



**2018/2149(INI)**

11.6.2018

# **DRAFT REPORT**

on the 2018 Commission Report on Kosovo  
(2018/2149(INI))

Committee on Foreign Affairs

Rapporteur: Igor Šoltes

## CONTENTS

### Page

MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION.....	3
--------------------------------------------------	---

## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the 2018 Commission Report on Kosovo (2018/2149(INI))

*The European Parliament,*

- having regard to the Presidency conclusions of the Thessaloniki European Council meeting of 19 and 20 June 2003 concerning the prospect of the Western Balkan countries joining the European Union,
- having regard to the Sofia Declaration of the EU-Western Balkans summit of 17 May 2018 and the Sofia Priority Agenda annexed thereto,
- having regard to the Stabilisation and Association Agreement between the EU and Kosovo, in force since 1 April 2016,
- having regard to the European Reform Agenda (ERA) for Kosovo, launched in Pristina on 11 November 2016,
- having regard to the framework agreement with Kosovo on participation in Union programmes, in force since 1 August 2017,
- having regard to the Commission communication of 6 February 2018 entitled ‘A credible enlargement perspective for and enhanced EU engagement with the Western Balkans’ (COM(2018)0065),
- having regard to the Commission communication of 17 April 2018 on EU Enlargement Policy (COM(2018)0450) and the accompanying staff working document, the Kosovo 2018 Report (SWD(2018)0156),
- having regard to the first agreement on principles governing the normalisation of relations between the governments of Serbia and Kosovo of 19 April 2013, and to other Brussels agreements under the EU-facilitated dialogue for the normalisation of relations, including the Integrated Border Management (IBM) protocol, the legal framework on the Association/Community of Serb majority municipalities, and the agreements on the Mitrovica bridge and on energy,
- having regard to the integration of Kosovo Serb judges, prosecutors and administrative staff into the Kosovo judiciary in line with the Justice Agreement reached in February 2015,
- having regard to Council Decision (CFSP) 2018 of 8 June 2018 amending Joint Action 2008/124/CFSP on the European Union Rule of Law Mission in Kosovo (EULEX Kosovo)<sup>1</sup>, which also extended the mission’s duration until 14 June 2020,
- having regard to the Common Security and Defence Policy (CSDP) Mission and Operations Annual Report 2017 and EULEX Compact Progress Report 2017,

---

<sup>1</sup> OJ L 146, 11.6.2018, p. 5.

- having regard to the reports of the Secretary-General of the UN on the ongoing activities of the UN Interim Administration Mission in Kosovo (UNMIK), including the most recent report of 1 May 2018, and the report on the operations of the Kosovo Forces (KFOR) of 7 February 2018,
- having regard to the Commission assessment of 17 April 2018 on the Kosovo 2018-2020 Economic Reform Programme (SWD(2018)0133) and the Council joint conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey of 25 May 2018,
- having regard to the reports of the EU election observation missions (EUEOMs),
- having regard to the fourth meeting of the EU-Kosovo Stabilisation and Association Parliamentary Committee (SAPC), held in Strasbourg on 17-18 January 2018,
- having regard to the Commission proposal for a regulation of the European Parliament and of the Council of 4 May 2016 amending Regulation (EC) No 539/2001 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 requirement (Kosovo) (COM(2016)0277), and to the fourth Commission report of 4 May 2016 on progress by Kosovo in fulfilling the requirements of the visa liberalisation roadmap (COM(2016)0276),
- having regard to the ratification of the Border Demarcation Agreement between Kosovo and Montenegro by the parliaments of Montenegro and Kosovo,
- having regard to UN Security Council Resolution 1244 (1999), to the International Court of Justice (ICJ) Advisory Opinion of 22 July 2010 on the accordance with international law of the unilateral declaration of independence in respect of Kosovo, and to UN General Assembly Resolution 64/298 of 9 September 2010, which acknowledged the content of the ICJ opinion and welcomed the EU's readiness to facilitate dialogue between Serbia and Kosovo,
- having regard to its previous resolutions on Kosovo,
- having regard to Rule 52 of its Rules of Procedure,
- having regard to the report of the Committee on Foreign Affairs (A8-0000/2018),
- A. whereas continued substantial efforts, backed by a constructive dialogue between political forces and with the neighbouring countries, are needed in order to prepare for the challenges of EU membership;
- B. whereas each enlargement country is judged individually on its own merits, and it is the speed and quality of reforms that determines the timetable for accession;
- C. whereas the EU has repeatedly demonstrated its willingness to assist with the economic and political development of Kosovo through a clear European perspective, while Kosovo has shown aspiration on its path towards European integration;
- D. whereas owing to persistent polarisation among its political parties, Kosovo has

demonstrated limited progress on EU-related reforms, which are essential for making further progress in the EU accession process;

