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on the 2018 Commission Report on Serbia
(2018/2146(INI))

Committee on Foreign Affairs

Rapporteur: David McAllister

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The European Parliament,

- having regard to the Presidency conclusions of the Thessaloniki European Council meeting of 19-20 June 2003,
- having regard to the Sofia declaration of the EU-Western Balkans summit of 17 May 2018 and its ‘Sofia priority agenda’,
- 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/EC,
- having regard to the Commission opinion of 12 October 2011 on Serbia’s application for membership of the European Union (SEC(2011)1208), the European Council’s decision of 2 March 2012 to grant Serbia candidate status and the European Council’s decision of 27-28 June 2013 to open EU accession negotiations with Serbia,
- having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States and the Republic of Serbia, which entered into force on 1 September 2013,
- 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 the Berlin Process launched on 28 August 2014,
- having regard to the declaration and recommendations adopted at the seventh EU-Serbia Stabilisation and Association Parliamentary Committee (SAPC) meeting of 20-21 December 2017 and the sixth SAPC meeting of 13-14 September 2017,
- having regard to the final report of the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe (OSCE/ODHIR) on its limited election observation mission on the early parliamentary elections in Serbia of 29 July 2016,
- having regard to the OSCE/ODHIR election assessment mission report on the presidential elections in Serbia of 2 April 2017,
- having regard to the Commission’s 2018 report on Serbia of 17 April 2018 (SWD(2018)0152),
- having regard to the Communication from the Commission to the European Parliament,

the Council, the European Economic and Social Committee and the Committee of the Regions on a credible enlargement perspective for and enhanced EU engagement with the Western Balkans of 6 February 2018 (COM(2018)0065),

- having regard to the Joint Conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey of 23 May 2017 (9655/17),
 - having regard to the fourth meeting of the EU-Serbia Stabilisation and Association Council held on 16 November 2017,
 - having regard to the seventh meeting of the Accession Conference with Serbia at Ministerial level held on 11 December 2017,
 - having regard to the Bulgarian Presidency work programme (1 January - 30 June 2018),
 - having regard to the Commission assessment of 17 April 2018 on the Serbia 2018-2020 Economic Reform Programme (SWD(2018) 132) and the Council Joint conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans of 25 May 2018,
 - having regard to its resolution of 14 June 2017 on the 2016 Commission Report on Serbia¹,
 - 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 Serbia, like every country aspiring to EU membership, must be judged on its own merits in terms of fulfilling, implementing and complying with the same set of criteria and whereas the quality of and the dedication to the necessary reforms determines the timetable for accession; whereas accession is and will remain a merit-based process fully dependent on the objective progress achieved by each country, including Serbia;
- B. whereas since the opening of negotiations with Serbia twelve chapters have been opened, two of which have been provisionally closed;
- C. whereas Serbia has been continuously engaged in the normalisation of relations with Kosovo, resulting in the First Agreement on the Principles of Normalisation of Relations of 19 April 2013 and the August 2015 agreements; whereas Serbia has remained engaged in the dialogue;
- D. whereas Serbia has remained committed to creating a functioning market economy and has continued to build a track record in implementing the obligations of the SAA;
- E. whereas Serbia benefits from pre-accession assistance under the Instrument for Pre-accession Assistance (IPA II), with a total indicative allocation of EUR 1.5 billion for 2014-2020; whereas a revised indicative allocation of IPA II for Serbia for the period of 2018-2020 is EUR 722 million; whereas Serbia has been granted a mid-term

¹ Texts adopted, P8_TA(2017)0261.

performance reward;

