to set a date for the start of accession negotiations without further delay, so as not to lose the momentum and in order to boost acquis-related reforms and strengthen the democratisation process; reiterates its view that the name issue, which is a bilateral issue, must not represent an obstacle to the launch of accession negotiations although it should be solved before the end of the accession process; endorses the Commission's consideration that the failure of the parties to reach a compromise after almost two decades of mediated talks is having a direct and adverse impact on the European aspirations of the country and its people; invites both governments to take concrete steps towards finding a mutually acceptable solution; reiterates the importance and necessity of a constructive approach to challenges with neighbours on these bilateral issues;
2. Recalls the commitment of Member States to revert to the issue in 2015 with a view to opening accession negotiations; considers that starting EU negotiations can only positively influence efforts towards resolving bilateral disputes while also generating further much-needed reforms, particularly in respect of the rule of law, the independence of the judiciary and the fight against corruption; emphasises that continuing to delay the opening of negotiations entails an increasing and unpredictable cost for the country as well as for regional stability; stresses that further prolonging the status quo undermines the credibility and effectiveness of the EU's enlargement policy and its position in the region;
3. Reiterates its position that bilateral issues should not be resorted to in order to hinder the accession process; considers that they should not represent an obstacle to the official opening of accession negotiations, but should be addressed as early as possible in the accession process; is mindful of the lack of compliance by one of the parties with the ruling of the International Court of Justice of 5 December 2011 on the application of the Interim Accord of September 1995; invites Greece to reaffirm its commitment made in the 2003 Thessaloniki Agenda, and to create a positive environment for settling bilateral differences in the spirit of European values and principles; calls for further progress, including in high-level contacts between the governments and in bilateral relations with Bulgaria with a view to negotiating an agreement on good neighbourly relations which would address common issues; reiterates its concern over the use of historical arguments in the current debate with neighbours, and welcomes any efforts towards joint celebrations of common historical events with neighbouring EU Member States; considers that this could contribute to a better understanding of history and good neighbourly relations;
4. Calls for more active EU engagement on the name issue, and supports a proactive approach on the part of EU political leaders; invites the new Vice-President/High Representative (VP/HR) to develop new initiatives to overcome the current stalemate and to work, in cooperation with the UN Special Representative, towards a mutually acceptable solution; calls on the Council to conduct a thorough discussion on the Macedonian EU accession perspective in the first half of 2015; insists that all candidate and potential candidate countries should be treated in the integration process on their own merits; believes that the continuation of the High Level Accession Dialogue with the Commission would bring additional quality to the reform process;

