



Plenary sitting

B9-0601/2021

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

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on behalf of the S&D Group

**European Parliament resolution on the 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)0688), 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 its resolution of 10 March 2021 on the 2019-2020 Commission Report on Serbia,
 - having regard to the Commission communication of 19 October 2021 entitled '2021 Communication on EU Enlargement Policy', accompanied by the Commission staff working document entitled 'Serbia 2021 Report',
 - having regard to its previous resolutions on the country,
 - having regard to Rule 144(5) and 132(4) of its Rules of Procedure,
- A. whereas in November 2021, media and civil society organisations reported on a mistreatment of around 500 workers from Vietnam, employed to construct the Chinese Ling Long tire factory in Serbia's northern town of Zrenjanin; whereas the workers were living and working in conditions that could endanger their health and even their lives; whereas according to the workers their passports had been taken away by their Chinese employer and they were stranded in Serbia with no help from local authorities; whereas there are indications suggesting this is a case of human trafficking;
- B. whereas the rushed adoption of two laws in the Serbian National Assembly - the Law on Referendums and People's Initiative (adopted on 25 November 2021) and amendments to the Law on Expropriation (adopted on 26 November 2021) caused protests and blockades in many towns and cities in Serbia by environmental movements, which featured several violent incidents; whereas following the protests, on 8 December 2021, the Serbian government decided to suspend such Laws;
- C. whereas the Law on Referendums and People's Initiative was adopted in a rushed procedure to get it signed and move it rapidly through the relevant procedures so that it can enter into force in time for the referendum to change the Constitution to be held on 16 January 2022; whereas the Venice Commission in its opinion issued on 9 November

2021 recommended to abolish, or at least significantly lower the fees for People's Initiative signature authentication arguing that the economic burden of administrative procedure might prevent citizens from exercising their political rights and called for an improved appeal procedure;

- D. whereas the Law on Expropriation is considered too broad and with no avenue for legal recourse for citizens facing expropriation on grounds of projects declared of national interest; whereas the law is seen as opening space to controversial foreign investment projects, such as the Rio Tinto mine with heavy impact on the environment;
- E. whereas according to European Environment Agency's report pollution-related mortality rate in Serbia is the biggest in Europe and Belgrade is Europe's most polluted big city; whereas WHO in its report published in 2019 estimated that 6 592 deaths and 131.183 years of life lost were due to air pollution in Serbia;
- F. whereas the protests and blockades in Belgrade and Novi Sad were peaceful; whereas there were instances of disproportionate use of police force; 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, most notably in Šabac, where the police instead withdrew before the end of the protest, and allowed a mass of armed hooligans with a bulldozer on the protesters; whereas the vehicles believed to be owned by the municipality of Šabac were seen transporting the mob towards the protesters without police intervention;
- G. whereas in the days leading up to the protests on 4 December multiple people reported being visited by the police at their homes in an attempt to dissuade them from participating in the protests, which is a gross abuse of police power and a violation of the rule of law;
- H. whereas in response to the protests by environmental movements the pro-government media in Serbia, as well as high state officials and MP-s, launched a coordinated smear campaign against civic movements and civil society organisations spreading grave accusations that these "foreign mercenaries" are tasked to "create chaos" in the country and to "stop and destabilise Serbia"; whereas high state officials accused the protesters of violating the Constitution and behaving like fascists;
- I. whereas in some cases journalists have been physically attacked during the protests, and also during the rallies of government parties;
- J. whereas freedom of expression and the independence of media remain serious concerns in Serbia, which need to be addressed as a matter of priority;
- K. 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;
- L. 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 recent reports of a mistreatment and dire living conditions of around 500 workers from Vietnam, employed to construct the Chinese Ling Long tire factory in Serbia's northern town of Zrenjanin, indicating human trafficking for the purpose of labour exploitation;

2. Urges the Serbian authorities, including Ministry of Labour and Labour Inspectorate, as well as the Ministry of Interior, Office for Coordination of Anti-Trafficking Activities and Public Prosecutor's Office to take measures in a matter of urgency to end these abuses of workers' rights and human dignity, to investigate and punish all responsible;
3. Calls on Serbia to improve alignment with EU labour law, to tackle undeclared work, to amend the law on inspection oversight to comply with the relevant ILO conventions which have been ratified by Serbia and to adopt a new law on the right to strike,;
4. Expresses concern about China's increasing influence in Serbia, a candidate country for EU membership, and the lack of transparency and environmental and social impact assessment of Chinese investments and loans; calls on Serbia to strengthen its legal compliance standards for Chinese business activities;
5. Expresses deep concern over the increasing violence by extremist and hooligan groups against the peaceful environmental demonstrations; calls on Serbian authorities to publicly condemn the actions of these hooligans against the protesters; demands that the ties between the hooligan/far-right groups and authorities cease, and that they are properly investigated and prosecuted;
6. Condemns the role of the hooligan groups in the protection of the mural of the convicted war criminal Ratko Mladić in Belgrade; expresses concern over the authorities' apparent unwillingness to ensure a safe removal of the mural in opposition to both the wishes of the tenants and the formal municipal decisions;
7. Stresses that abusive language, intimidation and slandering campaigns against civil society organisations and the environmental demonstrators carried out by high state officials and MPs in the plenary of the National Assembly, represent a breach of democratic practice and fundamental democratic values that should be strongly condemned; 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 intimidation of these organisations; urges the authorities to foster an atmosphere which is conducive to the work of all civil society organisations as soon as possible;
8. 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;
9. Expresses concern over the limited time and space available to openly debate the Law on Referendums and People's Initiative and amendments to the Law on Expropriation; Is worried that the emergency procedure according to which the two Laws were adopted, is becoming a regular way to pass legislation and that there is absence of proper public debate; welcomes that the Government of Serbia has decided to withdraw the Law on Expropriation from the parliamentary procedure; 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;

10. Underlines that further substantive reforms in the procedure and practices are necessary to improve the quality of the legislative process, to ensure effective parliamentary oversight and to put a stop to the systemic shortcomings of the National Assembly, and by increasing transparency and social and political dialogue;
11. Recalls that social dialogue is one of the pillars of the European social model and that regular consultation between the government and social partners is instrumental in the prevention of social tension and conflict; underlines that it is essential for social dialogue to go beyond the exchange of information and that interested parties should be consulted on important laws before they are subjected to parliamentary procedure;
12. Calls on the Commission and the EEAS to strengthen their cooperation with and support for civil society, NGOs and independent media on the ground;
13. Regrets the lack of progress in many areas of Serbia's reform agenda and the fact that there has even been backsliding on issues that are fundamental for EU accession; takes note that Serbia will open Cluster 4 in accession negotiations with the European Union;
14. Notes that the EU's commitment to fostering the rule of law extends to Serbia, where the EU should continue its cooperation with the Council of Europe to support Serbia in carrying out essential reforms and training regarding justice, the fight against corruption, the promotion of human rights, and the role of free and independent media and civil society, and in monitoring the progress realised in those areas, in line with the revised enlargement methodology;
15. Notes that the legal and institutional framework for upholding human rights is formally broadly in place, but that it lacks effective mechanisms to ensure respect for these fundamental rights; calls for its more effective implementation, with particular regard to the most vulnerable groups in society;
16. Is concerned by the high levels of air pollution in Serbia and urges the authorities to swiftly take measures to improve air quality; stresses the importance of finding sustainable solutions, reducing emissions from industrial sites and limiting the use of lignite and other low-calorie coal in energy production, as well as for heating;
17. 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 Affairs and Security Policy, the governments and parliaments of the Member States and the President, Government and Parliament of Serbia.