

European Union - the former Yugoslav Republic of Macedonia Joint Parliamentary Committee

The EU - the former Yugoslav Republic of Macedonia 14th Meeting

7-8 February 2018, Strasbourg

Recommendations

Joint Parliamentary Committee held its 14th meeting in Strasbourg on 7-8 February 2018 under the joint Chairmanship of **Mr Alojz PETERLE** (EPP, Slovenia) and **Mr Goran MILEVSKI** (Liberal Democratic Party, former Yugoslav Republic of Macedonia).

At this meeting, the Committee held an exchange of views with

- Mr Nikola DIMITROV, Minister of Foreign Affairs, on behalf of the Government of the former Yugoslav Republic of Macedonia,
- Mr David CULLEN, Head of Unit for the former Yugoslav Republic of Macedonia and Kosovo, DG NEAR, on behalf of the European Commission;
- Mr Eduard AUER, Head of Division 'Western Balkans', on behalf of the European External Action Service;

The Joint Parliamentary Committee exchanged views on the following topics:

- **Relations between the European Union and the former Yugoslav Republic of Macedonia**
- **Implementation of the 3-6-9 Plan and of the Recommendations of the Senior Experts' group on systemic Rule of Law issues**, with emphasis on:
 - Judicial reforms
 - Electoral reforms
 - Reforms in the work of the Parliament
 - Media reforms
 - Public administration reforms
 - Cooperation with the civil society
- **Inter-ethnic relations, neighbourhood and regional cooperation**
 - Implementation of Ohrid Framework Agreement
 - New law on languages
 - Follow-up of the Trieste summit
- **The Berlin process:**
 - Special focus on the efforts of the EP mediation unit with a long-term perspective to incorporate young parliamentarians from WB countries

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:

Taking into account:

- A. The 2016 European Commission report on the former Yugoslav Republic of Macedonia and the 2016 Communication on the EU Enlargement Strategy,
 - B. The declaration and recommendations from its 13th joint parliamentary meeting of 3-4 December 2015 in Skopje and the Joint Statement of the Co-Chairs from its 12th meeting of 26-27 November 2014 in Strasbourg,
 - C. The Council Conclusions on the former Yugoslav Republic of Macedonia of 16 December 2014, 21 April 2015 and 23 June 2015, the Conclusions of the Slovak Presidency of 13 December 2016 on Enlargement and the Stabilisation and Association Process; the Conclusions of the President of the European Council of 9 March 2017,
 - D. The European Parliament Resolution of 14 June 2017 on the 2016 Commission report on the former Yugoslav Republic of Macedonia (2016/2310(INI)),
 - E. The 13th meeting of the EU- the former Yugoslav Republic of Macedonia Stabilisation and Association Council of 18 July 2017,
1. Takes note of the early parliamentary elections held on 11 December 2016, observed by the OSCE/ODIHR with the participation of a delegation from the European parliament and the OSCE Parliamentary Assembly, which were well organised and administered in a transparent and inclusive manner without major incidents; points out that OSCE/ODIHR found the campaign to be competitive; calls upon the competent institutions to take OSCE/ODIHR and Venice Commission's recommendations into account and establish a credible record of an efficient oversight of the funding of political parties and electoral campaigns; stresses that the remaining shortcomings should be addressed in an inclusive and transparent manner well ahead of the next election cycle; notes that the Electoral Code should be comprehensively reviewed; stresses that the relevant Ministries and the State Election Commission (SEC) should ensure a continuous update of the voters' list; calls upon the State Election Commission to abide by its legal requirement of impartiality and ensure greater transparency of its work;
 2. Notes the conduct of local elections, which, according to OSCE / ODIHR findings, have contributed to the strengthening of trust in the democratic process, were held in a competitive environment, with candidates generally able to campaign without restrictions, and the fundamental freedoms were generally respected;
 3. Welcomes the steps undertaken by the new Government whose strategic priority is the integration into the European and Euro-Atlantic structures and the commitment to carry out all the reform steps in the priority areas as well as to fulfil the obligations stemming from the Stabilisation and Association Agreement;
 4. Welcomes the commitment in the 2017 State of the Union address of President Juncker to maintain a credible enlargement perspective for the Western Balkans; outlines that 2018 should be an important year for the region, and the EU perspective of the country in particular; namely

with the 6 February Commission Communication, the April enlargement package, EU-WB6 Summit in May in Sofia and the Berlin Process Summit in July; welcomes the Commission Communication; expressly welcomes the Bulgarian Presidency of the Council of the EU, whose key priority is the enlargement policy which has proven to be the most effective instrument for guaranteeing the peace, stability and prosperity of the region;