- E. whereas the Kosovo Specialist Chambers and Specialist Prosecutor Office in the Hague have been fully judicially operational since 5 July 2017;
- F. whereas Kosovo remains the only country in the Western Balkans whose citizens need a visa to travel to the Schengen Area;
- 1. Welcomes the important pieces of legislation adopted within the framework of the European Reform Agenda (ERA) and calls for their full implementation; looks forward to the adoption of a new ERA in 2019;
- 2. Points out, however, the slow pace in implementing fundamental reforms, caused by a lack of cross-party consensus; notes that this has adversely affected the ability of the assembly and the government to deliver sustained reforms;
- 3. Welcomes the long overdue ratification of the August 2015 Border Demarcation Agreement with Montenegro in March 2018; underlines the significance of this step towards visa liberalisation;
- 4. Urges the Kosovar authorities to comprehensively deal with previously identified electoral shortcomings by enacting timely legislative and administrative measures to address the outstanding recommendations of EU and European Parliament observation missions well in advance of the next round of elections;
- 5. Expresses its concerns about widespread corruption, elements of state capture, undue political influence and issues of a lack of respect for fair trials and due process, including in the cases of extradition;
- 6. Stresses that a representative judiciary and a uniform implementation of Kosovar law are prerequisites for addressing an inconsistent, slow and inefficient delivery of justice; welcomes the integration of Kosovo Serb judges, prosecutors and administrative staff into the Kosovo judiciary in line with the 2015 Justice Agreement between Serbia and Kosovo;
- 7. Welcomes the initial progress made in strengthening the track record on the investigation and prosecution of high-level corruption and cases of organised crime; calls for sustained efforts under the obligations of the EU accession process;
- 8. Calls for the establishment of an improved legal framework so as to enable a comprehensive approach to investigations and prosecutions, which should be consolidated by the freezing, confiscation and recovery of assets, and final convictions in cases of high-level corruption, organised and financial crime, money laundering and terrorist financing; calls for safeguards ensuring independence in law enforcement and prosecution and preventive counter-corruption measures across various sectors;
- 9. Calls for genuine judicial and police cooperation between the Kosovar and Serbian authorities; believes that Kosovar membership of Interpol and Europol would further improve the effectiveness of measures targeting transnational crime;

10. Considers it essential to implement, in a timely and comprehensive manner, the recommendations of the Kosovar Ombudsman, Auditor General, Anti-Corruption Agency and the Public Procurement Regulatory Commission; stresses the need to remedy deficiencies in the public procurement system and to improve interinstitutional cooperation and the exchange of information; recommends the stepping up of monitoring, evaluation and audit capabilities and the adoption and implementation of an anti-fraud strategy to protect Kosovo and the EU's financial interests;
11. Considers it vital to grant visa liberalisation to Kosovo without undue delay; takes the view that visa liberalisation will improve stability and bring Kosovo closer to the EU by improving the ease of travelling and doing business, while helping to counter people smuggling and corruption;
12. Notes that visa liberalisation must be coupled with sustained accomplishments in fighting organised crime and corruption, along with clear efforts to tackle irregular migration flows and to bring down the number of unfounded asylum claims;
13. Takes positive note of the steep reduction in the number of asylum requests and readmissions of Kosovar citizens, and of applications for readmission agreements;
14. Commends Kosovo's efforts in stemming the outflow of foreign fighters and tackling terrorist threats; calls for active regional cooperation in countering potential terrorist activities and disrupting financial flows destined for terrorist financing; urges Kosovo to address online radicalisation and external extremist influences; underlines the importance of terrorism prevention, and of the rehabilitation, education and social reintegration of returned fighters and their families; stresses the need to prevent the radicalisation of prisoners;
15. Unequivocally condemns the killing of Kosovo Serb politician Oliver Ivanović; considers his murder to be a major blow to the constructive and moderate voices in the Kosovo Serbian community; stresses, as a matter of urgency, the need for genuine cooperation between Kosovar and Serbian investigators and for international support, so that both the perpetrators of the killing and those who ordered it are swiftly brought to justice;
16. Regrets reluctance to handle war crimes cases; urges the Kosovar authorities to demonstrate their firm and sustained commitment to the Kosovo Specialist Chambers and Specialist Prosecutor Office in the Hague; expresses its deep concern about attempts by members of the Kosovo Assembly to abrogate the Law on the Specialist Chambers and Specialist Prosecutor's Office in December 2017; deeply regrets the fact that these attempts resulted in a failure to adopt joint recommendations following the postponement of the fourth meeting of the EU-Kosovo Stabilisation and Association Parliamentary Committee (SAPC) to 17-18 January 2018;
17. Notes the important role played by the EU Rule of Law Mission in Kosovo (EULEX) in strengthening independent justice, police and customs systems; acknowledges, moreover, the preventive and reconciliatory role of EULEX in prosecuting and adjudicating in cases of war crimes, corruption and organised crime, and its continuing efforts to identify missing persons;

