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# **DRAFT REPORT**

on the 2019-2020 Commission reports on Serbia  
(2019/2175(INI))

Committee on Foreign Affairs

Rapporteur: Vladimír Bilčík

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## MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

### on the 2019-2020 Commission reports on Serbia (2019/2175(INI))

*The European Parliament,*

- having regard to the Stabilisation and Association Agreement (SAA) between the European Communities and their Member States of the one part, and the Republic of Serbia, of the other part, which entered into force on 1 September 2013,
- having regard to Serbia's application for membership of the European Union of 19 December 2009,
- having regard to the Commission opinion of 12 October 2011 on Serbia's application for membership of the European Union (COM(2011)0688), the European Council's decision of 1 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 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 the Sofia priority agenda, annexed thereto,
- having regard to UN Security Council Resolution 1244 of 10 June 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 first agreement on principles governing the normalisation of relations between the governments of Serbia and Kosovo of 19 April 2013 and the agreements of 25 August 2015, and to the ongoing EU-facilitated dialogue for the normalisation of relations,
- having regard to the Berlin Process launched on 28 August 2014,
- having regard to its resolution of 29 November 2018 on the 2018 Commission Report on Serbia<sup>1</sup>,
- having regard to the declaration and recommendations adopted at the eleventh EU-Serbia Stabilisation and Association Parliamentary Committee (SAPC) meeting of 30-31 October 2019,
- having regard to the Commission communication of 5 February 2020 entitled

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<sup>1</sup> OJ C 363, 28.10.2020, p. 119.

‘Enhancing the accession process – A credible EU perspective for the Western Balkans’ (COM(2020)0057),

- having regard to the Council conclusions of 5 June 2020 on enhancing cooperation with Western Balkans partners in the field of migration and security,
- having regard to the Commission communication of 29 May 2019 entitled ‘2019 Communication on EU Enlargement Policy’ (COM(2019)0260), accompanied by the Commission staff working document entitled ‘Serbia 2019 Report’ (SWD(2019)0219),
- having regard to the Commission communication of 6 October 2020 entitled ‘2020 Communication on EU Enlargement Policy’ (COM(2020)0660), accompanied by the Commission staff working document entitled ‘Serbia 2020 Report’ (SWD(2020)0352),
- having regard to the Commission communication of 6 October 2020 entitled ‘An Economic and Investment Plan for the Western Balkans’ (COM(2020)0641),
- having regard to the joint communication of 8 April 2020 of the Commission and High Representative of the Union for Foreign Affairs and Security Policy entitled ‘Communication on the Global EU response to COVID-19’ (JOIN(2020)0011),
- having regard to the Commission assessment of 21 April 2020 of the Serbia 2020-2022 Economic Reform Programme (SWD(2020)0064) and to the joint conclusions of the Economic and Financial Dialogue between the EU and the Western Balkans and Turkey, adopted by the Council on 19 May 2020,
- having regard to the eleventh meeting of the Accession Conference with Serbia at Ministerial level, which took place on 10 December 2019 and where negotiations on Chapter 4, ‘Free movement of capital’ were opened,
- having regard to the conclusions of the first phase of the Inter-Party Dialogue on Improving the Conditions for Holding Parliamentary Elections, facilitated by the European Parliament,
- having regard to the final report of the OSCE/ODIHR special election assessment mission on the parliamentary elections of 21 June 2020 in Serbia, published on 7 October 2020,
- having regard to its previous resolutions on the country,
- having regard to its recommendation of 19 June 2020 to the Council, the Commission and the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy on the Western Balkans, following the 2020 summit<sup>2</sup>,
- having regard to the joint declaration of the European Parliament – Western Balkans Speakers’ Summit of 28 January 2020, convened by the President of the European Parliament with the leaders of the Western Balkan parliaments,

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<sup>2</sup> Texts adopted, P9\_TA(2020)0168.

