DRAFT REPORT

on the 2021 Commission Report on Serbia (2021/2249(INI))

Committee on Foreign Affairs

Rapporteur: Vladimír Bilčík
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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on the 2021 Commission Report on Serbia
(2021/2249(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)0668), 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 Brdo Declaration of the EU-Western Balkans summit of 6 October 2021,

– having regard to the Berlin Process launched on 28 August 2014,

– 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, to the agreements of 25 August 2015, and to the ongoing EU-facilitated dialogue for the normalisation of relations,

– having regard to the Commission communication of 5 February 2020 entitled ‘Enhancing the accession process – A credible EU perspective for the Western Balkans’ (COM(2020)0057),

– having regard to the Commission communication of 6 October 2020 entitled ‘An Economic and Investment Plan for the Western Balkans’ (COM(2020)0641), and to the Commission staff working document of 6 October 2020 entitled ‘Guidelines for the Implementation of the Green Agenda for the Western Balkans’ (SWD(2020)0223),

1 OJ L 278, 18.10.2013, p. 16.
– having regard to Regulation (EU) 2021/1529 of the European Parliament and of the Council of 15 September 2021 establishing the Instrument for Pre-Accession assistance (IPA III)²,

– having regard to the Commission communication of 19 October 2021 entitled ‘2021 Communication on EU Enlargement Policy’ (COM(2021)0644), accompanied by the Commission staff working document entitled ‘Serbia 2021 Report’ (SWD(2021)0288),

– having regard to the Commission assessment of 22 April 2021 on the Economic Reform Programme of Serbia 2021-2023 (SWD(2021)0096), 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 12 July 2021,

– having regard to the Commission communication of 29 April 2020 entitled ‘Support to the Western Balkans in tackling COVID-19 and the post-pandemic recovery’ (COM(2020)0315),

– having regard to the 12th and 13th meetings of the Accession Conference with Serbia at ministerial level, which took place on 22 June and 14 December 2021 and resulted in the opening of cluster four: the Green Agenda and sustainable connectivity,

– having regard to the measures to improve the conduct of the electoral process agreed on 18 September 2021 by the co-facilitators during the second phase of the Inter-Party Dialogue, facilitated by the European Parliament,

– having regard to the sixth meeting of the EU-Serbia Stabilisation and Association Council held in Brussels on 25 January 2022,

– having regard to the Council conclusions on Enlargement and Stabilisation and Association Process of 14 December 2021,

– having regard to the European Court of Auditors Special Report of 10 January 2022 entitled ‘EU support for the rule of law in the Western Balkans: despite efforts, fundamental problems persist’,

– having regard to the European Court of Auditors Special Report of 3 June 2021 entitled ‘Disinformation affecting the EU: tackled but not tamed’,

– 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 summit³,

– having regard to its resolution of 25 March 2021 on the 2019-2020 Commission Reports on Serbia⁴,

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having regard to its resolution of 15 December 2021 on cooperation on the fight against organised crime in the Western Balkans,

having regard to its resolution of 16 December 2021 on forced labour in the Linglong factory and environmental protests in Serbia,

having regard to its resolution of 9 March 2022 on foreign interference in all democratic processes in the European Union, including disinformation,

having regard to the declaration and recommendations adopted at the 13th meeting of the EU-Serbia Stabilisation and Association Parliamentary Committee (SAPC), held on 28 October 2021 in Brussels and remotely,

having regard to the conclusions of the Inter-Party Dialogue on Improving the Conditions for Holding Parliamentary Elections, facilitated by the European Parliament,

having regard to the joint declaration of the Second European Parliament-Western Balkans Speakers’ Summit of 28 June 2021, convened by the President of the European Parliament with the leaders of the Western Balkan parliaments,

having regard to Rule 54 of its Rules of Procedure,

having regard to the report of the Committee on Foreign Affairs (A9-0000/2022),

A. whereas each enlargement country is judged on its own merits and whereas it is the implementation of the necessary reforms that determines the timetable and progress of accession;

