



EUROPEAN PARLIAMENT

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Plenary sitting

25.11.2014

B8-0300/2014

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: Case of accused war criminal Vojislav Šešelj

(2014/2970(RSP))

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on behalf of the S&D Group

B8-0300/2014

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

The European Parliament,

- having regard to its previous resolutions on Serbia,
 - having regard to the fact that the International Criminal Tribunal for the former Yugoslavia (ICTY) is a United Nations court of law set up in 1993 as a temporary institution specifically to investigate serious violations of international humanitarian law committed in the former Yugoslavia since 1991 and to prosecute those responsible,
 - having regard to the fact that full cooperation with the Tribunal is a central benchmark in the EU's policy towards the countries of the Western Balkans,
 - having regard to Rule 122(5) of its Rules of Procedure,
- A. whereas the Tribunal, situated in The Hague, and its work deserve the continuing full support of the EU and its Member States,
- B. whereas the Tribunal has delivered precedent-setting judgments on genocide, war crimes and crimes against humanity and whereas it has already made a significant contribution to the process of reconciliation in the Western Balkans, thus contributing to the restoration and maintenance of peace in the region,
- C. whereas Vojislav Šešelj was indicted on 14 February 2003 on eight counts of crimes against humanity and six counts of violations of the laws or customs of war for his alleged participation in a joint criminal enterprise,
- D. whereas these indictments included direct and public denigration through "hate speech" of the Croat, Muslim and other non-Serb populations in Vukovar (Croatia), Zvornik (Bosnia and Herzegovina) and Hrtkovci (Vojvodina, Serbia) on the basis of their ethnicities;
- E. whereas the Trial Chamber III ("Chamber") of the Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 provisionally released on 6 November 2014 an Accused Vojislav Šešelj to the Republic of Serbia due to the deterioration of his health,
- F. Whereas Seselj has been provisionally released on humanitarian grounds on condition that he does not interfere with victims or witnesses and that he returns to the Tribunal if summoned by judges; whereas in the past the Tribunal re-apprehended the accused in cases when they in public breached conditions under which they were temporarily released,
- G. whereas pursuant to Rule 65 (B) of the Rules of Procedure and Evidence of the Tribunal,

the Chamber obtained observations from the Government of the Republic of Serbia, which agreed to Vojislav Šešelj being released to its territory on condition that he adheres to the conditions set by the Chamber,

- H. whereas, after his return to Serbia on 12 November 2014, Vojislav Šešelj has made several public speeches in Belgrade in which he underlines that he will not voluntarily return to the Tribunal when requested and where he mocks the Vukovar Memorial Day for the victims of Vukovar, calling it “the day of Vukovar's liberation”.
1. Condemns in the strongest possible terms the "hate speech" and insults of Vojislav Šešelj of all the victims of the wars in the former Yugoslavia, including his shameful statement issued on the Vukovar Memorial Day ;
 2. Invites to preserve the memory of all the victims of wars in the former Yugoslavia and to continue reconciliation process as a main goal for all the countries in the region;
 3. Supports all political groups, parties, NGOs and individuals in the Republic of Serbia and in the region which fight against "hate speech" in the region and promote reconciliation and peaceful coexistence among the peoples of the Western Balkan countries;
 4. Notes that the recent war-mongering rhetoric used by Vojislav Šešelj received considerable media attention in the region and that, on the other hand, his unacceptable statements did not appear to have disrupted the public order or cause any incidents in Serbia and in the region;
 5. Takes note of the statement by the ICTY Chief Prosecutor Serge Brammertz after his meeting with the Serbian Prime Minister Aleksander Vucic on 19 November 2014 in Belgrade reassuring that there are no outstanding issues between ICTY and Serbia and that the cooperation is very good;
 6. Invites the Government of the Republic of Serbia to strongly condemn and distance itself from the "hate speech" and insults by Vojislav Šešelj in his public appearances since his return to Serbia that can damage the European integration process in the region;
 7. Underlines the responsibility of the government of the Republic of Serbia to curb policies that might lead to new conflicts in the Western Balkans, recalls that the rhetoric and the policies advocated by Šešelj contributed to incredible evil, killing of people and property destruction;
 8. 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 Council, the Commission, the National Assembly and the Government of the Republic of Serbia.