

**EUROPEAN UNION-FORMER YUGOSLAV REPUBLIC OF
MACEDONIA
JOINT PARLIAMENTARY COMMITTEE**

9th Meeting - Skopje, 3-4 November 2011

Recommendations
(Adopted on 4 November 2011)

The EU - Former Yugoslav Republic of Macedonia Joint Parliamentary Committee held its 9th meeting in Skopje on 3-4 November 2011 under the joint Chairmanship of Mr Jorgo CHATZIMARKAKIS (ALDE, Germany) and Mr Kenan HASIPI (Democratic Party of Turks, Former Yugoslav Republic of Macedonia).

At this meeting, the Committee held an exchange of views with Ms Teuta ARIFI, Deputy Prime Minister in charge of EU Integration, and Mr Nikola POPOSKI, Minister of Foreign Affairs, on behalf of the Government of the Former Yugoslav Republic of Macedonia and Mr Robert LIDDELL, Acting Head of the Delegation of the European Union to the Former Yugoslav Republic of Macedonia, on behalf of the European Union.

The Joint Parliamentary Committee addressed the following issues:

- ❖ The relations between the European Union and the Former Yugoslav Republic of Macedonia;
- ❖ Marking the 10th Anniversary of the Ohrid Framework Agreement, in the context of the cultural diversity in the state;
- ❖ Reforms of the public administration, judiciary, the fight against corruption and organised crime, and the current visa liberalisation developments;
- ❖ Civil society and citizens' participation in decision-making process, the freedom of expression and media - Overview of the situation;
- ❖ Economic situation, crisis in the Eurozone and the effects on the Former Yugoslav Republic of Macedonia;
- ❖ Transport corridors in the state and the use of European funds for their implementation.

Taking into account:

- A. the European Commission Progress Report on the Former Yugoslav Republic of Macedonia and the Enlargement Strategy and Main Challenges 2011-2012 of 12 October 2011;
- B. the Accession Partnership adopted by the Council of the EU in February 2008;
- C. European Parliament resolution on the 2010 progress report on the Former Yugoslav Republic of Macedonia of 7 April 2011;
- D. the Sarajevo Statement by the Chair of the High-Level Meeting on the Western Balkans of 2 June 2010, marking the 10th Anniversary of the Zagreb Summit;
- E. the 10th Anniversary of the signing of the Ohrid Framework Agreement;

- F. conclusions of the "Speak Up!" conference on freedom of expression organised by the Commission on 6 May 2011 in Brussels, with media and civil society stakeholders from the Western Balkans and Turkey.

The Joint Parliamentary Committee, pursuant to Rule 3 of its Rules of Procedure, addresses the following recommendations to the institutions of the Former Yugoslav Republic of Macedonia and of the European Union:

On the relations between the EU and the Former Yugoslav Republic of Macedonia

1. Commends the Former Yugoslav Republic of Macedonia on the progress achieved since the last progress report; welcomes the Commission's third recommendation in a row to open accession negotiations;
2. Further to the unequivocal commitment taken at the Sarajevo 2010 Summit on the European perspective of all Western Balkan countries, a perspective deemed essential for the stability and development of the region, reiterates its call on the Council to confirm the Commission's recommendation without further delay and urges negotiations to begin in the short-term future, on the basis of fair conditionality in the framework of the Stabilisation and Association Process;
3. Takes note of the Assembly's resolution expressing concern for the absence of the term "Macedonian" in the EC Progress Report 2011 since 2009; regrets the negative reactions that this aspect provoked in the public opinion this year and expects that the European Commission and the European Parliament shall take this into consideration in the preparation of the next reports for the Former Yugoslav Republic of Macedonia;
4. Strongly encourages the governments of the Former Yugoslav Republic of Macedonia and Greece to intensify their efforts in the framework of UN mediation talks as well as in direct bilateral talks, in order to find a solution to the differences over the "name issue"; in this regard, calls on both states to take constructive actions positively affecting their neighbourly relations;
5. Notes that the "name issue" is a bilateral matter which is not related to the opening of accession negotiations between the EU and the Former Yugoslav Republic of Macedonia; reminds that accession negotiations are based on the fulfillment of the Copenhagen criteria and should not be used by any country to solve any bilateral issue;
6. Reiterates the invitation of the European Parliament to the High Representative of the EU for Foreign Affairs and Security Policy and the Commissioner responsible for Enlargement to facilitate an agreement on the name issue and offer political guidance, with full respect for the ongoing process of negotiations and the provisions of the UN Charter;