- having regard to the Zagreb Declaration agreed during the EU-Western Balkans summit that took place via video conference on 6 May 2020,
  - having regard to the EU-Western Balkans summit in the framework of the Berlin Process of 10 November 2020,
  - having regard to Rule 54 of its Rules of Procedure,
  - having regard to the report of the Committee on Foreign Affairs (A9-0000/2020),
- A. whereas Serbia must be judged on its own merits and whereas the quality of and dedication to the necessary reforms determine the timetable for accession;
  - B. whereas democracy and rule of law are fundamental values on which the EU is founded and are at the heart of enlargement and stabilisation and association processes; whereas reforms are needed to tackle the challenges that remain in these areas;
  - C. whereas since the opening of negotiations with Serbia, eighteen chapters have been opened, two of which have been provisionally closed;
  - D. whereas Serbia has been continuously engaged in the normalisation of relations with Kosovo;
  - E. whereas Serbia has remained committed to regional cooperation and good neighbourly relations;
  - F. whereas Serbia has remained committed to creating a functioning market economy and has continued to implement the obligations of the Stabilisation and Association Agreement, although a number of compliance issues remain;
  - G. whereas freedom of expression and the independence of the media remain serious concerns which need to be addressed as a matter of priority;
  - H. whereas the Inter-Party Dialogue on Improving the Conditions for Holding Parliamentary Elections, facilitated by the European Parliament, continues to provide a unique platform for reaching consensus on commitments to improve electoral conditions;
  - I. whereas the EU agreed on the reallocation of EUR 374 million from the Instrument for Pre-accession Assistance to help mitigate the socio-economic impact of COVID-19 in the region;
  - J. whereas the EU is Serbia's biggest trading partner; whereas Serbia benefits from EU assistance under the Instrument for Pre-accession Assistance;
1. Welcomes the fact that EU membership continues to be Serbia's strategic goal and that it is among the priorities of the newly elected government;
  2. Underlines that the momentum created by the new mandate following the 21 June 2020 elections in Serbia is an opportunity to make important progress towards Serbia's European perspective; advocates for the opening of additional negotiating chapters as

Serbia makes the necessary commitments to reform; notes that the opening of chapters is a tool for achieving sustainable pro-European change in Serbia;

3. Notes that Serbia has continued aligning its legislation with the *acquis*; underlines that progress on the rule of law and fundamental rights chapters, as well as on the normalisation of relations with Kosovo, continues to be essential and will determine the pace of accession negotiations;
4. Stresses the importance of strategic communication on EU accession by Serbian stakeholders; underlines that public discussion about EU accession must be based on facts; encourages the Serbian authorities to communicate more actively their commitment to European values in public debate;
5. Calls on Serbia and the EU Member States to pursue a more active and effective communication policy on the European perspective, aimed at both Serbian and EU citizens;
6. Believes that the Conference on the Future of Europe should seek ways of involving Serbian representatives;
7. Takes note of the conclusions of the final report of the OSCE/ODIHR special election assessment mission that the 21 June 2020 parliamentary elections were administered efficiently but that the dominance of the ruling party, including in the media, was of concern; calls on the authorities to address fully all ODIHR recommendations well ahead of the next elections;
8. Regrets the decision by parts of the opposition to boycott the elections; stresses that the only way to guarantee political representation for their constituents is by engaging in political and electoral processes;
9. Welcomes the establishment of the Inter-Party Dialogue (IPD) facilitated by the European Parliament and the initial measures taken by the Serbian authorities and the parliamentary majority to improve electoral conditions; calls for further implementation of all commitments undertaken in the framework of the IPD;
10. Calls for the continuation of the IPD with the involvement of all relevant stakeholders and pro-European political forces in the country;
11. Calls on the new government to focus on fundamental reforms and address structural shortcomings in the areas of rule of law, fundamental rights, the functioning of democratic institutions and public administration;
12. Urges Serbia to deliver convincing results, including a sustainable track record with effective investigations in areas of concern such as the judiciary, freedom of expression and the fight against corruption and organised crime; reiterates its call for justice from 2018 with regard to the unlawful demolition of private property in Belgrade;
13. Urges the Serbian parliament to adopt constitutional reforms aimed at strengthening the independence of the judiciary;

