



EUROPEAN PARLIAMENT

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*Plenary sitting*

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25.11.2014

B8-0294/2014

## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

on Serbia: the case of accused war criminal Šešelj  
(2014/2970(RSP))

**Charles Tannock, Ruža Tomašić, Mark Demesmaeker, Ryszard Czarnecki**  
on behalf of the ECR Group

**B8-0294/2014**

**European Parliament resolution on Serbia: the case of accused war criminal Šešelj  
(2014/2970(RSP))**

*The European Parliament,*

- having regard to its resolution of 16 January 2014 on the 2013 progress report on Serbia,
  - having regard to the by High Representative/Vice President Federica Mogherini of 18 November 2014 following her meeting with Deputy Prime Minister of Serbia, Ivica Dačić,
  - having regard to the order inviting the accused to state his commitment to respect the guarantees of provisional release *proprio motu* of 3 July 2014 of ICTY,
  - having regard to the order of the provisional release of the accused *proprio motu* of 11 November 2014 of the ICTY,
  - having regard to the order of the provisional release of the accused *proprio motu* of 6 November 2014 of the ICTY,
  - having regard to the commitment to respect the guarantees of provisional release *proprio motu* of 24 June 2014 of ICTY,
  - having regard to EU Member States annual meeting on UNSCR 1325 of 27 May 2013,
  - having regard to EU Enlargement Package 2011 of 14 October 2011,
  - having regard to Serbian Radical party (SRS) press release of 18 November 2014,
  - having regard to Vojislav Seselj's response to the Order of Trial Chamber III of 13 June 2014,
  - having regard to Rule 135 of its Rules of Procedure
- A. Whereas the European Council of 28 June 2013 decided to open accession negotiations with Serbia, reconfirming Serbia's European perspective in line with the EU's commitments to the whole Western Balkans region;
- B. Whereas the signature of the association agreement between the EU and Serbia in 2008 was conditioned by the full cooperation of Serbia with the ICTY;
- C. Whereas Serbian ultranationalist, founder and president of the Serbian Radical party

(SRS), Vojislav Šešelj is currently awaiting the final verdict for alleged war crimes and is suspected of being involved in crimes against humanity by the ICTY;

- D. Whereas on 17 June 2014, Vojislav Seselj's submission to ICTY indicates that he rejects any guarantee that may be provided by the Government of the Republic of Serbia;
  - E. Whereas on 3 July 2014, the ICTY received confirmations of the Government of the Republic of Serbia, that it is ready to provide guarantees requested for the provisional release of Vojislav Seselj;
  - F. Whereas Serbian ultranationalist, Vojislav Seselj stated his commitment to ICTY, not to contact any victims or witnesses or seek to influence them in any manner whatsoever; not to interfere in any way whatsoever with the proceedings or with the administration of justice;
  - G. Whereas on 4 November 2014, the ICTY invited the Governments of the Netherlands and Serbia to submit their observations regarding the possible provisional release of Vojislav Šešelj *proprio motu*;
  - H. Whereas on 6 November 2014, having received the responses by the Governments of Netherlands and Serbia, the Chamber ordered *proprio motu* his provisional release
  - I. Whereas on 18 November 2014, the Serbian Radical party (SRS), Vojislav Seselj's political party published press release where he was calling for Greater Serbia and called that Vukovar needs to be part of Greater Serbia, on the same day when Croatian people were grieving for those who were murdered by "Greater Serbia soldiers" in Vukovar;
  - J. Whereas Vojislav Seselj, apparently with no impediment by the Government of the Republic of Serbia, is undermining normalisation of relations between ex-Yugoslavia countries, which will have a negative impact on regional cooperation;
1. Welcomes Serbia's cooperation so far with the ICTY and encourages further cooperation with the Tribunal in order to bring justice to the victims and their families;
  2. Is deeply concerned by the Government of Republic of Serbia with regards to enforcement of the commitments it has to the ICTY in the case of Vojislav Seselj;
  3. Believes nevertheless that the case of Vojislav Seselj should not become a major stumbling block in Serbia's European path towards reconciliation in the region;

4. Regrets that the Government of the Republic of Serbia did not intervene to stop nor to distance itself from Vojislav Seselj numerous public interviews where he promotes regional intolerance and hate speech;
5. Calls on the ICTY to withdraw the provisional release *proprio motu* in the case of Vojislav Seselj, to prevent his hate speech towards the victims of aggression in Vukovar;
6. Instructs its President to forward this resolution to the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the EU Commissioner on European Neighbourhood Policy & Enlargement Negotiations, the Council, the Commission, the governments and parliaments of the Member States and the Government and Parliament of the Republic of Serbia;