Wednesday 11 March 2015

5. Calls on all NATO members, and especially all EU Member States which are NATO members, to actively support the accession of the country to NATO in order to achieve greater security and political stability in south-east Europe;
6. Encourages the establishment of cross-border cooperation in the areas of history, culture and education and the promotion of European values that support efforts towards democratic changes; in that respect, calls on neighbouring EU Member States, in the spirit of good neighbourly relations, to support the willingness to introduce democratic changes, which means supporting the opening of the negotiation process;
7. Encourages the country to establish joint expert committees with its neighbours on history and education, with the aim of contributing to an objective interpretation of history, strengthening academic cooperation, and promoting positive attitudes in young people towards their neighbours;
8. Strongly encourages the authorities and civil society to take appropriate measures for historical reconciliation in order to overcome the divide between and within different ethnic and national groups, including citizens of Bulgarian identity;
9. Takes note of the proposed package of amendments to the Constitution; is of the opinion that some proposals, including the provisions concerning the definition of marriage and the formation of international financial zones, could be further improved in line with the recommendations of the Venice Commission; recalls also the need to respect the European Convention on Human Rights as well as to take account of the EU acquis; stresses the need for careful preparation of the implementing legislation for any constitutional changes; emphasises that the process of long-lasting constitutional change requires broad political support, constructive dialogue and cooperation between all political forces; stresses the need for an all-inclusive public debate and careful consultation and the building of consensus with opposition parties, civil society and relevant stakeholders;
10. Is concerned at the polarised domestic climate; urges the government to respect the role of the parliament by providing sufficient scope and time for consultations, including on constitutional changes, in the interest of enabling full, independent parliamentary control; calls on the government and on all political parties to work towards improving relations in order to maintain political stability, to ensure sustainable constructive political cooperation, and to accelerate the European agenda; recalls that compromises are fundamental for a functioning democracy; underlines the need to improve the inclusiveness and transparency of the accession process; stresses that the post-election boycott is a problem that needs to be solved in a spirit of shared responsibility between government and opposition with regard to the correct functioning of the parliament; invites the VP/HR to engage with all parties in order to facilitate political dialogue;
11. Is seriously concerned at the worsening of relations between the government and the opposition, particularly with regard to the recent announcement of charges against the opposition leader by the Prime Minister and also to the counter-accusations of criminal wrongdoing; condemns all illegal surveillance, and calls for all allegations to be published and freely reported; calls for an independent investigation into all allegations and the surveillance carried out, on a basis of full respect for the principles of transparency, impartiality and the presumption of innocence; reiterates the importance of upholding the fundamental principle of freedom of expression; calls on all political actors to engage in constructive dialogue in order to keep the focus on the strategic priorities of the country and its citizens;
12. Regrets the absence of the opposition in the regular work of the JPC; considers it essential to ensure the proper functioning of the JPC through the proper representation of all parliamentary parties in its proceedings;
13. Is concerned that interethnic coexistence remains fragile and poses a challenge for the country; is concerned about rising interethnic tensions exposing the lack of trust between communities; strongly condemns the use of ethnocentric and divisive language, particularly during election campaigns; emphasises that the start of EU accession talks can help the country better address this challenge by strengthening interethnic cohesion around that common goal; condemns all forms of extreme nationalism and ethnocentrism which deepen division in society; calls on all political parties and civil society organisations to actively promote an inclusive and tolerant multiethnic and multireligious society and to protect the fundamental rights of all persons belonging to ethnic minorities; recalls that education plays a vital role in achieving tolerance and respect between different people; calls on the Commission to step up projects and programmes aimed at strengthening interethnic dialogue and mutual understanding;

Wednesday 11 March 2015

14. Welcomes the fact that the EU agenda remains the country's strategic priority; encourages the country to further consolidate reforms and to reverse policies and practices which could still constitute obstacles for its European future, and to secure progress in the implementation of EU-related reform priorities, including in the context of the High Level Accession Dialogue;

15. Notes that the presidential and early parliamentary elections of April 2014 were assessed by the OSCE/ODIHR as efficiently administered; shares concerns, however, over the blurred line between state and party activities, which is contrary to international obligations for democratic elections, as well as over biased media reporting and allegations of voter intimidation; welcomes the electoral reforms, but urges the authorities to investigate alleged irregularities before and during the elections; calls on the government to address all ODIHR recommendations in due time in order to improve the electoral process, including the management and accuracy of the electoral registers; also, in this regard, recalls the need to draw up electoral registers corresponding to international standards;

16. Urges the government to address the shortcomings in the implementation of IPA assistance, such as the systemic problems of the control system, insufficient intrainstitutional and interinstitutional coordination, the backlog in procurement, the low absorption rate and the low capacity of institutions; calls for the strengthening of the link between EU assistance and national reform strategies and for IPA funds to be used to lever far greater budget decentralisation in the country; calls for action to prevent further losses of assistance and to accelerate programme implementation in order to enhance the impact of EU assistance;

17. Welcomes the adoption of the new legislative framework for the civil service and public employment in February 2014, as a step towards providing for a unified, transparent and accountable public administration; is concerned that, despite legislative progress, the public administration remains fragmented, politicised and subject to political influence; strongly encourages it to enhance its professionalism and independence at all levels; encourages efforts to implement the law, with due respect for the principles of transparency, merit and equitable representation; invites the government to adopt a public financial management reform program;

18. Urges the full implementation of the Ohrid Framework Agreement (OFA); calls for the completion of the review of its implementation, to result in policy recommendations; strongly recommends considering the OFA an essential element for the rule of law, inter-community relations and continued decentralisation; strongly encourages the development of local governance and the promotion of long-term confidence-building measures at the political level, such as holding public debates to explain the benefits of the OFA; calls on the government and the competent local authorities to proceed with the implementation of the Strategy on Integrated Education and to provide increased funding for that purpose; considers it important to include civil society organisations (CSOs) in the process; recommends a more proactive approach in order to ensure the ethnic, cultural and linguistic identities of all communities;

