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MOTION FOR A RESOLUTION

to wind up the debate on statements by the Council and Commission
pursuant to Rule 110(2) of the Rules of Procedure
on the European integration process of Kosovo

Ulrike Lunacek

on behalf of the Committee on Foreign Affairs

European Parliament resolution on the European integration process of Kosovo

The European Parliament,

- having regard to the Presidency Conclusions issued following the Thessaloniki European Council of 19 and 20 June 2003, at which a promise was made to all the Western Balkan states that they would join the European Union,
- having regard to the conclusions of the General Affairs Council meeting of 7 December 2009 stressing that Kosovo should also benefit from the perspective of eventual visa liberalisation once all conditions are met and inviting the Commission to move forward with a structured approach to bring the people of Kosovo closer to the EU,
- having regard to Council Joint Action 2008/124/CFSP of 4 February on the European Union Rule of Law Mission in Kosovo EULEX KOSOVO amended by Council Joint Action 2009/445/CFSP of 9 June 2009,
- having regard to Council Joint Action 2008/123/CFSP of 4 February 2008 appointing a European Union Special Representative in Kosovo and Council Decision 2010/118/CFSP of 25 February 2010 extending the mandate of the European Union Special Representative in Kosovo,
- having regard to the Commission communication of 14 October 2009 entitled "Enlargement Strategy and Main Challenges 2009-2010" (COM 2009/0533) and accompanying Commission's 2009 Progress Report on Kosovo and study entitled Kosovo¹ - Fulfilling its European Perspective (COM(2009)5343),
- having regard to the recommendations of the 2nd Inter-Parliamentary meeting EP-Kosovo of 7 April 2009,
- having regard to its resolution of 29 March 2007 on the future of Kosovo and the role of the EU² and its resolution of 5 February 2009 on Kosovo and the role of the EU³,
- having regard to United Nations Security Council resolution 1244(1999),
- having regard to the request of the General Assembly of the United Nations to the International Court of Justice to render an advisory opinion on the accordance with international law of the unilateral declaration of independence by the Provisional Institutions of Self-Government of Kosovo,
- having regard to the UN Special Envoy's final report on Kosovo's future status and the Comprehensive Status Proposal for the Kosovo Status Settlement of 26 March 2007,

¹ Under UNSCR 1244/1999

² OJ C 27E, 31.01.2008, p. 207

³ OJ C 67 E, 18.03.2010, p. 126

- having regard to Rule 110(2) of its Rules of Procedure,
 - A. whereas regional stability of the Western Balkans and the integration of these countries in the EU are priorities for the European Union; whereas these priorities can only be sustained if the EU membership is a tangible prospect for all the countries in the region,
 - B. whereas the citizens of Serbia, former Yugoslav Republic of Macedonia and Montenegro can travel to EU without visas since 19 December 2009 and for Albania and Bosnia and Herzegovina the same step is expected shortly; whereas Kosovo citizens cannot be left behind and isolated from the other countries' citizens of the region and therefore the visa liberalisation process with Kosovo should start without delay,
1. Notes the declaration of independence of Kosovo from 18 February 2008, which has been recognised by 66 countries; notes that 22 EU Member States have recognised Kosovo as independent country and 5 have not; in order to make EU policies more effective for all the people in Kosovo, encourages Member States to step up their common approach towards Kosovo; welcomes the constructive attitude towards Kosovo emphasised by the Spanish Presidency in spite of its lack of recognition of the country;
 2. Stresses the utmost importance of the EU integration of all the countries in the region for the regional stabilisation; underlines that European perspective is a powerful incentive for the necessary reforms in Kosovo and calls for practical steps to make this perspective more tangible to the citizens; to this end, calls on the Commission to communicate without delay to the Kosovo authorities which steps need to be taken before the Commission prepares the road map for the visa liberalisation and to define the road map immediately after these steps are taken;
 3. Welcomes the recognition of Kosovo's independence by most of its neighbouring countries and good neighbourly relations with them; notes the fact that Kosovo has been admitted as a member of the World Bank, International Monetary Fund and other international organisations;
 4. Is concerned by the state of relations with Serbia and underlines that good neighbourly relations are an essential criterion for the aspirations of Serbia as well as of all the other countries in the region to join the EU; while understanding the emotional implications of in the aftermath of the 1999 war and understanding that the official recognition of Kosovo is not a feasible political option at the moment for the Belgrade leadership, nevertheless calls on Serbia to be pragmatic on the status issue; to this end, welcomes the signing of the police protocol with EULEX and calls for strengthened cooperation with the mission; moreover, calls on Serbia to refrain from blocking the membership of Kosovo in international organisations and in particular its recent application to join World Health Organisation; underlines that the conflict also affects regional trade and the cooperation within the Central European Free Trade Agreement (CEFTA), harming the economies of the countries in the region; calls on all sides to show a pragmatic approach to allow for Kosovo's regional integration;
 5. Calls for strengthening of the cross-border cooperation between Serbia and Kosovo, particularly at the local level, on the issues which are important for the citizens, such as environment, infrastructure and trade;

