



Plenary sitting

B9-0600/2021

14.12.2021

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 144 of the Rules of Procedure

on forced labour in the Linglong factory and environmental protests in Serbia (2021/3020(RSP))

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on behalf of the Verts/ALE Group

**European Parliament resolution on forced labour in the Linglong factory and environmental protests in Serbia
(2021/3020(RSP))**

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 EU Action Plan on Human Rights and Democracy 2020-2024 in the area of business and human rights,
- having regard to its previous resolutions on Serbia,
- having regard to the open cross-party joint letter to Commissioner Varhelyi with the call that EU must strongly address the growing Chinese influence in Serbia and the impending ecological impacts thereof from 19 January 2021,
- having regard to the cross-party call for immediate action to end modern slavery in Serbia by Members of the European Parliament from 19 November 2021,
- having regard to the Constitution of the Republic of Serbia, its Criminal and Labour Code and to the international human rights obligations to which Serbia has committed itself as Member of the Council of Europe, the Organization for Security and Cooperation in Europe (OSCE) and the United Nations (UN),
- having regard to the Council of Europe Convention for the Protection of Human Rights and Fundamental Freedoms;
- having regard to the Venice Commissions's urgent opinion on the revised draft law on the referendum and people's initiative;
- having regard to all the fundamental conventions of the International Labour Organization (ILO), by which Serbia is bound as ratifying state;
- having regard to the UN Guiding Principles on Business and Human Rights of 2011,

- having regard to the Report on the “Living and labor conditions of the Linglong factory construction workers from Vietnam” by A 11 – Initiative for Economic and Social Rights and ASTRA Anti-trafficking action Team from November 2021,
 - having regard to Rule 144 of its Rules of Procedure;
- A. whereas well-documented reports about the recruitment, working and living conditions of about 500 workers from Vietnam employed at the construction site of the Chinese car tyre factory Linglong in Zrenjanin, Serbia, expose serious human rights violations and strong indicators for human trafficking, forced labour and modern slavery, including for example misleading recruitment promises about working and living conditions, group housing in extremely unsanitary barracks, inadequate nutrition, having their personal documents taken from them, being prevented from moving and communicating freely, labour exploitation in contradiction to the provisions of the Labour Law, irregular and inadequate monetary compensation, draconian financial penalties for not coming to work or delays, unsafe working and living conditions, inability to stop working and return home;
 - B. whereas up until now Serbia’s government and its competent institutions have failed to react appropriately, dismissing the reports as a "media and political campaign", thus making themselves complicit in the abuse of workers’ rights in Zrenjanin and an accomplice to the investor from China by grossly neglecting local and international laws and conventions;
 - C. whereas the rushed adoption of the Law on the referendum and people’s initiative and the Law on land expropriation in the Serbian National Assembly triggered mass protests of environmentalists, NGOs and ordinary citizens across the country; whereas the government decided to change the Law on referendum in order to fulfil the obligation to change the Constitution in the area of the judiciary, although it was not considered necessary by experts; whereas President Vučić has announced to withdraw the Law on Expropriation and to amend the Law on Referendum;
 - D. whereas the laws are perceived as being tailored to rush through controversial foreign investment projects, and in this case in particular to fit the plans of the Australian-Canadian multinational metals and mining corporation, Rio Tinto, to build a lithium mine in Western Serbia; whereas the company refuses to publish the 12 environmental impact studies it has commissioned for the mine; whereas there are well-founded grave concerns about the environmental consequences of this project also due to Rio Tinto’s extremely bad track record in the area of human and labour rights abuses, involvement in corruption and the environmental damage they have left all over the world;
 - E. whereas in the past year there have been numerous local environmentalist protests all over the country, including against small hydro power plants, air pollution or environmentally harmful Chinese investment projects, which have now culminated in

the recent mass protests; whereas these protests highlight the serious problems of corruption, breach of law and lack of rule of law in the environment sector in Serbia;

- F. whereas demonstrators exercised their legal right to peaceful assembly and citizens' disobedience by protesting on highways, major roads, and bridges; whereas there were occurrences of excessive use of police force against peaceful protestors, as well as gross failures of the police to protect the lives, rights, and freedoms of the protesting citizens; whereas in Novi Sad, Šabac and Valjevo a number of people have been detained during the demonstrations; whereas in several places in Serbia, the protests escalated into violence, in particular in Šabac, where the police withdrew before the end of the protest, and allowed a mass of armed hooligans with a bulldozer to attack the peaceful protesters; whereas there are reports about the mob driving away from the scene after the attack in official cars belonging to the municipality of Šabac; whereas in some cases journalists have been physically attacked during the protests, including at rallies where high officials of the government parties were present;
 - G. whereas these protests were followed by a new coordinated nation-wide smear campaign launched by the Serbian pro-government media, high state officials and MPs attacking civic movements and civil society organisations, as "foreign mercenaries" which are tasked to "create chaos" in the country and to "stop and destabilise Serbia";
 - H. whereas during a recent meeting between Serbian Interior Minister and the secretary of the Kremlin's Security Council, both pledged to jointly fight "colour revolutions" and formed a working group, which allegedly has been tasked to prevent mass demonstrations and monitor the opposition, activists, nongovernmental organizations and independent journalists in Serbia;
 - I. whereas Serbia must be judged, as any country aspiring to become a Member State of the EU in terms of fulfilment, implementation and compliance with the set of criteria and common values required for accession; whereas democracy, human rights 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 Serbia needs to adhere to, uphold and defend the values of respect for human dignity, freedom, democracy, equality, the rule of law and respect for human rights;
- 1. Is appalled by the reports about the recruitment, working and living conditions of about 500 workers from Vietnam, employed at the construction site of the Chinese car tyre factory Linglong in Zrenjanin, Serbia, which expose serious human rights violations and indicators for human trafficking, forced labour and modern slavery;
 - 2. Strongly condemns the failure by the competent state authorities in Serbia to investigate and react appropriately to the reports on human trafficking;
 - 3. Urges Serbia's government and the responsible authorities, including the Labour Inspectorate and Office on Trafficking in Persons, to immediately follow-up on these reports, to conduct a fully transparent and thorough investigation into the matter, to

