

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

6th Meeting
13-14 September 2017
Strasbourg

DECLARATION and RECOMMENDATIONS

The EU-Serbia Stabilisation and Association Parliamentary Committee (SAPC) held its sixth meeting on 13-14 September 2017 in Strasbourg, 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. Mr Daniel Erik SCHAER, Ambassador of Estonia to Serbia, on behalf of the Estonian Presidency-in-Office of the Council of EU,
- Ms Genoveva RUIZ CALAVERA, Director for Western Balkans, Directorate General for Neighbourhood and Enlargement Negotiations, on behalf of the European Commission,
- Ms Ksenija MILENKOVIĆ, acting Assistant Minister of European Integration, on behalf of the Government of Serbia,
- Mr Eduard AUER, Head of Western Balkans Division, on behalf of the European External Action Service.

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

- State of play of the accession negotiations and EU-Serbia relations;
- Dialogue Belgrade-Pristina;
- Protection of fundamental rights and freedoms, with focus on gender equality and family violence;
- Role and functioning of the independent agencies and institutions - from legislation to practice;
- Developments in economy, including functioning of the SAA;
- Challenges of the Western Balkan migration route;
- European Parliament's pre-accession assistance to national parliaments.

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 Serbia's constructive and well-prepared approach to the negotiations, which is a clear sign of determination and political will; recalled that country's progress under rule of law chapters 23 and 24 and in the process of normalisation of relations under chapter 35 remained essential for the overall pace of the negotiating process, in line with the Negotiating Framework; underlined the need for informed, transparent and constructive debates on the EU, its institutions and the implications of membership; called the European Commission and the government of Republic of Serbia to continue their coordinated efforts on increasing the visibility of EU funded projects in order to continuously strengthen the citizen's awareness about the practical results of the European integrations; took note of improvements in dialogue and public consultations with relevant stakeholders and civil society; welcomed recent opening of new negotiation chapters and looked forward to the opening of additional chapters that have been technically prepared;
2. Welcomed Belgrade's important steps in the Dialogue on normalisation of relations with Pristina; underlined the need for more efforts to enhance the dialogue, called on establishment of Community of Serb Municipalities and implementation of the agreement on energy; expressed serious concern at the recent tensions and stressed the need to refrain from any action that might jeopardise the progress achieved so far and to refrain from provocative steps and unhelpful rhetoric that could hamper the normalisation process; called to move forward with the full implementation of the agreements reached in the EU-facilitated dialogue, in good faith and in a timely manner;
3. Noted that Serbia has made good progress in addressing some of its policy weaknesses, in particular with regard to the budget deficit which was below the level set in the Maastricht criteria; highlighted that growth prospects have improved and domestic and external imbalances have been reduced; underlined the paramount role of small and medium-sized enterprises (SMEs) for Serbia's economy and the importance of the existence of the support programmes for their development, particularly in the field of IT and digital economy and welcomed the steady improvement of conditions for doing business, as reflected in the World Bank's index, where country moved up almost 50 places in last three years; commended Serbia's efforts concerning dual and vocational education in order to address youth unemployment and underlined the importance of organising training more in keeping with labour market demand and strengthening of the entrepreneurial spirit among the young people;
4. Welcomed the opening of the negotiating chapter 20 - Entrepreneurship and industrial policy, as well as the efforts of the Serbian authorities to continuously provide support for entrepreneurs through a number of measures and actions taken within the development programs of the relevant ministry; commended in this manner Serbia's "Year of Entrepreneurship" and its participation in the EU programs like Horizon 2020, WB EDIF, APEX, EaSI and COSME¹;
5. Reiterated its call, in line with the requirements of its candidate status and Stabilisation and Association Agreement, to progressively align Serbia's foreign and security policy with that of the EU, including its policy on Russia; commended joining forces in combating terrorism threats, migration crisis, organised crime and participation in many EU civilian and military missions, as well as joint activities in the framework of Partnership for Peace Program; strongly encouraged and supported Serbia in negotiating WTO accession;

¹ Horizon 2020 - Framework Programme for Research and Innovation; WB EDIF - Western Balkans Enterprise Development & Innovation Facility; APEX - The European Investment Bank (EIB) loans aiming at financing small and medium enterprises (SMEs) and other infrastructure projects; EaSI - Programme for Employment and Social Innovation; COSME - Programme for the Competitiveness of Enterprises and SMEs.