6. Notes that some Member States apply unilaterally visa facilitation measures while eight Member States continue to charge full visa fees; calls on EU Member states and the Commission to make all efforts so as to adopt quickly a uniform provisional facilitated procedures in order to ease travel for Kosovan citizens, especially in light of the possibilities offered under the new visa code;
7. Welcomes the local elections conducted on 15 November 2009 as the first elections organised under the political responsibility of the government of Kosovo; welcomes the fact that in general they passed calmly and in good atmosphere; underlines however that a series of irregularities has been reported; calls on the authorities to swiftly implement the recommendations of the international community, including the necessary changes to electoral law in order to clarify the levels of jurisdiction dealing with complaints and to clearly divide competencies between the Central Elections Commission and Complaints and Appeals Commission, updating of the voters lists and to ensure consistent voter education; underlines the utmost importance of the political will to advance these reforms and to make accountable those responsible for the electoral frauds in view of the upcoming general elections;
8. Reiterates the importance of effective implementation of the decentralisation process and warmly welcomes the high participation of Kosovo Serbs south of Ibar river in the last elections a step towards building their sustainable future in the country; urges the government to fully support the newly elected leadership in these municipalities with sufficient financial and political assistance so that they can quickly establish the necessary structures in order to start delivering the important services, with the assistance of the Commission; sees the effective functioning of the municipalities as fundamental to demonstrate to the Kosovo Serbs the value of accepting the Kosovo state and of participating in the political processes and administrative structures of Kosovo; encourages the international community to support development and infrastructure projects coming from the newly established municipalities; in order to avoid a clash with the parallel structures, in particular the field of education and health, encourages the government with aid of EUSR/ICR to come up with a strategy on how to deal with such structures;
9. Welcomes the establishment of the EU House in northern Kosovo but is concerned with situation in the north of Kosovo, which continues to suffer from absence of rule of law and from organised crime; to this end, welcomes the registration of commercial goods at gates 1 and 31, which has contributed to decreasing smuggling activities in the region and calls for further steps aiming at reintroducing customs collection; calls on Serbia and Kosovo to finalise the agreement on staffing the court in Northern Mitrovica with Serbian judges and a prosecutor; notes the plan to reintegrate the north into the political and administrative structures of Kosovo and calls for them to be implemented with due attention to the Serbian minority's sensitivities and in a way allowing for wide-ranging self-government; calls on EULEX to make efforts in order to increase its activities in the North;
10. Underlines the importance of the success of the EU rule of law mission EULEX, both for the sustainable development, the consolidation of the institutions and the stability of Kosovo, and for the EU ambitions as a global player in peace-building; acknowledges

good progress made in some fields such as police and customs but stresses that the work should be accelerated so that the mission finally starts delivering tangible results in other fields, particularly in high-level corruption cases, organised crime and war crimes; in this regard, is concerned about the large backlog of cases caused by the unexpectedly high number of cases transferred to EULEX by the UN Interim Administration Mission in Kosovo; stresses that an insufficient number of judges and prosecutors have been made available to EULEX and calls on Member States to second the required number of experts or to allow for contracting them; stresses the need for transparency and accountability in the work of EULEX as well as for displaying sensitivity to the political context of its activities in order to strengthen its legitimacy in the eyes of the citizens; moreover, underlines the importance of keeping close communication with the government and the Kosovo citizens and media;