7. Welcomes the fact that the parliamentary elections held in June this year were mostly in line with international standards and according to the OSCE/ODIHR mission findings were competitive, transparent and well organized in the country; however, recommends to the government to address the shortcomings and implement fully the recommendations of the OSCE/ODIHR election observation mission;
8. Welcomes the improvement of ability to assume the obligations of membership by the Former Yugoslav Republic of Macedonia and the progress made in implementing the commitments under the Stabilisation and Association Agreement (SAA), Title V in particular; however, urges the government to address the major shortcomings in effective enforcement of legislation in place and to ensure adequate human and financial resources for full implementation of the acquis; in this regard, supports the European Commission's maintained proposal to the Council to agree to move to the second stage of the association as provided for by the SAA without further delay;
9. Notes that the Former Yugoslav Republic of Macedonia continues to sufficiently meet the political criteria and the fact that some progress has been made as regards the reform of the parliament, the judiciary, public administration and respect for and protection of non-majority ethnic communities; nevertheless recommends to address the remaining core challenges, in particular as regards freedom of expression in the media, independence of the judiciary, reform of public administration and fighting corruption and strengthened efforts for promotion of the political dialogue;

On the marking of the 10th Anniversary of the Ohrid Framework Agreement, in the context of the cultural diversity in the state

10. Notes that the Ohrid Framework Agreement (OFA), which has reached its tenth anniversary, continues to be an essential element for democracy and rule of law in the Former Yugoslav Republic of Macedonia; welcomes the progress made in the further implementation of the Law on languages in state institutions, the decentralisation and the high increase of the number of all non-majority ethnic communities, Roma and Turks in particular in the equitable representation process; calls for further implementation of this principle, as well as for the need for greater representation of the aforementioned ethnic communities;
11. Points out that the 10th anniversary of OFA provides a good opportunity for enhanced dialogue between the communities in the Former Yugoslav Republic of Macedonia and therefore recommends to the government to evaluate the achievements and propose actions for future implementation of OFA; in this regard, draws attention to the need for effective functioning of the Parliamentary Committee on Inter-Ethnic Relations in the legislative process, for strengthening of the functional and financial means of the Agency for promotion of the Rights of the Communities and for further implementation of the decentralization process;

12. Draws attention to the importance of further promotion and effective implementation of the Strategy on Integrated Education for fostering the multi-ethnic cohesion;
13. Welcomes the improvement of integration of the Roma in the education system, however calls on the government to increase efforts in improvements of their standard of living and anti-discrimination;
14. Regrets the abolishment of the census in the Former Yugoslav Republic of Macedonia started in October this year and calls on the government to present a credible and bias-free plan for implementation of the process in a short-term future;

On the reforms of the public administration, judiciary, the fight against corruption and organised crime, and the current visa liberalisation developments

15. Remarks that despite the fresh impetus to the EU reform process given by the new government and progress as regards the framework for public administration with the creation of a Ministry responsible for public administration reform and the steps taken for 'one-stop-shop' system, the progress on overall implementation of the reforms remained limited; therefore recommends to improve the recruitment policy of the civil service and to respect for the principles of transparency, professionalism and independence; recommends to provide equitable and proper representation and financial framework for local level services lastly proposes to remedy the shortcomings of the Law on general administrative procedures in order to ensure effective provision of administrative services and protection of citizens;
16. Takes note of the adoption of wide-ranging legal package aimed at further legal strengthening the efficiency and independence of the judiciary; welcomes in that regard the efficient work of the Academy of Judges and Public Prosecutors, as well as the commitments to achieve independent, modern and transparent judiciary; recommends to continue implementing reforms;
17. Highly appreciates the adopted amendments by the Assembly of the Former Yugoslav Republic of Macedonia in the Law on Courts and the Law on the Public Prosecutor's Council eliminating the voting right of the Justice Minister, thus fulfilling the recommendation of the European Commission for strengthening of the independence of the judiciary;
18. Notes that amendments were made to the legal framework for anti-corruption policy in line with GRECO recommendations; however notes that corruption is still present in some areas and continues to be a serious problem, therefore emphasises the need to focus on high-level corruption cases as well as to improve significantly transparency of public expenditure and of the funding of political parties; welcomes the progress made by the Former Yugoslav Republic of Macedonia, which was ranked as 62nd out of 178 countries in the Transparency

International Corruption Perceptions Index 2010, which is more than 40 places up on the list compared to 2005;

19. Calls on the government to address the systemic deficiencies with regard to accountability within the law enforcement agencies, as reported in the 2011 Progress Report;
20. Welcomes the government efforts to improve the living conditions in several prisons throughout the country and calls for preparation of an effective national strategy for the prison system;
21. Takes note of the maintained full cooperation with the International Criminal Tribunal for the Former Yugoslavia (ICTY); in this regard notes the adoption by the Parliament in July of an Authentic Interpretation of the Amnesty Law which stated that the amnesty should cover the suspects of all cases that will not be processed by the ICTY;
22. Emphasises the highest importance attached to the visa-free regime granted by the EU as of 19 December 2009 to the citizens of the Former Yugoslav Republic of Macedonia; notes with satisfaction that since the visa liberalisation for citizens travelling to the Schengen area was granted with effect from 19 December 2009, the rules for visa-free travel have been respected by the vast majority of travellers and calls on the government to continue its current efforts to prevent any abuse thereof; takes note of the Commission's post-visa liberalisation monitoring mechanism under the framework of the Stabilisation and Association Process, as well as its proposal to amend the visa regulation allowing for a temporary suspension of an existing visa-free regime with a third country in case of a sudden influx of persons;
23. Welcomes the conclusion of an operational agreement between Former Yugoslav Republic of Macedonia and Europol in order to significantly facilitate exchange of analytical data and improve the fight against organised crime and terrorism; takes note of the Act of Systematisation and of the changes it introduces to the Organised Crime Department of the Ministry of Interior to improve its functionality and integration into the national and international criminal investigation intelligence system; welcomes the new Criminal Procedure Code, which should improve the investigative procedures for complex organised crime and corruption cases;