18. Reiterates its call on EULEX to uphold the highest standards of transparency and a zero-tolerance approach to corruption, maladministration, misconduct and political pressure and interference;
19. Underlines the need to promptly inform the Kosovo Assembly of EULEX's activities and of any changes to its legal status;
20. Calls for the enforcement of the human rights framework to be prioritised, and backed by sufficient coordination and funding, especially in the field of gender equality, child and labour protection, social exclusion and discrimination against persons with disabilities and minorities, including LGBTI people; underlines the need to reinforce the Agency for Gender Equality and the National Coordinator for the Protection from Domestic Violence and to strengthen prevention;
21. Urges of the need to ensure the editorial freedom, financial sustainability and independence of the Kosovar public broadcaster, and to guarantee transparency of private media ownership; calls for improvements to multilingual broadcasting and to the quality of information offered to all Kosovar communities;
22. Calls for sustained efforts to comprehensively normalise relations between Serbia and Kosovo; considers that a full normalisation of relations with Serbia, under a legally binding agreement and its implementing arrangements, will not be possible without a comprehensive application of the existing agreements;
23. Takes the view that the conduct of the Belgrade-Pristina dialogue must be open and transparent and that those responsible for it should regularly report on its developments to the Kosovo Assembly;
24. Regrets the fact that many of the agreements signed hitherto have not been implemented or have been delayed, such as those on energy and on the association of Serb majority municipalities; calls on both parties to implement all the agreements in full and in good faith; urges the European External Action Service (EEAS) to produce an annual report on the state of implementation of the agreements so as to address all their shortcomings;
25. Expresses its deep concern at the rising number of inter-ethnic incidents; condemns all acts of intimidation and violence; urges the Kosovar authorities to immediately distance themselves from such acts and calls for the perpetrators to be identified and brought to justice;
26. Calls once again for the prompt and unimpeded opening of the Mitrovica bridge, which constitutes an important step towards the reunification of the city; calls for the full implementation of the freedom of movement agreement;
27. Welcomes Kosovo's efforts in maintaining constructive neighbourly relations throughout the region and in proactively aligning with the EU's common foreign and security policy (CFSP), and calls for further progress in this field; considers that Kosovo's membership in international bodies would confer rights and obligations that entail the application of international norms and standards;
28. Highlights the urgent need to adopt and implement measures ensuring transparent and

competitive privatisation procedures and to investigate alleged irregularities;

29. Calls for a comprehensive reform of the health sector, including the implementation of universal health insurance, in order to ensure universal access to healthcare; underlines the need for adequate funding of the public health system;
30. Call on the Commission to develop a regional strategy to address the persistent youth unemployment and brain drain by tackling the skills mismatch between the education system and the labour market, improving the quality of teaching, and ensuring adequate funding for active labour market measures and vocational training schemes, along with adequate childcare and pre-school education facilities;
31. Urges Kosovo to fully harness the potential offered by EU programmes; welcomes the signing of the agreement on Kosovo's participation in the Erasmus+ and Creative Europe programmes;
32. Draws attention to the extremely poor air quality of Pristina and other heavily polluted Western Balkan cities; calls for effective air and water quality monitoring systems, for the improvement of water treatment infrastructure and for reliable and readily available real-time pollution data;
33. Notes the need to move away from the use of lignite for unsustainable energy generation and stresses the urgency of decommissioning Kosovo A Power Station and of ensuring additional sustainable generation and import capacity; notes partial progress on the Third Energy Package and stresses the need to ensure the independence of the Kosovar energy regulator; calls for stronger efforts in energy efficiency and energy saving, particularly in the construction sector;
34. Stresses that the envisaged hydro power plants should meet the EU environmental standards; welcomes, in this regard, the decision of the Minister for Environment to assess and suspend permits issued for hydropower projects;
35. Regrets the lack of progress in exploiting the potential of renewables and calls on the Commission to step up assistance in this regard;
36. Urges the Kosovar authorities to adopt credible and sustainable public transport and mobility policies for addressing long-standing infrastructure deficiencies;
37. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service and the Government and National Assembly of Kosovo.