6. Welcomed the fact that Serbia has made substantial burden-sharing efforts combating ongoing migration crisis to ensure that third country nationals received shelter and humanitarian supplies and called on the Serbian authorities to continue to provide all refugees and migrants with basic services; 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; commended significant EU and international support in this manner and called on the Commission and the Council to provide continued support for Serbia in addressing migration challenges and to closely monitor the application of financial subsidies for the organisation and handling of migration flows; noted that Serbian Government adopted the new draft Law on Asylum and Temporary Protection;
7. Noted that some progress has been made in the area relating to the judiciary, in particular by taking steps to harmonise jurisprudence and further promoting a merit-based recruitment system; noted also that independent appointment of judges is not assured in practice, political comments on ongoing investigations and cases continue and there is a lack of random allocation of cases in all courts; commended the adoption of the Code of Conduct for MPs' on the permitted limits on commenting the judiciary decisions and procedures, in line with the action plan for the chapter 23; called on the authorities to fully implement objectives and measures set out in that action plan, including the legislation on Free Legal Aid;
8. Called on Serbia to step up implementation of the national anti-corruption strategy and the action plan and called for the establishment of an initial track record of investigations, prosecutions and convictions for high-level corruption; welcomed the implementation of the reform of public finances management 2016-2020, with the external audit mechanism in place, through cooperation between the Parliament and the State Audit Institution, which, apart from more efficient consumption of public finances, contributed to increased transparency of public finances;
9. Welcomed Serbia's active role in international and regional police and judicial cooperation, the progress made in the fight against organised crime and the adoption of Serbia's first national Serious and Organised Crime Threat Assessment (SOCTA);
10. Stressed the importance of the role of the national parliaments in the EU accession process, as well as the mutual cooperation of national parliaments' working bodies and the European Parliament; noted that frequent use of urgent procedures and last minute changes to the parliamentary agenda can undermine parliamentary effectiveness, quality and transparency of the law-making process, while not always allowing for sufficient stakeholder and wider public consultation; underlined that the parliament's oversight function is highly important in this process and continuous cooperation with CSOs can additionally strengthen it towards the executive; welcomed the measures taken to improve transparency and the consultation process, including public hearings, regular meetings and consultations with the National Convent on European Integration, as an important part of the negotiation procedure and commended the cooperation among the relevant parliamentary committees, and cooperation between the European Integration Committee and the National Convent on the EU;
11. Reiterated the importance of independent regulatory bodies in ensuring oversight and accountability of the executive; stressed the importance of full political and administrative support for their work and proper follow-up of their recommendations;
12. Underlined that the legislative and institutional framework for observance of international human rights law is in place; stressed that consistent implementation of that framework across the whole country is needed and in this regard supported further implementation of the action plan for the rights of national minorities and all sustained efforts to improve the situation of persons belonging to vulnerable and minority groups, especially in the field of education, official use of languages, minority media and culture as well as adequate representation at all levels of public administration and judiciary; supported all sustained efforts to improve the situation of persons belonging to vulnerable and minority groups and to pro-actively support and promote a culture of inclusion and tolerance; welcomed organisation of the Belgrade Pride;

13. Reiterated importance of freedom of expression and media and called for more progress in this regard; noted that freedoms of expression and freedom of media are challenged in numerous of the EU member states and invited all to follow the examples of the most developed policies in this regard among EU member states; called for the improvement of the culture of journalism and strengthening self-regulatory system, and consistent work of the Regulatory Authority for Electronic Media; underlined the importance of complete transparency in media ownership and funding of media; stressed the importance of prevention of any possible threats, violence and intimidation against journalists and in this regard welcomed Agreement on Cooperation and Measures for Improvement of Security of Journalists between the Prosecution, Ministry of Interior and media associations; called on decisive improvement of the situation regarding freedom of expression, noted claims about self-censorship of the media; called for the full implementation of media laws.
14. Reiterated that the promotion and protection of human rights, including the rights of national minorities and their effective implementation is a basic precondition for joining the EU; welcomed the adoption of new educational standards for the teaching of Serbian as a non-mother tongue, the progress in translation of school textbooks into minority languages and encouraged the Serbian authorities to ensure the sustainability of these processes; highlighted that the on-going reform of educational system must not harm the acquired rights of national minorities; invited the government to continue implementation of all international treaties concerning minority rights; supported activities on adoption of the Law on Gender Equality;
15. Called on Western Balkan countries to continue to promote a climate of respect and tolerance and condemned all forms of hate speech, crimes against humanity and war crimes; stressed that full cooperation with the Hague Tribunal (ICTY) remains essential; called for war crimes to be handled without any discrimination, addressing impunity and ensuring accountability; commended coordination mechanism between war crime prosecutors of Serbia, Croatia and Bosnia and Herzegovina and urged all authorities to continue working on the issue of the fate of missing persons, locating mass graves and guaranteeing the rights of victims and their families; welcomed election of the new Chief Prosecutor for War Crimes in Serbia and expressed their hope that the election could go together with implementation of measures designed to increase the efficiency of this office;
16. Commended constructive approach of Serbian Government to relations with neighbouring countries and the readiness to discuss and overcome open bilateral issues through constructive dialogue; noted active participation in number of regional cooperation initiatives and significant contribution to economic, political and cross-border cooperation, promotion of good neighbourly relations and mutual respect; expressed further support to strengthen regional cooperation under the "Berlin Process" and all the agreements that will be reached at the WB6 level; welcomed the results of the Trieste Summit and called for further development of Western Balkans' common economic area project and continuous cooperation on major infrastructure investments.