B. whereas democracy and the rule of law are the fundamental values on which the EU is founded; whereas reforms are needed to tackle the challenges that remain in these areas;

C. whereas since the opening of negotiations with Serbia, 18 chapters have been opened, two of which have been provisionally closed; whereas Serbia opened cluster four on the Green Agenda and sustainable connectivity in December 2021;

D. whereas Serbia has not imposed sanctions against Russia following the Russian aggression in Ukraine;

E. whereas the EU is the largest provider of financial assistance to Serbia (IPA);

F. whereas the assistance under IPA III is based on strict conditionality and envisages modulation and suspension of assistance in cases of backtracking on democracy, human rights and the rule of law;

Commitment to EU accession

1. Expresses support for Serbia’s future membership of the EU and recalls that a credible enlargement perspective requires sustainable efforts and irreversible reforms in all

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5 Texts adopted, P9_TA(2021)0506.
7 Texts adopted, P9_TA(2022)0064.
areas;

2. Welcomes the opening of cluster four in December 2021; reiterates that the progress on the rule of law and fundamental rights chapters, as well as on the normalisation of Serbia’s relations with Kosovo, will determine the pace of accession;

3. Welcomes the increased voter turnout at the elections on 3 April 2022 and the return to a more pluralistic parliament; regrets the highly polarised political environment of the campaign, which was characterised by limited media pluralism and pressure on voters; condemns the violent attack on Pavle Grbović, one of the opposition leaders;

4. Calls on the new majority to accelerate Serbia’s alignment with European policies and values; underlines its readiness to work further in the context of the Inter-Party Dialogue, while stressing that clear decisions are needed on Serbia’s strategic direction;

5. Regrets the fact that Serbia has not aligned with EU sanctions following Russia’s invasion of Ukraine; calls on the newly elected authorities to show real commitment to EU values and to align with the EU’s decisions and positions in foreign and security policy, including sanctions against Russia;

6. Welcomes the adoption of the measures improving the electoral conditions and media space ahead of the April 2022 elections as a result of the Inter-Party Dialogue facilitated by the European Parliament; notes progress in their implementation;

7. Notes the decision of the non-parliamentary opposition to participate in the April 2022 elections; reiterates that the only way to guarantee political representation is to engage in political and electoral processes;

8. Reiterates its call on Serbia and EU Member States to pursue more active and effective communication about the benefits of EU enlargement;

Democracy and the rule of law

9. Urges the newly elected majority to focus on addressing structural shortcomings in the rule of law, fundamental rights, freedom of expression, the fight against corruption and the functioning of democratic institutions and public administration;

10. Welcomes the recent changes to the Constitution following the referendum in January 2022, which aim to enhance the independence of the justice system; regrets the continuous pressure on the judiciary and public denials of international verdicts for war crimes and calls on the newly elected majority to strengthen the safeguards for the independence and efficiency of the judiciary as a matter of priority;

11. Welcomes some improvements in the work of the National Assembly; is concerned, however, that inflammatory language is still used during parliamentary discussions and calls on the new parliament not to tolerate this practice;

12. Reiterates its concern about limited progress in the fight against corruption and organised crime and calls on Serbia to intensify its efforts to effectively address these issues;
13. Urges the Commission to implement the findings of the European Court of Auditors Special Report 01/2022, ensuring an effective rule-of-law impact of EU financial assistance in the Western Balkans;

**Fundamental freedoms and human rights**

14. Regrets the limitations on the freedom and independence of the media and the misuse of the media to gain an unfair political advantage, attack political opponents and spread disinformation;

15. Deplores the continuing physical attacks, intimidation, hate speech and political slurs against journalists and civil society; calls on the authorities to investigate all cases of such attacks and to improve the safety of journalists;

16. Calls for general respect for the basic right to peaceful gatherings; condemns violence by groups of extremists and hooligans during peaceful protests;