immediately intervene and protect the workers from any further harm and ensure their basic human rights, safety and security, as well as to hold the perpetrators accountable;

4. Recalls that the fight against human trafficking is an integral part of the Stabilisation and Association agreement, and Serbian authorities have an obligation to prevent and fight human trafficking, including in the context of labour exploitation; calls on the EU and the EU delegation on the ground to closely follow-up on these incidents, to support the Serbian authorities in drawing appropriate consequences and to keep the European Parliament informed about it;
5. Calls on Serbia to improve their alignment with EU labour law, to tackle undeclared work, to ensure decent work conditions for all, to amend the law on inspection oversight to comply with the relevant ILO conventions Serbia has ratified;
6. Expresses deep concern about China's increasing influence in Serbia and calls on Serbian authorities to strengthen and ensure its legal compliance standards also for Chinese business activities; emphasises that Serbian labour and environmental laws should also apply to Chinese companies operating in the country;
7. Urges the EU institutions, Member States, the business community and trade unions to be vigilant and to insist on due diligence measures and other appropriate measures measures like import bans to fight forced labour and gross human rights violations related to economic activities;
8. Calls on the Commission to come forward with a proposal to introduce a ban on the import of products made with forced labour into the EU market;
9. Expresses deep concern over the increasing violence by extremist and hooligan groups, in particular during the environmental protests, but also in general; denounces their close links to high level political figures, including close to the government; calls on the authorities to ensure that these cases of violence are duly investigated and that the perpetrators are held responsible, including any public officials involved; calls for a full investigation into any links between hooligans and the police;
10. Condemns the role of state-supported hooligan groups in the protection of the mural of the convicted war criminal Ratko Mladić in Belgrade, and corresponding incidents which have exposed close links between hooligans and the police; expresses concern over the authorities' apparent unwillingness to ensure a permanent removal of the mural in opposition to both the wishes of the tenants and the formal municipal decisions;
11. Expresses deep concern about serious problems of corruption and rule of law in the environment area, the general lack of transparency and environmental and social impact assessments of infrastructure projects, including from Chinese investments and loans, as well as from multinational companies, such as Rio Tinto; notes in this context the opening of Cluster 4 "Green Agenda and Sustainable Connectivity" in the EU accession negotiations; calls on the EU and Serbian authorities to follow-up on the

legitimate concerns expressed in the environmental protests and to urgently address these problems during the negotiations;

12. Expresses concern over the limited time and space available to debate the Law on Referendums and People's Initiative and amendments to the Law on Expropriation; welcomes that the Government of Serbia has decided to withdraw the Law on Expropriation from the parliamentary procedure and to amend the Law on the Referendum and People's Initiative following two consecutive weekends of peaceful mass protests; calls for a broader and open consultation that comprehensively integrates the implications of the law and of the amendments on the exercise of human rights in Serbia; underlines the importance of a broad consultation process in constitutional reform;
13. Stresses that abusive language, intimidation and slander campaigns against political opponents and representatives of the media carried out by MPs represent a breach of democratic practice and fundamental democratic values that should be strongly condemned and sanctioned; is appalled by another orchestrated attack carried out by several MPs, high political officials and pro-government tabloids against civic movements and civil society organisations, portraying them as “foreign mercenaries” which are tasked to “create chaos” in the country and to “stop and destabilise Serbia”, which is in gross violation of their own Code of Conduct for MPs; notes with concern that the work of civil society organisations takes place in an environment that is not open to criticism; calls on the Serbian authorities to counter the shrinking space for civil society and ensure that they can work free from all restrictions, including stopping the intimidation of these organisations;
14. Regrets the deterioration of media freedom and increase in abusive language, intimidation and even hate speech towards journalists; urges the Serbian authorities to take immediate measures to guarantee freedom of expression and media independence and to ensure proper investigations into attacks and hate speech against journalists;
15. 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 governments and parliaments of the Member States, the Council of Europe, the OSCE, and to the President, Government and the Parliament of the Republic of Serbia.