5. Welcomes the Commission's country report of 10 November 2016; notes that the Commission is prepared to extend its recommendation to open accession talks with the country on the condition of progress with the implementation of the Przino agreement, substantial progress in the implementation of the Urgent Reform Priorities and maintaining good neighbourly relations including a negotiated and mutually acceptable solution to the name issue under UN auspices; encourages both the government and opposition to continue delivering on the implementation of the Urgent Reform Priorities and ensure a continued implementation of the Przino agreement so that the Commission would be in a position to repeat its recommendation to open accession negotiations;
6. Notes and supports the recommendations of the Senior Expert's Group published in 2017 as well as the assessment of progress of their 2015 findings; urges continuous cooperation between the political parties, state institutions and other stakeholders to implement these recommendations; notes the government's commitment to advance the EU reform agenda, including through its "3-6-9 plan" and "3-6-9+ plan", which includes several core elements of the Urgent Reform Priorities and some recommendations of the Senior Experts' Group;
7. Welcomes some noticeable steps taken in the area of the judiciary including through the adoption of the judicial reform strategy and action plan; calls upon the authorities to ensure full implementation of the strategy and to consistently address all outstanding recommendations from the European Commission, Venice Commission and the Senior Experts' Group on systemic Rule of Law issues; stresses that it is essential to enable the judiciary to act in a professional manner, free from any undue internal and external influence and to ensure application of justice in a manner which is not selective as well as reducing the length of judicial proceedings; welcomes measures already taken and further work initiated towards reforming the judicial council and the prosecutorial council, and to develop legislative changes to address shortcomings in the appointment, promotion, discipline and dismissal system;
8. Notes the progress achieved in establishing legal accountability for the intercepted communications and stresses the need to find a solution of the status of the Special Prosecutor Office so that it can continue in a sustainable manner its important mission; reaffirms that the priority should be given to the effective fight against corruption and the necessity to have a credible track record on effective prosecution especially on high level cases;
9. Welcomes the pro-active attitude to reform the system for interception of communications and the introduction of safeguards to strengthen internal controls within the Bureau for Security and Counterintelligence (UBK), from where originated the illegal wiretapping which precipitated the political crisis in the country; takes note of the good level of cooperation with the European Union in developing the legislative reform package which is currently in parliamentary procedure; takes note of the decision to establish a new Operational Technical Agency which will be the only authorised body to activate interceptions, without having access to their content; calls upon the authorities to ensure that there can be no political interference in the work of this Agency, including through selection of its management; encourages the Parliament to pro-actively exercise its oversight role over the interception of communications and over the work of the UBK and intelligence services; it also encourages work to start on the broader reform of intelligence services, including with strategic partners;

10. Welcomes measures taken to improve the overall transparency and accountability of the work of the government and the creation of a high-level Public administration reform Council to push reforms forward; stresses that any further appointment or dismissal should be transparent, merit-based and in line with the law; notes positively the finalisation of the new public administration reform strategy 2018-2022 with a related action plan; welcomes the adoption of a relevant and credible Public Finance Reform Program 2018-2021, in particular measures to ensure better transparency on public finances, and calls for its full implementation;
11. Condemns in strongest terms the violent incident of 27 April 2017 in the Parliament; stresses that the accountability for these acts of violence should be established without delay, in line with the law, in a transparent, independent and proportionate manner, while respecting the presumption of innocence; insists that legal proceedings must not be instrumentalised for political gains and must not hamper reconciliation;
12. Stresses that the filibustering and non-participation in parliamentary activities and any other form of obstruction do not contribute to the proper functioning of the Parliament and to reconciliation; notes positively the efforts of the Parliament to restore gradually checks and balances to the executive power, to focus its activities on the long overdue reforms, while enhancing its oversight capacities; stresses that work on the code of ethics and rules of procedure should continue; hopes that the future Jean Monnet Dialogue will contribute to greater atmosphere of compromise and a better functioning of the Parliament;
13. Takes note of the change in climate for media in recent period; notes positively the increased transparency on the part of the government and the new measure to provide journalists and citizens access to information and documents free of charge; notes that the process of preparation of amendments to the Law on Audio and Audio-Visual Media Services has included extensive consultation with relevant stakeholders; notes positively that government advertising has been abolished, after a period of moratorium; stresses the need to continue building an enabling environment for media freedom, to support more objective reporting, improved professional and ethical conduct of all media stakeholders, including online media, and to reform the public service broadcaster; highlights that cases of violence against journalists need to be swiftly followed up and the perpetrators brought to justice;
14. Notes positively the efforts made by the new government in consulting Civil Society Organisations (CSOs) and involving them in policy making and legislative processes; both governmental and non-governmental actors should ensure that safeguards are in place in order to restore proper checks and balances;
15. Recommends further continued implementation of the Ohrid Framework Agreement (OFA) as well as the completion of the review of its implementation; notes the commitment of the new government to build greater trust among communities; takes note that the law on the use of languages is considered by ethnic Albanian parties as a significant step towards the implementation of OFA; this law and its implementation should be in line with the European standards and practices;
16. Commends the recent steps taken to enhance the bilateral relations with neighbouring countries in the framework of maintaining good neighbourly relations; welcomes the ratification of the bilateral treaty with Bulgaria by both sides and encourages its implementation; stresses that maintaining good neighbourly relations remains essential; reiterates the importance of finding a negotiated and mutually acceptable solution of the name issue between the former Yugoslav Republic of Macedonia and Greece under the auspices of the United Nations; welcomes that

