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Plenary sitting

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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 2011 progress report on the former Yugoslav Republic of Macedonia

Richard Howitt

on behalf of the Committee on Foreign Affairs

European Parliament resolution on the 2011 progress report on the former Yugoslav Republic of Macedonia

The European Parliament,

- having regard to the European Council decision of 16 December 2005 to grant the status of candidate country for EU membership to the country and to the Presidency Conclusions issued following the European Councils of 15 and 16 June 2006 and 14 and 15 December 2006,
 - having regard to UNSC Resolutions 845 (1993) and 817 (1993), and to the 1995 Interim Accord,
 - having regard to the judgment of the International Court of Justice on the Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece),
 - having regard to the Commission's 2011 Progress Report (SEC/2011/1203) and the Commission Communication of 12 October 2011 entitled 'Enlargement Strategy and Main Challenges 2010-2011' (COM(2011)0666),
 - having regard to its previous resolutions,
 - having regard to the recommendations of the Joint Parliamentary Committee of 4 November 2011,
 - having regard to Council Decision 2008/212/EC of 18 February 2008 on the principles, priorities and conditions contained in the Accession Partnership with the country,
 - having regard to the conclusions of the General Affairs and Foreign Affairs Councils of 13 and 14 December 2010,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas at the Thessaloniki European 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 at the High-Level Meeting on the Western Balkans in Sarajevo on 2 June 2010,
- B. whereas the Commission in its 2011 Progress Report upheld its recommendation from 2009 to grant the country the start date for EU accession negotiations,
- C. whereas bilateral issues should not represent and be used as an obstacle in the accession process, although they should be settled before membership; whereas continuation of the accession process would contribute to the stability of the country and would further strengthen inter-ethnic relations,

- D. whereas this was the first country of the region to be awarded candidate status, is the country with the highest public support for EU accession in its domestic public opinion, and has now enjoyed a positive recommendation from the European Commission to set a date for the start of EU accession negotiations for three successive years,
1. Reiterates its call on the Council to set a date for the start of accession negotiations with the country without further delay;
 2. Calls for further steps to be taken in the European integration process of the country, and in particular for immediate start of pre-screening of harmonisation of legislation with the *acquis* and for implementation of the second phase of the Stabilisation and Association Agreement;
 3. Whilst not wishing to hold back welcome progress towards EU accession made by other countries in the Western Balkans, is concerned that the perception of the country's progress being “overtaken” could be counter-productive to continued improvement in inter-ethnic relations in the country and that a failure of steady progress towards EU accession for any country in the region ultimately risks a threat to stability and security for them all;
 4. Notes the comment of the European Commissioner for accession on 5 September 2011, that “the positive recommendation of the European Commission is not inscribed in stone”; but equally notes that the European Union and its member states must never take for granted the European perspective of the country and must show equal efforts towards accelerating the accession process in a true spirit of partnership;
 5. Urges the Vice President/High Representative to swiftly appoint an EU Ambassador to the country in order to show its importance to the EU;
 6. Recognises that membership of NATO as well as of the European Union are mutually essential to the Euro-Atlantic perspective adopted by the country, and notes that the NATO Summit in Chicago in May 2012 provides another important opportunity for further progress to be made;

THE NAME DISPUTE

7. Notes the decision of the International Court of Justice with respect to the name dispute issued on 5 December 2011 and calls on the parties to use the judgement to intensify dialogue to seek a solution acceptable to all; strongly regrets that the name dispute continues to block the country's road to EU accession and thus to the enlargement process itself; underlines that good neighbourly relations are a key criterion for the EU enlargement process and underlines the importance of avoiding gestures, controversial actions and statements which could have negative effects on them; moreover, is of the opinion that the European Union should be strongly engaged in the process of explaining to the society the benefits of the solution when agreed ahead of the referendum on the issue;
8. Takes note of the National Assembly's resolution expressing concern for the absence of the term “Macedonian” in the European Commission Progress report 2011 and since 2009;

despite the fact that this is the norm in references to the country's language, culture and identity in United Nations' texts; regrets the negative reactions that this aspect provoked in public opinion this year and invites the European Commission to take this into consideration in the preparation of future reports;