14. Welcomes improvements to the practices and procedures of the national assembly; underlines that the quality of the legislative process still needs to be improved by increasing transparency and social dialogue and ensuring that independent regulatory bodies are empowered to exercise their oversight roles effectively;
15. Welcomes the adoption of the new media strategy and calls for its full implementation;
16. Regrets the lack of progress on media freedom, abusive language, intimidation and even hate speech; urges Serbian authorities to take immediate measures to guarantee freedom of expression and media independence;
17. Notes that the legal and institutional framework for upholding human rights is broadly in place and calls for its more effective implementation, with particular regard to the most vulnerable groups in society, including national minorities, in the areas of education, use of minority languages, adequate representation in public administration and the judiciary;
18. Takes note of Serbia's efforts to fight violence against women and children and domestic violence; stresses, however, that implementation and improvements are needed;
19. Underlines the need for protection of LGBTI rights; calls for more adequate responses from the authorities to hate speech and hate-motivated crimes;
20. Commends the strong female representation in the new government; welcomes the representation of national minorities in the parliament;
21. Welcomes Serbia's engagement in regional cooperation initiatives; encourages Serbia to sustain its efforts at all levels aimed at reconciliation and strengthening good neighbourly relations;
22. Stresses that the normalisation of relations between Serbia and Kosovo is a priority and a precondition for EU accession; calls for active and constructive engagement in the EU-facilitated dialogue led by the EU Special Representative seeking a comprehensive and legally binding agreement, in accordance with international law; reiterates its call to move forward with the full implementation, in good faith and in a timely manner, of all the agreements already reached;
23. Commends the good regional cooperation between Serbia and Kosovo in the fight against the spread of the COVID-19 pandemic, including cooperation between the mayors of Mitrovica and communication between ministers of health;
24. Stresses the importance of regional cooperation on war crimes and missing persons, including of recognising and respecting court verdicts on war crimes, rejecting hate speech and the glorification of war criminals, and supporting domestic prosecutors in bringing perpetrators to justice;
25. Reiterates its support for the initiative to establish the Regional Commission for the establishment of facts about war crimes and other gross human rights violations on the territory of the former Yugoslavia (RECOM); highlights the importance of Regional

Youth Cooperation Office (RYCO);

26. Welcomes the progress Serbia has made in the development of a functional market economy; invites Serbia to continue its efforts to boost competitiveness and long-term and inclusive growth through structural reforms;
27. Calls on Serbia to increase the sustainability of its energy sector by diversifying its energy sources and moving towards renewables while at the same time adopting the necessary measures to preserve and protect environmentally sensitive areas;
28. Urges the authorities to ensure alignment with EU standards and policy objectives on climate protection and environment, in order to facilitate the transition to a circular economy; encourages Serbia to work on regional connectivity and the completion of the regional energy market;
29. Welcomes Serbia's continued endorsement of the Global Strategy for the EU's foreign and security policy;
30. Reiterates the importance of alignment with the EU common foreign and security policy (CFSP), which must progressively become an integral part of Serbia's foreign policy;
31. Welcomes the fact that Serbia aligned with the EU's position on the presidential elections in Belarus; calls on Serbia to increase its level of alignment with the declarations of the High Representative of the Union for Foreign Affairs and Security Policy on behalf of the EU, and with Council decisions;
32. Calls for the strengthening of European cooperation with Serbia on addressing disinformation and hybrid threats that seek to undermine the European perspective of the region;
33. Welcomes the conclusion of the agreement on border management cooperation between Serbia and the European Border and Coast Guard Agency (Frontex);
34. Takes note of Serbia's decision to sign a free trade agreement with the Eurasian Economic Union in October 2019; expects Serbia, however, to align with EU trade policy;
35. Welcomes Serbia's continued participation in crisis management missions and operations under the common security and defence policy (CSDP); welcomes the counterterrorism arrangements signed between the EU and Serbia;
36. Expresses concern over Serbia's increasing dependence on defence equipment and technologies from the People's Republic of China and the insufficient transparency of the security sector's public procurement practices; continues to be concerned about Serbia's close political and military cooperation with Russia;
37. Welcomes the Commission's Economic and Investment Plan (EIP) for the Western Balkans; recognises the importance of the EIP in reinforcing regional and cross-border cooperation;



38. Calls on the Council to fine-tune both incentives and conditionality in the future Instrument for Pre-accession Assistance (IPA III); reiterates that the scale of financial assistance should match the goal of Serbia's European perspective;
39. Instructs its President to forward this resolution to the President of the European Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the governments and parliaments of the Member States and the President, Government and Parliament of Serbia.