1. Welcomes the continued engagement of Serbia on the path of integration into the European Union; calls on Serbia to actively promote this strategic decision among the Serbian public;
2. Underlines that the thorough implementation of reforms and policies remains a key indicator of a successful integration process; calls on Serbia to improve the planning, coordination and monitoring of the implementation of new legislation and policies;
3. Welcomes the progress made by Serbia in developing a functioning market economy, ensuring economic growth and preserving macroeconomic and monetary stability; stresses that Serbia has made good progress in addressing some of the policy weaknesses that have been an issue in the past, in particular through budget consolidation; underlines that the restructuring and privatisation of state-owned enterprises has partially advanced; stresses the paramount importance to Serbia's economy of small and medium-sized enterprises (SMEs);
4. Takes note of the presidential elections on 2 April 2017; welcomes the general conduct of the elections; calls on the authorities to fully address the recommendations of the OSCE/ODIHR election observation mission;
5. Calls on Serbia to progressively align its foreign and security policy to that of the EU, including its policy on Russia; welcomes Serbia's important contribution and continued participation in international peacekeeping operations;
6. Commends Serbia's constructive approach in managing the effects of the migration and refugee crisis, and the substantial efforts the country has made to provide shelter and humanitarian supplies, primarily with EU support; urges Serbia to progressively align its visa policy with that of the EU;

Rule of law

7. Urges Serbia to step up its reform efforts in the area of rule of law, and in particular to ensure the independence and overall efficiency of the judicial system; stresses that special focus should be put on implementing effective reform in this area; notes that while some progress has been made in reducing the backlog of old enforcement cases, and in putting in place measures to harmonise court practice, judicial independence in Serbia is not fully assured; calls on Serbia to strengthen the accountability, impartiality, professionalism and overall efficiency of the judiciary, and to establish a free legal aid system;
8. Reiterates the importance of intensifying the fight against corruption and urges Serbia to show a clear commitment to tackle this issue; welcomes the adoption of the amendments made in the economic crimes section of the country's criminal code; reiterates its call to swiftly adopt a new law on the Anti-Corruption Agency to improve the planning, coordination and monitoring of the implementation of new legislation and policies; stresses that it is critical that the Agency receives and maintains the human and financial resources it needs to carry out its mandate in an independent manner; calls on the authorities to fill all open positions in the Agency; calls on Serbia to further improve

its track record on investigations, indictments and final convictions in high-level corruption cases;

9. Acknowledges some progress has been made in the fight against organised crime; calls on Serbia to establish a convincing track record of investigations, prosecutions and convictions in organised crime cases, including money laundering, based on proactive investigations; calls on Serbia to focus on the implementation of the action plan agreed with the Financial Action Task Force (FATF);

Democracy

10. Stresses that the Serbian parliament still does not exercise effective oversight of the executive, and that the transparency, inclusiveness and quality of the legislative process need to be enhanced; welcomes the declining use of urgent procedures to adopt legislation; stresses, however, that the still-frequent use of urgent procedures undermines parliamentary and public scrutiny; stresses that actions that limit the ability of the Serbian parliament to conduct an effective debate on, and scrutiny of, legislation should be avoided; welcomes the Serbian parliament's continued efforts to improve transparency through debates on Serbia's negotiating positions on EU accession chapters, and through exchanges with the core negotiating team and with the National Convention on the European Union; stresses that the role of independent regulatory bodies, including the country's Ombudsman, needs to be fully acknowledged and supported;
11. Welcomes the presentation of the draft constitutional reform of the country's judiciary submitted to the Venice Commission for opinion; stresses the importance of fully implementing the recommendations of the Venice Commission; calls for a comprehensive public consultation before the final draft is submitted to the Serbian parliament;
12. Welcomes Serbia's progress in reforming its public administration, notably through the adoption of several new laws on public service salaries and employment relations, on local government and autonomous province salaries, and on the national training academy; stresses that political influence on senior managerial appointments remains an issue of concern; welcomes the creation of a Ministry for European Integration, incorporating the structures of the former Serbian European Integration Office, which has continued to provide political guidance for European integration;