19. Welcomes the high level of alignment with the legislative acquis and the improving efficiency and professionalism of the courts as a result of comprehensive judicial reforms; is concerned, however, about undue political influence over certain court proceedings, and emphasises that the judiciary should remain independent of all external pressures of the parliamentary and executive branches; stresses the need to ensure proper implementation of judicial standards in line with European norms and best practice; calls for the unification of jurisprudence in order to ensure a predictable judicial system and public trust; calls for improvement of the quality of justice, increased use of non-judicial remedies and alternative dispute resolution, better strategic planning, better access to justice for vulnerable members of society and more involvement of professional and civil society organisations in monitoring judicial independence;

20. Notes the positive developments in the implementation of the 2011-2015 anti-corruption programmes, and the strengthening of the personal and institutional integrity system as well as of interinstitutional and international cooperation; notes the outstanding substantial issues related to the implementation of money-laundering legislation, including cross-border issues, the conduct of national risk assessment and improving operational efficiency; reiterates that an independent and fully functional State Commission for the Prevention of Corruption should be the leading state institution tackling this issue; in order to improve the work of that Commission, calls on the competent authorities to enhance IT interconnectivity between the courts and the prosecution service and to create a central register of public officials;

Wednesday 11 March 2015

21. Calls for the more efficient implementation of anti-corruption policies and legislation, particularly in politics, public administration, public procurement and law enforcement, as well as for the enhancement of administrative capacities; urges the country to achieve a track record for convictions in combating corruption, including high-level cases; calls on independent CSOs and media to expose corruption and champion independent and impartial investigations and trials; calls on the public prosecutor's office to enable adequate and timely investigation of claims in this area;

22. Notes with satisfaction that the legal and institutional framework is in place regarding the fight against organised crime; commends the country's active regional and international cooperation, including through Eurojust and Europol; welcomes the fact that a number of successful police operations against organised groups have been carried out, in particular cutting off international routes for drug trafficking and smuggling of migrants;

23. Condemns all forms of political and/or religious extremism and sees a need for cross-border cooperation with other Western Balkan countries and EU Member States; welcomes the changes to the Criminal Code which further define both offence and penalties for persons participating in political and/or religious extremism; strongly reiterates the need for a common proactive strategy for foreign, security and defence policy, having in view the current international terrorist threat; recalls that public policy should combat all forms of extremism, and that stigmatisation of any one religious group in this context should be carefully avoided;

24. Regrets the lack of cooperation with CSOs and public stakeholders in lawmaking; points out that such cooperation should be based on the government's genuine will to consult various stakeholders in both lawmaking and policymaking; stresses the crucial role that CSOs can play in raising public awareness of the accession process and making it more transparent, accountable and inclusive; encourages the government to help develop civil society in rural areas as well; calls on the government to initiate substantial debate with universities, academics and students on higher education reform;

25. Encourages the authorities to retrieve the relevant Yugoslav secret service archives from Serbia; takes the view that transparent handling of the totalitarian past, including the opening-up of the archives of the secret services, is a step towards further democratisation, accountability and institutional strength;

26. Is very concerned that political and financial pressures are constantly and significantly undermining media independence; deplores the continued deterioration in freedom of expression, resulting in the lowest level of press freedom in the region; regrets in this context that in the index compiled by Reporters Without Borders the country has fallen from 34th place in 2009 to 117th in 2015; notes with growing concern state control over the media, including continued dependence on the state budget, frequent resort to self-censorship, and poor professional standards and ethics; notes with concern the resort to defamation in the political and media context; while noting that some steps have been taken to restore the dialogue between government and the media community, regrets that the law on audiovisual services has been amended by a fast-track procedure without due consultation with media stakeholders;

27. Urges the government to pursue policies enhancing media pluralism and diversity of opinion, and to guarantee the independence of the public broadcaster and the media regulator; notes with concern that the public broadcaster has displayed significant bias in favour of the governing parties, both during electoral campaigns (as reported in the OSCE/ODIHR reports) and in non-campaign circumstances (as reported in the Commission's Progress Report); welcomes the fact that the government has made data on government advertising publicly available; calls on the government, however, to enhance the transparency of the criteria used in the allocation of funds; strongly recommends to the Commission that it be more active in monitoring and advising on policy developments and in encouraging dialogue among all media stakeholders;