the Confidence Building Measures between Greece and the former Yugoslav Republic of Macedonia have started to produce tangible results; stresses that actions and statements which negatively impact on good neighbourly relations should be avoided; reiterates its view that the name issue should not represent an obstacle to the launch of accession negotiations although it should be solved as early as possible; in addition, welcomes the recent inclusive coordination meeting between the political leaders on the latest name proposals and calls upon the Government to further actively include the opposition in the process of building a comprehensive consensus beyond political party lines on open issues;

17. Welcomes the progress that has been made as regards the Regional Economic Area, for which a detailed Action Plan has been agreed and significant progress is expected throughout this year; welcomes that the digital pillar is moving ahead and commend that Skopje will be hosting the first ministerial digital meeting in the region; outlines the need to step up efforts in the implementation of the connectivity reforms measures, in particular on energy and transport; believes that abolishing mobile phone roaming taxes in the region will have a positive impact on the economy, improve reconciliation and stimulate people-to-people contacts;
18. Takes note of the continued efforts in managing mixed migration flows in full cooperation with EU member states and third countries; notes positive developments stemming from the negotiations on a Status agreement with the European and Border Coast guard agency; notes measures taken to address protection needs of migrants; calls upon the authorities to pursue those activities to ensure proper registration and profiling of migrants/refugees; stresses the need for increasing fight against smuggling and organised crime leading to tangible results; notes the good results in tackling abuses of the visa free travel regime and urges authorities to further implement the visa free regime policy smoothly; stresses the need for the authorities to fully engage in activities to prevent radicalisation and fighting terrorism;
19. Welcomes the so-called 'Berlin Process' which has established itself, over the past 5 years, as a sustainable process of exceptional importance for the countries of the region and recalls that the 'Berlin Process' is not meant as an alternative, but rather as a complement to the accession process; notes that the process has contributed to the revitalisation of the enlargement policy and has visibly strengthened the regional cooperation;
20. Especially welcomes the signing of the Transport Community Treaty at the 2017 Trieste Summit, as one of the biggest benefits of the Summit and calls for consistent implementation thereof, having in mind that the improvement of the transport infrastructure and regional connectivity are crucial for improving the economy and the citizens' standard of living; welcomes the progress made in modernising transport, energy and telecommunications networks and, in particular, the efforts to complete Corridor X; in view of the importance of railway links in the framework of a sustainable system of transport, welcomes the government's intention to upgrade or construct railway links from Skopje to the capitals of the neighbouring countries and calls for greater progress, especially in the finalisation of the railway and road connections within Corridor VIII;
21. Welcomes the establishment of a Regional Youth Cooperation Office (RYCO) in Tirana, which is now fully operational and shall help to restore the confidence among the youth and to promote their mutual cooperation, shall contribute to the advancement of the entire Western Balkan region and its European integration;
22. Welcomes the preparation of the Economic Reform Programme, as the first document of such kind that is prepared in accordance with the guidelines of the European Commission, and includes a medium-term macroeconomic and fiscal framework, sectorial structural reforms

aimed at promoting competitiveness and growth as a prerequisite for meeting the economic criteria for EU membership – a functional market economy and the ability of companies to compete on European markets;

23. Points out that significant efforts are needed in the field of environment and in particular in the area of air quality; expresses concern, in this regard, at the persisting high pollution index in Skopje and several other towns with high concentration of PM10 particles than the allowed limits that pose serious risks to health and calls on the authorities of the former Yugoslav Republic of Macedonia to take adequate measures to tackle both the emergency and the relevant structural problems;
24. Is in favour, upon meeting the required criteria, of a positive recommendation by the European Commission in April 2018 and expects the Council of the EU to duly consider the results achieved when deciding on the opening of accession negotiations; believes that the country, after having a candidate status for 12 years and a high level of compliance with the EU acquis, is well-prepared for accession negotiations and that the opening of negotiations as soon as possible is of mutual interest; notes in this regard that placing the fundamental chapters 23 and 24 at the heart of the accession process provides impetus for genuine reforms and allows for an objective assessment of achievements.