9. Emphasises the importance of maintaining the "momentum" of the accession process; in this context welcomes the offer of the Government of the country to offer to set a deadline for successful resolution of the name dispute at the latest before the end of the screening process to be undertaken by the European Commission as soon as the negotiations begin; believes progress in EU reforms across the full range of relevant issues can help create a political environment conducive to the solution of barriers which appear intractable today;
10. Reiterates its call upon the Commission and the Council to start developing a generally applicable arbitration mechanism aimed at solving bilateral issues between enlargement countries and Member States;

PARLIAMENTARY COOPERATION

11. Welcomes the election of the new parliament and the creation of the new government, resulting from parliamentary elections, notes that the National Assembly's resolution welcomed the recommendations of this year's Progress Report and was adopted by consensus; calls on all political actors in the country to redouble their efforts to proceed with necessary reforms;
12. Congratulates the country on the conduct of the parliamentary elections on 5 June 2011 and welcomes the OSCE/ODHIR's assessment that they were competitive, transparent, and well-administered throughout the country; however, draws attention to some shortcomings and calls on the authorities to follow up on the recommendations of the international community and of the domestic observers from the association Most, such as updating the voter list, guaranteeing balanced coverage by press of both the government and the opposition parties including by the public broadcaster, protecting civil servants against political pressures, ensuring the effective monitoring of party financing, as well as fully respecting separation between state and party structures;
13. Welcomes the ending of parliamentary boycotts and believes the further strengthening of democracy in the country can only be achieved by an enhanced spirit of political dialogue incorporating all political parties; calls for the necessary finance to be made available to enable the full establishment of the Parliamentary Institute; encourages the progress made through the establishment of parliamentary oversight hearings and supports further efforts from the European Union to provide technical assistance to the National Assembly to develop its practices; encourages the continuing work of the Joint Parliamentary Committee with the European Parliament;

ECONOMIC DEVELOPMENT

14. Congratulates the Government on being the third most successful country in the world over the past five years for undertaking regulatory reforms according to the World Bank "Doing Business" Report; congratulates the country too on out-performing its neighbours in achieving economic growth whilst maintaining macro-economic stability; regrets that

the economic downturn has affected Foreign Direct Investment in to the country; believes that the potential for investment, trade and economic development remain the foremost argument to pursue the country's accession to the EU;

15. Recognises the challenges of unemployment and poverty represented by the country's lower standing compared with its neighbours in the UN Human Development Index; welcomes the adoption of the action plan against poverty and social exclusion; while calling on the government to make more efforts to protect vulnerable groups, underlines that only economic growth and provision of incentives for businesses to invest more will solve the serious problem of persistently high levels of unemployment;
16. Welcomes the improvement by 40 places for the country in the Transparency International anti-corruption index over the last five years; however shares the view of the European Commission that corruption remains "a serious concern"; urges continued efforts to establish a track-record for achieving convictions on a non-partisan basis in cases of corruption including at a high level; calls on European Union investors and businesses trading with the country to play a greater peer leadership role in speaking out against corruption with their local partners;
17. Notes the finding of the Progress Report that the independence and impartiality of the State Commission for the Prevention of Corruption remains fragile; welcomes the appointment from next year of an investigative team working directly to the Public Prosecutor and hopes this will enable more cases referred by the Commission to lead to actual convictions;

OHRID FRAMEWORK AGREEMENT (OFA)

