

**EUROPEAN UNION - SERBIA
STABILISATION and ASSOCIATION
PARLIAMENTARY COMMITTEE (SAPC)**

5th Meeting

22-23 September 2016

Belgrade

DECLARATION and RECOMMENDATIONS

The European Union-Serbia Stabilisation and Association Parliamentary Committee (SAPC) held its fifth meeting on 22-23 September 2016, in Belgrade, under the co-chairmanship of Mr Eduard KUKAN for the European Parliament Delegation and Mr Vladimir ORLIĆ for the National Assembly of Republic of Serbia Delegation.

It exchanged views with:

- H.E. Ms Dagmar REPČEKOVÁ, Ambassador of Slovakia to Serbia, on behalf of the Slovak Presidency-in-Office of the Council of EU,
- H.E. Mr Michael DAVENPORT, Ambassador of the European Union to Serbia, on behalf of the European Commission,
- Ms Ksenija MILENKOVIĆ, Director (acting) of the European Integration Office, on behalf of the Government of Serbia.

The members of the Stabilisation and Association Parliamentary Committee addressed the following subjects:

- State of play of the accession negotiations and EU-Serbia relations;
- Developments in Economy;
- Reform of judiciary, fundamental rights and freedoms, including freedom of media;
- Dialogue on normalisation of relations between Belgrade and Pristina;
- Foreign, security and defence policies and cooperation;
- Presentation of European Court of Auditors report about use of IPA funds in Serbia.

The Stabilisation and Association Parliamentary Committee, in accordance with Rule 7 of its Rules of Procedure and Article 125 of the EU-Serbia Stabilisation and Association Agreement, addressed the following Declaration and Recommendations to the Stabilisation and Association Council and to the institutions of Serbia and of the European Union:

1. Welcomed the opening of the key negotiation chapters - 23 (Judiciary and fundamental rights) and 24 (Justice, freedom and security) - and expressed regret that the opening has been unnecessarily delayed; recognised all efforts that Serbia has taken in order to be able to open negotiation chapters and encouraged authorities to proceed on the path of reform in order to strengthen growth and employment, to further develop private sector, tackle the key challenges in public administration and to reform the state-owned companies, along with smooth development of the rule of law and strengthening other European values; called for fast and effective implementation of the adopted action plans and measures and consequently called upon the EU Member States to agree on further opening of negotiation chapters that are technically fully prepared; invited European Commission to submit further to the Council Screening Reports on the remaining chapters, as soon as possible and in line with the overall balance clause envisaged in the Negotiating Framework;

2. Emphasised that the principle of the rule of law is of key importance and that thorough negotiations of chapters 23 and 24 is essential to address the reforms that have to be carried out in field of justice, human rights and home affairs; stressed the vital importance of an independent judiciary; called on the authorities to provide all necessary support and swiftly implement the national judicial reform strategy as set out in the action plan for Chapter 23 and to ensure independence of the judiciary;

3. Welcomed good conduct of the early parliamentary elections in April, new constitution of the National Assembly and election of the new Government of Serbia; stressed significance of implementing recommendations of the OSCE/ODIHR Election Observation Mission final report, addressing its priority recommendations in the first place;

4. Welcomed Belgrade's continued engagement in the Dialogue on normalisation of relations with Pristina and stressed that progress is measured by the degree of implementation on the grounds of the agreements reached during the Dialogue process; commended the efforts of the business community to the normalisation of relations; expressed the view, that the full normalisation of relations between Belgrade and Pristina is an important condition for Serbia's accession to the European Union, as stated in the Negotiating Framework on the Accession of Serbia to the European Union; called for both sides of the Dialogue to fully implement all the agreements, in accordance with previous SAPC recommendations; called for both sides to intensify fight against organised crime;

5. Acknowledged significant efforts that Serbian authorities put into addressing the ongoing migration crisis and highly supported Serbia's continuous humanitarian response and substantial actions taken to provide the best possible shelters for thousands of refugees in its territory; drew particular attention to the fact that Serbia is still coping with illegal migration through formally closed Balkan Route and called for further caution in this regard; welcomed EU's readiness to step up humanitarian and financial assistance to Serbia in order to help with continuous, immense refugee pressures and called for further support in this regard;

6. Noted that greater efforts are needed by Serbia in order to progressively align its foreign and security policy with that of the European Union, including policies and joint positions of the Member States of the Union; noted that higher alignment in Foreign and Security Policy can further built trust among Serbia and Member States; highly encouraged Serbia's continuous participation in the EU military and civilian missions;

