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MOTION FOR A RESOLUTION

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

Jelko Kacin

on behalf of the Committee on Foreign Affairs

European Parliament resolution on the European integration process of Serbia

The European Parliament,

- having regard to Stabilisation and Association Agreement between the European Communities and their Member States and the Republic of Serbia, which is in the process of ratification by Member States and the European Parliament, and 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,
- 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/EC¹,
- having regard to the Commission's 2009 Progress Report on Serbia² and the Commission communication of 14 October 2009 entitled "Enlargement Strategy and Main Challenges 2009-2010"³,
- having regard to the joint statement from the EU-Serbia Inter-Parliamentary Assembly of 4-5 October 2010,
- having regard to the EU-Serbia readmission agreement of 8 November 2007⁴ and to Council Regulation (EC) No 1244/2009 of 30 November 2009, adopted on 1 December 2009, amending Regulation (EC) No 539/2001 of 15 March 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 requirement⁵,
- having regard to its recommendation to the Council of 25 October 2007 on relations between the European Union and Serbia⁶ and to its resolution of 26 November 2009 on the Commission's 2009 enlargement strategy paper concerning the Western Balkan countries, Iceland and Turkey⁷,
- having regard to the report of the Chief Prosecutor of the ICTY of submitted on 18 June 2010,
- having regard to Rule 110(2) of its Rules of Procedure,

A. whereas in the Presidency Conclusions issued following the Thessaloniki European

¹ OJ L 80, 19.3.2008, p. 46

² SEC(2009)1339 final

³ COM(2009)0533 final

⁴ OJ L 334, 19.12.2007, p. 46

⁵ OJ L 336, 18.12.2009, p. 1

⁶ T6-0482/2007

⁷ T7-0097/2009

Council of 19 and 20 June 2003 a promise was made to all the Western Balkan states that they would join the European Union and this promise was reiterated in the renewed consensus on enlargement approved by the European Council on 14 and 15 December 2006,

1. Commends Serbia on the progress achieved in the reform process; welcomes the decision to open the ratification procedure of the Stabilisation and Association Agreement with Serbia taken by the Council on 14 June 2010 and the fact that five Member States have already ratified the Agreement; calls on the remaining Member States to swiftly proceed with the ratification procedure;
2. Welcomes Serbia's application for membership of the European Union, submitted on 22 December 2009 and calls on the Council to invite the Commission as soon as possible to prepare its opinion on the subject;
3. Welcomes the Council decision on the liberalisation of visa regime, which allows the Serbian citizens to travel visa-free to the Schengen Area as of 19 December 2009; welcomes the decision of the Serbian government to allow the EU citizens to travel to Serbia with ID cards and calls for further initiatives to facilitate the travel of the people in the Western Balkan region;
4. Welcomes the joint EU-Serbia resolution on the advisory opinion of the International Court of Justice on the independence of Kosovo, adopted by acclamation by the UN General Assembly on 9 September; welcomes the Serbian government's willingness to engage in renewed dialogue with Kosovo within an EU framework and calls for the talks to start without delay; underlines that the dialogue, in order to be successful, will require commitment and readiness to compromise from both sides in view of their common European future; recalls that good neighbourly relations are one of the most important conditions for all the Western Balkan countries to progress towards EU membership;
5. Recalls that full cooperation with ICTY is a fundamental condition for Serbia to progress on the path to EU membership; underlines that only apprehension and extradition of the remaining two fugitives to The Hague can be deemed as full cooperation and calls for swift steps to be taken to this end so that the mandate of the Court be finally fulfilled, in particular a rethink of the current strategy to locate the fugitives, which has so far not been successful;
6. Welcomes the resolution on Srebrenica adopted by the Serbian parliament as a significant step in the process of raising awareness of the atrocities that happened in the recent past and of regional reconciliation; commends the decision of President Tadić to participate in the commemoration of the 15th anniversary of genocide in Srebrenica as a further step in this direction; welcomes the commitment and professionalism of the office of the special prosecutor for war crimes, including the swift reaction with regard to Lake Perucac investigation;
7. Notes the reform of the judiciary and calls for further energetic efforts in order to ensure the independence and impartiality of judges and to improve the efficiency of the work of the courts; welcomes the reappointment procedure of judges but underlines that it should be carried out in a transparent manner, guaranteeing the right of non-reappointed judges to

apply against such decision, and warns against the politicisation of this process; draws attention to the delays in adopting the relevant legislation and calls on the government to swiftly send the remaining draft laws to the parliament; moreover, calls for further financial and administrative resources to be dedicated to the courts, including the Constitutional Court, in order to improve their functioning and to eliminate the backlog of cases;