17. Welcomes the adoption of the Law on Gender Equality and the amendments to the Law on the Prohibition of Discrimination;

18. Calls on the Serbian authorities to step up efforts to ensure the non-discriminatory treatment of national minorities and to actively pursue investigations and convictions for hate-motivated crimes;

19. Reiterates its concern over the alleged use of forced labour and violation of human rights at the Chinese Linglong factory construction site;

20. Deplores the deportation of a Bahraini national despite the European Court of Human Rights interim ruling that his extradition should be postponed;

21. Is deeply concerned about the spread of disinformation about Russian aggression against Ukraine; calls on the Serbian authorities and the Commission to bolster infrastructure to fight disinformation and other hybrid threats;

22. Appreciates the work of the European External Action Service Strategic Communications Task Force for the Western Balkans and calls for its reinforcement;

**Reconciliation and good neighbourly relations**

23. Welcomes Serbia’s participation in regional cooperation mechanisms and commitment to bilateral relations and encourages it to promote reconciliation; commends its decision to donate vaccines to the region;

24. Reconfirms its support for the EU-facilitated Belgrade-Pristina dialogue and reiterates the importance of constructive engagement on the part of the authorities of both Serbia and Kosovo in order to achieve a comprehensive legally binding normalisation agreement, which is crucial for both countries to advance on their respective European paths; calls for all past agreements to be respected and fully implemented, including the Association of Serb-Majority Municipalities;

25. Calls for the stepping up of efforts and the delivery of solutions on the issues of missing persons and the electricity arrangements in the north of Kosovo;
26. Regrets the decision of the Government of Kosovo to reject a proposal enabling the collection of the ballots of eligible voters to allow them to vote in the territory of Kosovo in the 3 April 2022 Serbian elections, as had been the case previously;

27. Urges the Serbian authorities to act against the glorification of convicted war criminals and to cease all divisive rhetoric and actions that undermine the integrity of countries in the neighbourhood and threaten regional stability and reconciliation;

28. Calls for the EU and its allies to further strengthen the work on reconciliation; welcomes the renewed engagement of the EU allies;

29. Welcomes the introduction of a roaming-free zone in the entire Western Balkans as of 1 July 2021;

*Socio-economic reforms*

30. Welcomes the progress made in developing a functioning market economy and the fact that the impact of the COVID-19 crisis was successfully mitigated;

31. Notes that despite improvements, the labour market still suffers from structural problems; calls on Serbia to further tailor education and training to labour market needs;

32. Is deeply concerned by the depopulation and brain drain of Serbia’s human capital; welcomes the Serbian Government’s initiatives to counter these trends by working with international organisations;

33. Welcomes the implementation of programmes to support small and medium-sized enterprises (SMEs);

34. Reiterates its concern about Serbia’s growing dependence on Chinese investments and urges the Serbian authorities to improve the transparency and environmental impact assessment of Chinese investments;

35. Notes the withdrawal of the Law on Expropriation and calls for a broader public debate on this issue;

36. Welcomes the improvements in fighting money laundering and terrorist financing; encourages Serbia to minimise the risk of illicit financial flows in the construction industry;

*The environment, energy and transport*

37. Expresses concern that Serbia continues to prioritise investments in new coal power plants; urges the authorities to adopt a strategy consistent with the European Green Deal’s zero emissions target for 2050 and the Green Agenda for the Western Balkans;

38. Calls on Serbia to step up its efforts to diversify its energy supply and overall energy mix, and in particular to reduce its dependency on Russia; urges the Commission to ensure that the IPA funds contribute to the building of a climate neutral economy in Serbia;

39. Reiterates its concern at the high levels of air pollution and urges the authorities to
speed up the implementation of air quality plans;

40. Underlines the need for improvements in waste management and to introduce circular economy measures;

41. Notes the withdrawal of the exploration licences for the lithium extraction and processing project in Western Serbia;

42. 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 and Security Policy, the governments and parliaments of the Member States and to the President, and the Government and Parliament of Serbia.