7. Appreciated the overall constructive approach of the Serbian Government to relations with neighbouring countries; welcomed the political Declaration signed on 20 June by the Croatian President and the Serbian Prime Minister, which pledged to expedite work on key outstanding bilateral issues, including the most sensitive ones like missing persons and border demarcation; expressed a certitude that the mutually honest and swift implementation of the Declaration would be a major breakthrough in relations between Croatia and Serbia; regretted, however, the recent

unprecedented escalation of tensions between both countries, caused primarily by political discourse during the election campaign in Croatia and noted responsible and restrained behaviour of the Republic of Serbia; expressed concern about the decision of the Croatian authorities to abolish bilingual signboards in the city of Vukovar and to limit significantly the use of Serbian language in the local institutions; stressed that European integration process and negotiations towards full membership must not be conditioned with addressing exclusively bilateral issues, though underlined that good regional cooperation and neighbourly relations remain precondition for regional prosperity, stability and peace; emphasised the importance of infrastructure projects in strengthening regional cooperation and stability; commended the role of the “Berlin Process” and its results achieved this summer in Paris;

8. Welcomed economic reforms of the Government, which improved the budgetary situation of Serbia, increased employment rate and consolidated public debt; called upon the Commission to continue supporting the government in its plans to conduct further reforms; underlined that the rule of law is fundamental to create a sound environment for the development of a functional market economy; in view of harmonisation with *acquis communautaire*, welcomed the restructuring of public enterprises in the field of energy and railway transportation; underlined the importance of the further reforms of public enterprises, particularly the importance of professional management in order to make them more effective, competitive and economic; stressed the importance of providing a level-playing field for all the companies operating in Serbia in accordance with the law;

9. In order to increase awareness of citizens of the EU funds directed to Serbia, called on the European Commission and the Serbian Government to take coordinated steps in order to intensify visibility of investments and funding from the EU budget;

10. Noted that corruption and organised crime represent an obstacle to democratic, social and economic development; pointed out the significant role of the Anti-Corruption Agency and Anti-Corruption Council, their ability to perform their mandate fully, effectively and in safety, as well as the importance of their recommendations; welcomed the political impetus to fight corruption and organised crime, and called for further implementation of the recommendations of the Group of States against Corruption (GRECO); stressed the importance of building up a track record in final convictions, particularly with high-profile cases; underlined that the funding of political parties must be transparent and in accordance with the highest international standards;

11. Welcomed the fact that Serbia has an adequate legal and institutional framework for protecting human rights and fundamental freedoms; however, invited all relevant stakeholders to prevent any possible attacks on members of vulnerable minority groups and put further efforts to fully investigate some cases that occurred; pointed out the significant role of independent state bodies, authorities and institutions, including Ombudsman, as well as the importance of consideration of their reports and recommendations; called for full implementation of highest standards concerning minority rights throughout Serbia; commended the dedicated Action plan for national minorities and called for its swift implementation, especially in the field of education, adequate representation, official use of language and legal status of national councils of national minorities; welcomed the fact that a Pride Parade took place for a third year in a row, without incidents and violence; welcomed the participation of high state officials at this event which raised public awareness about the situation of the LGBT population in the country; strongly supported and called on the authorities to actively promote respect for human rights for all, including active participation throughout the year in campaigns promoting tolerance among the population;

12. Called for efficient implementation of the national strategy for war crimes prosecution, which would include strengthening the investigative, prosecutorial and judicial bodies in order to ensure a proactive approach and the confidentiality of investigations, improving witness protection and victim support systems and guaranteeing the rights of victims; emphasised that all countries concerned, including Serbia, have to investigate properly all allegations of war crimes and treat all suspects equally, without giving the impression that anyone can be above the law, and also regardless of the nationality of suspects or victims; welcomed the establishment of a coordination mechanism between War Crime Prosecutors of Serbia, Croatia and Bosnia and Herzegovina;

13. Called for further improvement of the situation regarding freedom of expression and of the media; emphasised the importance of complete transparency in media ownership and funding of media, as well as non-discrimination as regards state advertising; strongly encouraged impartiality, professionalism and journalists' high ethics; expressed concern about spreading false and misleading information about the EU in some media outlets, called for further improvement of the culture of journalism and strengthening of self-regulatory system and consistent work of the Regulatory Authority for Electronic Media in order to prevent the tabloidisation of media; called for thorough investigation of all attacks against journalists that occurred in the past and continuous provision of security of the journalists; pointed out the substantial role of the media in minority languages in order to maintain the accessibility to the information of public interest in mother tongue and importance of uninterrupted transmission of programmes in minority languages following the privatisation of the media in this regard;

14. Welcomed the ongoing implementation of the public administration reform; highlighted the need to depoliticise and professionalise public administration and to make recruitment and dismissal procedures more transparent; welcomed the ongoing reduction in the number of employees in the public sector and expressed conviction that the oversized Serbian administration could be replaced with compact, but more efficient public service.

15. Welcomed the signing by Serbia of the Paris Climate Agreement and called for Serbia and the EU Member States for its swift ratification; called for developing an ambitious climate strategy in Serbia, in line with the EU 2030 Climate and Energy Framework; encouraged Serbian authorities to keep conducting this process in a transparent manner and opening to all stakeholders; acknowledged progress made by Serbia in complying with the Energy Community legislation; encouraged Serbia to use the funding available under Western Balkans 6 process to take concrete action towards meeting its renewable energy and energy efficiency targets.