11. Stresses that the year 2010 is crucial in order to make progress on key reforms such as the fight against corruption, decentralisation and public administration reform; underlines that the reform process, in order to be successful, must be based on a thorough debate on draft legislation in consultation with all the stakeholders, including civil society; moreover, reminds the government that particular attention should be paid to the swift and efficient implementation of laws, without which the adoption of legislation framework will not have any real impact on the situation in the country;
12. Is concerned by the widespread corruption which remains one of the biggest problems in Kosovo together with organised crime and calls for urgent actions to combat it, by improving the legal framework for tackling corruption, adopting an anti-corruption strategy and action plan and step up cooperation with the police and judicial authorities of all the countries of the region; welcomes the establishment of a special anti-corruption department within the Special Prosecution of Kosovo but underlines that the engagement from all the line ministries is necessary in order for the department to be effective and that staffing in all cases must be with people who are irreproachable; calls for a swift adoption of a law regulating the financing of political parties, which would effectively and transparently regulate party finances, ensuring full disclosure of their financial reports;
13. Stresses the utmost importance of the reform of the judiciary and prosecution service, which is still at an early stage, in order to ensure the independence and professionalism of judges and prosecutors and to allow citizens to regain trust in the rule of law; to this end, welcomes the appointment of Ombudsman, of the judges of the Supreme Court, of the prosecutors of the State Prosecutor's Office, and the prosecutors of the Kosovo Special Prosecutor's Office; calls for the adoption and rapid implementation of the Law on Courts and for the establishment of an effective protection system of witnesses and judges; calls on the competent judicial authorities to make all efforts so as to avoid any politicisation of prosecution of Albin Kurti and underlines the importance of ensuring his fair trial;
14. Calls for more efforts to speed up the public administration reform in order to create a system of professional and independent civil servants respecting gender balance and fully reflecting the diverse ethnic composition of the Kosovo population; underlines the need for the legislative framework to be adopted and implemented to this end and for appropriate attention to be paid and finances provided to building the human capacities; calls for stopping the practice of political appointees, which seriously undermines the

functioning of the administration;

15. Urges to government to ensure media pluralism and financial and editorial independence of media, without political pressures, including efficient procedures for protecting investigative journalists from threats; underlines the importance of the public broadcaster for providing high quality independent information to the entire population and is concerned by the lack of a sustainable financing system to ensure it;
16. Calls for support to strengthen the assembly so that it can effectively fulfil its legislative functions and carry out the democratic oversight of the government's political and budgetary activities; calls, in this regard, for the setting up of an ad hoc twinning programme in order to provide the administrative staff of the Kosovo assembly with the opportunity of internships in the European Parliament and calls on Member States' parliaments to set up twinning programmes in order to provide MPs and administrative staff of the Kosovo parliament with the opportunity for exchange and capacity building on parliamentary legislative and control procedures, especially for parliamentary minority and opposition groups;
17. Commends the government on the progress in the adoption of the legislation protecting human rights, and minorities' rights in particular and encourages it to swiftly adopt the remaining laws; notes, however, that the implementation of the legislative framework remains unsatisfactory and the overall progress slow; calls for more active policies to fight discrimination on all grounds (ethnicity, religion, sexual orientation, disability and others) and to ensure active participation of the minorities in political life and in administrative structures, both at national and local level; stresses the importance of education in this process and calls on the government to provide schooling for minorities in their own languages, including the curricula and the textbooks, as well as to assist them with building human capacities;
18. Underlines the difficult situation and the discrimination faced by minorities and in particular Roma in access to education, housing, social services and employment; welcomes the Commission's initiative close the lead-contaminated camps in the north of Mitrovica and to resettle the families living in them and calls for its swift implementation; share the concerns expressed by the Council of Europe's Commissioner for Human Rights that Kosovo is not yet in position to provide proper conditions to reintegrate forcefully repatriated Roma and urges the Member States to stop carrying out this practice; takes note, in this regard, of the agreement reached between German and Kosovo authorities to repatriate gradually 14.000 refugees to Kosovo, of whom about 10.000 are Roma, and urges the Commission to step up ad hoc assistance programmes;
19. Stresses the crucial importance of education, both in providing youth with the necessary skills in the labour market and in contributing to the reconciliation between ethnic groups; to this end, encourages the government to gradually introduce teaching of minority languages, particularly Serbian, to pupils of Albanian ethnicity, and of the Albanian language to all the minorities; welcomes the establishment of the International Business College in Mitrovica as the first step in establishing a single college for all communities in Kosovo and calls for common classes for both groups learning in the south and in the north of the town as soon as possible;