18. Congratulates the country on the 20th anniversary of its independence and on the 10th anniversary of Ohrid Framework agreement in 2011; stresses that the agreement is a model for the whole region of a successful resolution of inter-ethnic conflicts while preserving the territorial integrity and the structures of the state;
19. Welcomes the speech of the Prime Minister on 5 September 2011 welcoming multiculturalism as the social and political model of the country, underlining the necessity of implementation of the OFA and setting the objective of "integration without assimilation"; supports the commitments made towards a second decade of implementation of the Ohrid Framework Agreement;
20. Acknowledges the recent adoption of several laws, in particular the amendments to the Law on Languages and the use of symbols; calls for active support in all localities for Committees for relations amongst communities;
21. Recognises the importance of the organisation of a census in full conformity with EUROSTAT standards; notes the importance of the 20% threshold for triggering certain rights under the OFA, but insists that discrimination can never be justified towards the Albanian or any other minority ethnic community on the basis of their numbers in the population;
22. Calls for significantly enhanced efforts to combat separation between children of different

ethnic groups in the education system; to this end, underlines the importance of developing new textbooks and of immediate end to the harmful practice of ethnic shifts still present in some schools; in view of the utmost importance of the education for the country, calls for more support to be provided to it from the Instrument for Pre-Accession Assistance;

DECENTRALISATION

23. Supports decisive steps towards political decentralisation in the country, described by the Government as the “main pillar” of the OFA, as well as in the interests of good public administration; welcomes the approval of action plans to achieve this;
24. Endorses the European Commission recommendation for stronger impetus to be given to the decentralisation process; calls for a significant rebalancing between central and local budgets to achieve this decentralisation; and for the distribution of grant to municipalities to be undertaken according to formulae which are objective, transparent and impartial;
25. Commends the successful cooperation programme between municipalities, assisted by the UNDP, and calls for the European Union itself to enhance its support for this practice;

FUNDAMENTAL RIGHTS

26. Is deeply concerned about recent developments in the media, and urges the country to demonstrate an absolute commitment to media pluralism including to an informed and diverse debate about the reform issues identified in the Progress Report itself; welcomes the invitation to the OSCE Representative on Freedom of the Media to take part in the newly established Round Table on freedom of the media and endorses her statement that, while all the media outlets have to comply with the legal and financial rules for doing business, media critical to one party must not be particularly targeted by the legal system;
27. Calls for the equitable distribution of government advertising revenues between all national broadcasters without any consideration of editorial content; endorses the European Commission's recommendation for action to ensure the state television channel fulfils the objective and impartial role of a public service broadcaster;
28. Calls for efforts to avoid abuse of libel actions against journalists for political reasons; calls for defamation to be decriminalised as with some other countries in the region and for maximum penalties to be established for such cases; stresses that media freedom is the cornerstone of democracy and an imperative for any country aspiring to become an EU Member State;
29. Welcomes the fact that freedom of thought, conscience and religion is generally ensured;
30. Welcomes the establishment of an Anti-Discrimination Commission this year and calls for full support and co-operation in its work from the European Union's Fundamental Rights Agency and in the Equinet Network of European Independent Anti – Discrimination agencies; welcomes that three complaints of alleged discrimination on ground of sexual orientation brought forward by the Coalition for Sexual and Health Rights are being investigated by the Commission; reiterates its call for the law on Prevention and

Protection Against Discrimination to be amended to prohibit discrimination on all grounds covered by Article 13 of the Treaty of European Union;

31. Calls for strengthening of anti-discrimination policies, including more efforts to protect the rights of women and children as well as those of disabled people; welcomes the active and effective role of the Parliamentary Women's Club but is concerned by still low participation of women in political life at the local level; calls for further efforts towards deinstitutionalisation for disabled people and for the country to ratify the UN Convention on the Rights of Persons with Disabilities;
32. Welcomes the country's current chairmanship of the Decade of Roma Inclusion and hopes this will further inspire progress in integrating Roma in political, social and economic life; however, reiterates concerns about very difficult living conditions experienced by this community and their continuous discrimination in access to education, the labour market, healthcare and social services;
33. Calls on all interests to promote the development of an independent, pluralist and non-partisan civil society within the country; underlines however, that, in order to play that role, civil society organisations need to be considerably strengthened and become independent from external influences, in particular from political parties, which is mostly not yet the case in the country; calls for domestic finance to be made available to non-governmental organisations to end over-reliance on foreign donors;
34. Nevertheless believes the Civil Society Facility with the European Union provides the potential to dramatically enhance exchanges between NGOs, businesses and trade unions in the country with partners in EU Member States for mutual benefit and with the direct aim of enhancing the EU accession process; to this end, invites the Commission to expand financial support from the Instrument for the Pre-Accession to enhance the development of non-governmental organisations in particular;

