



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

25.11.2014

B8-0304/2014

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 Seselj
(2014/2970(RSP))

Jozo Radoš, Ivo Vajgl, Ivan Jakovčić, Fernando Maura Barandiarán, Pavel Telička, Izaskun Bilbao Barandica, Marietje Schaake, Louis Michel, Marielle de Sarnez, Johannes Cornelis van Baalen, Gérard Deprez, Dita Charanzová, Petras Auštrevičius, Ilhan Kyuchyuk
on behalf of the ALDE Group

B8-0304/2014

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

The European Parliament,

- having regard to the European Parliament's previous reports and resolutions on the International Criminal Court for the former Yugoslavia and to its previous reports on Serbia;
 - having regard to the indictment of Vojislav Seselj by ICTY, and his surrender to the court in February 2003, charged with 15 counts of crimes against humanity and against the laws of war;
 - having regard to the decision by the ICTY on 6 November 2014 to grant provisional release, on health grounds, to Vojislav Seselj;
- A. whereas the provisional release and subsequent return to Serbia of indicted war criminal Vojislav Seselj constitute a serious set-back for the efforts to bring to justice and condemn those responsible for the war crimes and crimes against humanity which took place during the armed conflicts in the former Yugoslavia;
- B. whereas the provocative statements by Vojislav Seselj upon his return, and the welcome he has received from supporters of his party, the Radical Party of Serbia, have inflamed the political climate in Serbia and been negatively received in the region;
- C. whereas the comments and statements made are examples of hate speech, and a return to the rhetoric from the past as he continues to advocate the creation of a "Greater Serbia" and glorifies crimes committed during the war;
- D. whereas during his trial Vojislav Seselj repeatedly insulted the judges, the prosecutors and the Court;
1. Expresses its disappointment over the decision by the Court to grant Vojislav Seselj provisional leave, on health grounds, in particular in light of the provocative statements he has made and his participation in a political rally on Saturday 15 November;
 2. Deplores the statements made by Vojislav Seselj since his return to Serbia and expresses its sympathy for the many victims, of all sides, which have now been denied justice;

3. Points out that Serbia has made significant progress over the last years and that Vojislav Seselj is a marginal political figure, advocating a hard-line nationalistic and anti-EU message from the past;
4. Encourages the Serbian government and the democratic parties to distance themselves from Vojislav Seselj and to counter his belligerent statements with a renewed commitment to Serbia's European-driven reform process;
5. Calls on the Serbian authorities to pro-actively monitor Vojislav Seselj's political statements and to investigate whether there is sufficient grounds to bring him to a local court for his insults and discriminatory remarks;
6. Underlines that the main reason the trial against Seselj has taken so long, is the allegations of intimidation of witnesses; underlines that one of the conditions set by the Court in releasing Seselj is that he cannot have any contact with witnesses; calls for strict and due diligence both from the Serbian authorities and from the Court to ensure that this condition is fully respected;
7. Calls on the Serbian government to adopt legislation to forbid hate speech, discrimination and inciting violence;
8. Reiterates its call for a broad reconciliation process in Serbia, as well as in all the countries of the region which were involved in or touched by the conflicts, to engage in a process of reconciliation, based on the values upon which the European Union is founded;
9. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and to the President and the Government of the Republic of Serbia, as well as to the International Criminal Court for the former Yugoslavia.