20. Underlines the very difficult legacy of the armed conflict, which has eroded trust by public opinion in the possibility of a peaceful resolution of conflicts, both among social groups and in private life; is concerned by high levels of domestic violence, discrimination against women and the phenomenon of trafficking in persons, particularly girls and women for sexual exploitation; calls for active steps to ensure gender equality and to effectively protect women's and children's rights;
21. Calls on the authorities to actively support civil society and its involvement in the formulation of social and economic policies; underlines the important role that civil society and international NGOs play in the reconciliation between the ethnic groups and calls on the Commission to step up its financial assistance to their work;
22. Is seriously concerned by the fact that Kosovo continues to be one of the poorest countries in Europe, with unemployment level exceeding 40 %; stresses that this situation is unsustainable and that difficult living conditions have resulted in growing discontent in the society; calls for urgent actions to improve the efficiency of social systems to provide a safety net for the vulnerable parts of the society and to pursue active labour policies to decrease the unemployment; calls, in this regard, on the Commission to make full use of the Instrument for Pre-Accession Assistance to foster Kosovo's socio-economic development in particular for young people;
23. Considers economic development as the key to solving important problems of the country, including its vital contribution to improving the situation of women and of minorities and facilitate inter-ethnic relations; underlines the importance of the agricultural sector to this end; welcomes a number of laws in preparation in this field and calls for their swift adoption; underlines however that the efficient implementation of the already adopted legal framework is a precondition for the conditions on the ground to improve;
24. Calls for active steps to be taken in the field of energy in order to ensure the energy security necessary for the development of Kosovo; underlines that huge infrastructure needs in this field constitute an opportunity to differentiate the energy supply towards more ecological sources, to modernise and step up the energy efficiency of the electric grid and to implement the best available technologies including in the planned coal-fired plants; calls for the closing of Kosovo A power plant without delay and Kosovo B as soon as possible without compromising the energy needs of the country;
25. Expresses its concern at the widespread environmental problems affecting land, air and water and calls on the government to amend and implement the legislative framework in order to bring it into line with the EU standards and to make environmental education a key element of education;
26. Underlines the need to streamline the EU presence in Kosovo in line with the development of the European External Action Service, the creation of EU Delegations in the world and change the Commission Liaison Office into an EU Delegation so as to improve the effectiveness and coordination of EU action in Kosovo;
27. Instructs its President to forward this resolution to the High Representative of the Union for Foreign Affairs and Security Policy/Vice-President of the Commission, to the Council and the Commission, to the EU Special Representative/International Civilian

Representative for Kosovo, to the government and assembly of Kosovo, to the government of Serbia, to the Members of International Steering Group and to the United Nations Security Council;