JUSTICE AND HOME AFFAIRS

35. Notes the progress in the reform of the judiciary; congratulates the work of the Academy for the Training of Judges and Prosecutors now enjoying its 5th anniversary; recognises that there is consensus on the need for more objective criteria for dismissal of judges; whilst welcoming new focus on the performance of judges, underlines that this cannot be achieved without equal commitment to the quality of judgements and to the principle of judicial independence;
36. Is concerned about the reports of ill-treatment by the police and calls for their thorough investigation, in particular of the tragic incident on the election night and of claims that a full investigation was not undertaken at the crime scene; underlines the importance of ensuring independence of mechanisms of control of police, in particular the Sector for Internal Control and Professional standards in the Ministry of Interior;
37. Encourages continuing progress in improving prison conditions but calls for specific attention to juvenile detention facilities and to the Progress Report finding that the unit to combat ill-treatment is unable to fulfil its mission;

38. Commends cooperation with the European Union on the fight against organised crime and terrorism; but insists surveillance must be carried out proportionate to the genuine threat to public security, with adequate judicial control, and with strengthened parliamentary oversight of the intelligence and counter-intelligence services;
39. Notes actions taken to better manage migration flows, in particular addressing concerns about false asylum seekers; but expresses concern about the use of profiling and calls for the rigid application of the principle of non-discrimination in these actions; calls for enhanced efforts to implement rights of citizenship for eligible refugees and for asylum applications to be processed in timely fashion and with full respect to international human rights law;
40. Welcomes the fact that the country's citizens have benefitted from the visa liberalisation since December 2009; and commits to defend the visa-free regime as a cornerstone of relations between the country and the European Union;

PUBLIC ADMINISTRATION

41. Welcomes the adoption of the new Public Administration reform strategy up to 2015; emphasizes the further steps which need to take place towards a professional and impartial civil service; insists that appointments on merit and not according to political affiliation can and must be achieved in parallel with efforts for equitable representation;

OTHER REFORM ISSUES

42. Welcomes the campaign on energy efficiency and actions to promote renewable energy; underlines the importance of effective implementation of legislation in the field of the environment, in order to protect natural resources, in particular water; notes that the country has not yet undertaken pledges in relation to Greenhouse Gas Reduction and that there is a necessity to raise the national debate concerning the negative consequences of climate change; calls for more efforts to align national legislation with the EU acquis in this area;
43. Welcomes the progress made in modernizing transport, energy and telecommunications networks and in particular the efforts to complete Corridor X; in view of the importance of the railway links as an alternative to the road transport, welcomes the government's intention to upgrade or construct the railway links from Skopje to the capitals of the neighbouring countries and calls for finalization of the railway connections within Corridor VIII;
44. Encourages continuing efforts to implement the Bologna process in higher education and cooperation with other countries in the region to promote the quality of universities; recalls the importance of the principle of academic freedom;
45. Congratulates the country on a strong performance of its team in the European Basketball Championship 2011;
46. Welcomes the high level of alignment between the country and EU Common Positions in the field of foreign policy; welcomes good relations of the country with its neighbours;

welcomes that the demarcation of the border with Kosovo in 2009 has enabled closer relations and as of September 2011 an agreement on joint border controls; anticipates that this agreement will be fully operational in the near future; congratulates the authorities on recent successful organization of the Meeting of Ministers of EU Integration from the Western Balkans in Skopje;

47. 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 itself.