Wednesday 11 March 2015

28. Reminds the government and the political parties of their responsibility to create a culture of inclusion and tolerance; calls for the anti-discrimination law to be aligned with the *acquis* as it does not prohibit discrimination on the grounds of sexual orientation; condemns all violence against the LGBTI community and calls for the perpetrators, including those responsible for violent incidents against the LGBTI Support Centre in Skopje, to be brought to justice; underlines the need to combat prejudices and discrimination against the Roma and to take further measures to improve their situation, particularly in the areas of housing, health, education and employment; calls on the authorities to ensure a gender perspective in all policy areas aimed at ensuring equality between men and women; reiterates its concern at the continued existence of gender stereotypes in society and at domestic violence; encourages the government to address the structural gender and pay gap in the economic, political and social fields; calls on the Commission to fulfil its own commitment to making the Employment and Social Policy Chapter a priority in the accession process, by launching an initiative in this respect in the High Level Accession Dialogue with the country;

29. Remains concerned at the high rates of child poverty and lack of capacity of the institutions responsible for implementing policies and strategic actions in this field; urges the government to step up its efforts to implement the revised national strategy on poverty and social exclusion; urges that greater attention be paid to ensuring fair and effective access to justice for all children; stresses the need for additional efforts by the government to support children with disabilities and children from the Roma community; calls for further efforts to be made to improve children's health and nutrition, with Roma children being a particular concern;

30. Welcomes the fact that the country continues to be the regional leader in terms of ease of doing business, as well as its improved performance in the World Bank global ranking, in which it has risen from 31st in 2013 to 30th in 2014; notes, however, that difficult contract enforcement and frequent legal changes without adequate consultation pose serious challenges to the business climate; underlines, at the same time, the importance of making progress as regards labour law and strengthening the social dialogue; stresses the need to further improve the business environment by supporting SMEs, reducing regional disparities, and linking R&D institutions to the business and employment sector;

31. Welcomes the fact that FDI inflows have remained stable and have allowed greater export diversification; notes that 80 % of total FDI stock originates from EU companies, with trade flows in goods and services with the EU having further increased; reiterates the importance of attracting foreign investment, and believes that the delay in the EU accession process may represent an obstacle to deeper economic integration; recognises the need to increase public revenues and create jobs in high-productivity sectors, as the overall structure of the economy remains focused on low-productivity activities; stresses that all rules covering the international financial zones should be in conformity with the *acquis* and with international requirements;

32. Welcomes the reduction in the overall unemployment rate from 29,9 % in the first quarter of 2013 to 27,9 % in the third quarter of 2014; calls on the government to renew its efforts to further reduce structural and long-term unemployment, in particular among young people (for whom the rate stands at over 50 %) and vulnerable groups including the Roma; calls for the adoption of reforms to increase labour force participation and labour mobility as well as to reduce the large informal sector which continues to hamper competition; is concerned that the level of education and training of the workforce often fails to correspond to the real needs of the economy, and that a large number of young skilled workers are consequently being forced to emigrate owing to the difficulty of finding adequate employment opportunities within the country; expresses its concern at recent legislative changes that challenge the right to strike, and calls on the authorities to revise the legislation in line with ILO standards;

33. Notes the steps taken to reduce unemployment among women, but calls on the government to do more since unemployment among women is still much higher than the EU average;

Wednesday 11 March 2015

34. Points out that significant efforts are needed, in cooperation with civil society and relevant stakeholders, in the field of the environment and in particular in the areas of air and water quality, nature protection and waste management; is concerned about air and water pollution; notes with concern the concentration of harmful particles, which is several times above the permitted limit, especially in Skopje, Tetovo, Bitola, Kičevo and Kavadarci; calls on the competent authorities to increase their cooperation with a view to implementing the relevant legislation, strengthening administrative capacities and allocating sufficient funds for investment in infrastructure such as waste water treatment plants;
35. Regrets that the 2013 energy targets have not been met, with regard in particular to energy efficiency and the use of renewables; calls, in this regard, for adoption of the relevant action plans and alignment with EU climate policy;
36. Welcomes the fact that the country has remained active and constructive in regional cooperation and has no outstanding border issues with its neighbours; welcomes its upcoming presidency of the Central European Initiative; invites the government to improve the overall level of alignment with CFSP declarations and decisions; underlines the importance of progressive alignment with the EU's foreign policy positions;
37. Welcomes the progress made on and willingness to finalise the rail link between the country and Bulgaria, which will lead to better economic and social relations;
38. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the Government and Parliament of the country.
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