8. Recalls that the efforts to uphold the rule of law should constitute the utmost priority of the authorities; welcomes the progress in the fight against corruption, manifested among others by the recent high profile prosecution cases and by setting up the appropriate legal framework but underlines that corruption is still prevalent in the country and calls for more efforts to eradicate it; draws attention to the practice of holding double offices, which constitutes a serious risk of conflict of interests and which should be addressed as a matter of priority; to this end, is concerned by the recent changes to the Law on the Anti-Corruption Agency going in the opposite direction and notes the Agency's referral to the Constitutional Court of the constitutionality of this provision; calls on the authorities to give all necessary political and administrative support to the activities of the Anti-Corruption Agency and underlines the need to swiftly investigate the cases of corruption reported by the Agency; calls for the adoption of the amendments to the Law on the Financing of Political Parties in order to ensure full transparency and efficient monitoring system of party financing; stresses the importance of the restitution of property as an important step in administering justice;
9. Welcomes the progress in the reform of the public administration; stresses that more efforts should be put into the creation of independent civil service and draws attention, in this context, to detrimental practice of hiring staff outside of the Law on Civil Servants, often on the basis of political connections; draws attention to the continuous need for capacity building of the administration, both on national and local level, and calls on the Commission to continue to assist the authorities to this end, in coordination with other donors;
10. Welcomes the progress in the police reform and increasing cooperation in the police field with the neighbouring countries; however, draws attention to the cases of improper police conduct, including excess of authority and violence of police officers towards citizens, and calls for further energetic efforts to be made in order to punish the offenders; welcomes the efforts to increase the participation of women in the police force;
11. Welcomes the improved coordination between the police and prosecutors, which is bringing results in combating organised crime; calls for further efforts to this end;
12. Recalls the importance of well functioning parliament as a vital institution in the democratic system and emphasizes the significance of the work carried out by the parliamentary committees which should be adequately used; draws attention to the practice of 'blank mandates', allowing the political parties to control the activities of the members of parliament contrary to the democratic principle of their independence, and calls on the political parties to end it; welcomes the adoption of the new parliament's Rules of Procedure, calls for strengthening of the oversight of the government's activities and commends the formal introduction of the public hearings to this end in the Rules of

Procedure; equally welcomes the provisions allowing for the oversight of the independent bodies but calls for clear criteria for rejection of their reports;

13. Recalls the utmost importance of strong and independent media for democracy and calls for steps to be taken to ensure their independence from political and other influence; is concerned by the controversies surrounding the privatization of the "Večernje novosti" daily and calls on the government to secure equal treatment of all foreign and domestic investors; condemns the attacks on and threats directed against Serbian journalists and calls on the authorities to fully investigate them and bring perpetrators to justice; draws attention to the concentration of ownership and lack of transparency in the media sector;
14. Underlines the importance of the decentralisation process in improving the functioning of the state by bringing it closer to the citizens and at the same time by allowing for local self-government of the minorities; to this end, welcomes the adoption of the Statute of Vojvodina and calls for the process of devolution of power to be continued by adopting financial laws that will allow Vojvodina to start using its authorities under the new Statute; moreover, calls for further political efforts to address the aspirations of the Albanian minority in Preševo valley for the local administration by swift provision of appropriate funds to be distributed in consultation with the Coordination Body for the Municipalities of Preševo, Bujanovac and Medvedja; equally, underlines the importance of efficient functioning of all the working groups of the Coordination Body;
15. Welcomes the constitution of majority of national councils by the minorities as the organs allowing them to take decisions in the field of education, culture, use of minority language and public information; notes the complaints about the irregularities in the preparation process and the legal requirements for the establishment of the councils and calls on the authorities to respond to them; raises concerns regarding constitution of the Bosniak national council and calls for a swift conclusion of the process in compliance with the rules and allowing for a legitimate representation of the Bosniaks in the council; is concerned about increasing tensions in Sandzak, as manifested among others by recent violent incidents, and strongly calls for resolving political disputes through dialogue within the framework of democratic institutions;
16. Calls for further steps to be taken to fully implement anti-discrimination law and welcomes the progress in this field, in particular the establishment of the Commissioner for the Protection of Equality, as an important step in ensuring the equal treatment of all citizens of Serbia; welcomes the fact that the first Gay Pride parade in Belgrade took place on 10 October and sees the event as a step of seminal importance towards establishment of an open and tolerant society; welcomes the fact that adequate security was ensured for the parade's participants;
17. However, deplores the violent clashes accompanying the Parade, which resulted in a high number of injured, mostly among the police; recalls that freedom of speech and of assembly are the core European values and calls on the authorities to ensure the rule of law, by prosecuting the perpetrators of violence that marred the parade and by effectively banning the extremist organizations to which they belong; notes that these organisations were responsible for instances of serious violence in the past, in particular on 17 February 2008;

18. Draws attention to the continuous discrimination and recent cases of violence against Roma population; calls on the authorities to take urgent steps to improve their living conditions, access to education and healthcare; equally, underlines very high number of refugees in Serbia and the fact that up to 150 000 returnees are foreseen as a result of readmission agreements with EU countries and their successful reintegration will require thorough preparations, particularly on the level of local authorities;
19. Underlines the important role played by the civil society in definition of the policy priorities; calls on the authorities to make the policy-making process more inclusive by increasing the level of consultation with the civil society actors;
20. Stresses the utmost importance of the education system for the country's youth and future economic prospects; underlines that modern and high-standard education which produces generations of high-skilled workers is one of the central preconditions for social and economic development; regrets high unemployment among the youth and low percentage of university graduates; calls on the authorities to fully implement provisions of the Bologna process and to bring the Serbian education system in line with European standards;
21. Draws attention to difficult situation in the penitentiary system and calls for steps to be taken to remedy over-crowdedness of prisons, to improve deplorable retention conditions and provide appropriate rehabilitation programmes and training for the inmates;
22. Underlines the detrimental consequences of the financial crisis on the country; notes the recent review of the stand-by agreement with IMF accompanied by the positive evaluation of the country's macroeconomic policies; calls on the authorities to do their utmost to protect the vulnerable groups in the society from the effects of the crisis;
23. Calls for further efforts to improve the road infrastructure, including swift completion of Corridor X, but equally importantly the rail and water inland waterways transport; underlines the importance of integrated transportation system both for economic development of the Serbian regions and for increase in the level of regional trade;
24. Welcomes the agreement between Serbia and Croatia allowing for the extradition of the citizens of these countries suspected of war crimes and organised crime and the foreseen talks on the border demarcation between the two countries; encourages the Serbian government to conclude similar agreements with other neighbours and welcomes the steps taken to this end by Serbia and Montenegro;
25. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Serbia.