On the civil society and citizens' participation in decision-making process, the freedom of expression and media - Overview of the situation

24. Notes that civil and political rights are in general respected and that some further progress was made in this field;
25. Welcomes the recently opened dialogue between the government and the media, by establishment of a working group that will identify the shortcomings in the field of freedom of the media and to prepare an

action plan to overcome the problems, and recommends its continuation and further deepening, in particular regarding serious concerns about lack of freedom of expression in the media;

26. Expresses concern at reports according to which journalists and editors are still subject to political pressure, and asks for an increased engagement in favour of a greater diversity of views represented in the media; urges the Government authorities to improve the implementation of laws on media ownership and to apply them equally regardless of their editorial policy; to avoid illegal monopolist media ownership and political influence in the media, as well as to create provisions on transparency in government advertising; also calls for the protection and strengthening of the role of the public broadcaster;
27. Calls upon the authorities of the Former Yugoslav Republic of Macedonia to adopt all necessary measures so as to facilitate the work of the press regardless of its opinion or political orientation; welcomes the initiative to establish a roundtable that will identify the main shortcomings in the media sector and prepare an action plan to overcome the current problems including the issue of defamation;
28. Notes with concern that the Former Yugoslav Republic of Macedonia was ranked 68th on the Reporters Without Borders Freedom Index 2010, falling down from the 34th place in 2009;

On the economic situation, crisis in the Eurozone and the effects on the Former Yugoslav Republic of Macedonia

29. Takes note of the new so-called "six-pack" of measures addressing financial and economic crisis in the European Union, including a Reform of the Stability and Growth Pact and Surveillance of economic policies, agreed to by the EU institutions in October 2011;
30. Takes note of the recovery of the economy of the Former Yugoslav Republic of Macedonia in the second half of 2010 and of the agreement with the IMF on a pre-cautionary credit line in late 2010; however, urges the government to address the high structural unemployment, as well as the inadequate institutional capacities of the public administration and of regulatory and supervisory agencies;
31. Welcomes the continued progress achieved in the field of fulfilment of the economic criteria for accession by the Former Yugoslav Republic of Macedonia; in particular the progress towards becoming a functioning market economy, notably by facilitating company registration, simplifying the regulatory framework and strengthening the contact with business communities;
32. Welcomes the Commission's evaluation that the country should be able to cope with competitive pressures and market forces within the Union in the medium term, provided that it vigorously implements its reform programme in order to reduce significant structural weaknesses;

33. Notes with satisfaction that the Former Yugoslav Republic of Macedonia stood out at the ranking of the "2011 World Bank's Doing Business Report" as 22nd out of 183 countries, being third most reformatory economy in the world; notes that at the Global Competitiveness Index 2011-2012 rankings the country retained its 79th place out of 142 countries;
34. Welcomes the October 2011 agreement between the Government, trade unions and the associations of employers on the creation of a minimum wage; calls on the Government to take commitment to additional measures for workers earning less than the determined minimum wage;

On the transport corridors in the state and the use of European funds for their implementation

35. Welcomes progress in the area of trans-European networks and the continued development of the transport, energy and telecommunications networks; welcomes the active participation of the country in the South East Europe Transport Observatory and the Energy Community;
36. Welcomes the efforts by the Government, despite the difficulties, to complete the remaining link Demir Kapija - Smokvica on a level of motorway of Corridor X, as well as the railway links on Corridor X; also calls on the Government also to continue with activities to finalize the Corridor VIII railway links; welcomes the government's intention to upgrade or construct the railway links from Skopje to Belgrade, Sofia, Thessaloniki and Tirana;
37. Takes note of the government efforts to rebuild the local road infrastructure in the country, aimed at improving alternative tourism and life of the citizens; in that regard, encourages the country to take a more dynamic approach in regional development projects under the Instrument for Pre-Accession Assistance (IPA) that will increase cross-border cooperation and the links among the countries in the region;
38. Calls on the authorities of the Former Yugoslav Republic of Macedonia to open the cross-border line for hiking and biking between Stara Konjarevo and Gabrene to improve the section of the "Iron Curtain Trail" between Strumica and Petric by co-financing of the European Union;
39. Welcomes the progress made as regards the transposition of the EU environment acquis into national legislation; points out nevertheless that the Former Yugoslav Republic of Macedonia has made little progress on aligning and implementing EU climate change acquis and expects that the Government will invest additional efforts to align national legislation with the EU climate change acquis.