Human rights

13. Underlines that the legislative and institutional framework for upholding human rights is in place; stresses that consistent and efficient implementation across the whole country is needed; notes that further sustained efforts are necessary to improve the situation of persons belonging to vulnerable groups, including children, persons with disabilities, persons with HIV/AIDS, and LGBTI persons; calls on Serbia to actively pursue investigations, prosecutions and convictions of hate-motivated crimes;
14. Reiterates its concern that no progress has been made to improve the situation regarding freedom of expression and of the media; stresses that threats, violence and intimidation against journalists remain an issue of concern; notes, in this regard, that while several

cases have been solved and some criminal charges have been filed, convictions are still rare; calls on the authorities to investigate and prosecute any cases of attacks against journalists and media outlets; calls for the full implementation of media laws and the strengthening of the independence of the country's Regulatory Body for Electronic Media; welcomes the renewed efforts to adopt a media strategy to create a pluralistic media environment, and stresses, in this regard, the importance of a transparent and inclusive consultation with stakeholders; underlines the need for complete transparency in media ownership and funding;

Respect for and protection of minorities

15. Welcomes the adoption of an action plan for the realisation of the rights of national minorities, and the adoption of a decree establishing a fund for national minorities; calls for the full implementation of the action plan and for improved coordination and inclusion of stakeholders; notes that the fund for national minorities is functioning and that its funding has been increased; reiterates its call on Serbia to ensure consistent implementation of legislation on the protection of minorities, including in relation to education, the use of languages, representation in public administration and access to media and religious services in minority languages;
16. Notes that Vojvodina's cultural diversity contributes to Serbia's identity; stresses that the autonomy of Vojvodina should be preserved and that the law on Vojvodina's financing resources should be adopted without further delay, as provided for in the Constitution;
17. Welcomes the adoption of the new Roma social inclusion strategy for the period 2016-2025 along with an action plan covering education, health, housing and employment; calls for full implementation of the new strategy for Roma inclusion and the action plan;

Regional cooperation and good neighbourly relations

18. Welcomes the fact that Serbia remains committed to constructive bilateral relations with other enlargement countries and neighbouring Member States; takes positive note of the fact that Serbia has maintained its engagement in a number of regional cooperation initiatives such as the South-East European Cooperation Process, the Regional Cooperation Council, the Central European Free Trade Agreement (CEFTA), the Adriatic-Ionian Initiative, the European Union Macro-Regional Strategies for the Danube Region (EUSDR), the Adriatic and Ionian Region (EUSAIR), the Brdo-Brijuni process, the Western Balkan Six initiative and its connectivity agenda, and the Berlin process; reiterates its call on Serbia to implement the connectivity reform measures associated with the connectivity agenda; stresses that outstanding bilateral disputes should not have a detrimental effect on the accession process;
19. Welcomes the adoption of a national strategy for the investigation and prosecution of war crimes; welcomes the appointment in May 2017 of a new war crimes prosecutor; reiterates its call for the implementation of this strategy, in particular by means of bringing forward indictments, and for the adoption of an operational prosecutorial strategy; calls on Serbia to again cooperate fully with the current Mechanism for International Criminal Tribunals; urges the Serbian authorities to continue working on the issue of the fate of missing persons; highlights the importance of the work carried

out by the Regional Youth Cooperation Office (RYCO) and its local branches in promoting reconciliation among the youth;

20. Welcomes Serbia's continued engagement in the normalisation process with Kosovo, and its commitment to the implementation of the agreements reached in the EU-facilitated dialogue; welcomes that President Vučić has launched an internal dialogue on Kosovo; reiterates its call to move forward with the full implementation, in good faith and in a timely manner, of all the agreements already reached including the ones on energy and to determinedly continue the normalisation process; highlights the importance of creating an association / community of Serb majority municipalities; stresses that the work on a new phase of the dialogue with a view to a comprehensive normalisation of relations between Serbia and Kosovo, to be defined in a legally binding agreement, needs to be accelerated; reiterates its call on the EEAS to carry out an evaluation of the performance of the sides in fulfilling their obligations;

Energy

21. Calls on Serbia to implement fully the connectivity reform measures in the energy sector; encourages Serbia to develop competition in the gas market; welcomes the country's efforts to promote investments in the fields of energy efficiency and renewable energy;
22. Welcomes the joint commitment signed by Serbia and Bulgaria on 17 May 2018, on the occasion of the Western Balkans summit of Leaders in Sofia, to build the gas interconnector between the two countries;

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23. Instructs its President to forward this resolution to the Council, the Commission and the Government and Parliament of Serbia.