Relations between the European Union and Serbia

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The Committee on Foreign Affairs adopted the own-initiative report by Jelko **KACIN** (ALDE, SI) on relations between the European Union and Serbia. The report states that the future of Serbia lies in the European Union and that nearly 70% of Serbs voted in favour of EU membership. The committee believes that Serbia deserves special commendation for the peaceful resolution of a series of difficult challenges over the past year, including the dissolution of the State Union of Serbia Montenegro, fair and free parliamentary elections and the formation of a new government with a pro-European engagement. It welcomes the resumption of negotiations on an SAA between the Serbian Government and the EU after a 13-month break. It encourages both parties to move forward quickly with the negotiations and to make all the necessary arrangements in order to avoid technical delays in the interim period between the initialling and the signature of the Agreement, so that the signature can take place before the end of 2007. It regards the signature of the SAA as an important step in the road towards EU accession.

The report welcomes the Serbian Government's desire to cooperate with the **International Criminal Tribunal for the former Yugoslavia (ICTY),** which opens the way to further cooperation with the EU. It congratulates Serbia on its recent progress in cooperating with the ICTY, which has made it possible for the SAA negotiations to be resumed and for the ICTY's Chief Prosecutor, Carla del Ponte, to give a positive assessment regarding Serbia's cooperation with the Tribunal. It welcomes the arrest and transfer to The Hague of Zdravko Tolimir and Vlastimir ðorñevi, the assurance of Prime Minister Koštunica to Carla del Ponte that "more arrests are likely" (including ex-Bosnian Serb General Ratko Mladi), and the creation of new structures aimed at centralising all activities to apprehend fugitives, including improved transparency of the National Security Council. The committee stresses that full cooperation with the ICTY is not only an international obligation but also a key step towards achieving lasting reconciliation in the region. To this end, MEPs call on the Serbian parliament to fulfil its commitments arising from the ICJ ruling and to adopt a declaration denouncing the genocide in Srebrenica. They believe that, given the timetable for closure of the ICTY, which currently envisages the conclusion of trials by 2008, it would be necessary to consider extending the mandate of the ICTY were indicted war criminals to be arrested after that date.

As regards **Kosovo**, the committee takes the view that a resolution to the status of Kosovo will both consolidate stability in the Western Balkans and facilitate the integration of the region into the European Union.

On an **economic level**, the committee is pleased to note that Serbia has made significant economic progress since 2000, with an average annual growth rate of 5%. However, according to the IMF's assessment, this has not translated into a reduction in poverty or in the high unemployment rate (which is over 20%). It believes that tackling these problems represents a core challenge for the new government. It therefore calls on the Serbian government to make a firmer commitment to employment creation and poverty alleviation and to adopt concrete measures aimed at a more balanced economic development in all districts of the country.

Further efforts are necessary as regards the development of administrative structures and procedures as these can increase trust in the rule of law, strengthen the market economy and encourage economic growth in Serbia. MEPs call on the Serbian authorities to improve the economic climate for foreign investment and transparency in trade relationships.

The committee is pleased to record that Serbia has a new constitution which includes positive provisions regarding human rights. It notes, however, that the legal framework for the protection of minorities needs to be improved further.

Concerning the **territorial issue**, the committee calls on the Serbian Government to maintain the territorial, administrative and political entity of Vojvodina, the Sandžak district and any other areas or regions with ethnic and national minorities when forming the new NUTS 2 level regions, and not to use the administrative steps vis-à-vis the European Union as a pretext to divide the historic regions. The Commission, the Council and the Parliament are called upon to bear the risk of this in mind and to follow with critical attention the organising of NUTS 2 level regions in Serbia.

MEPs strongly believe that a key **human rights** issue is to find durable solutions for refugees and internally displaced people (IDPs), especially since Serbia is still hosting a very high number of refugees, mostly from Croatia and partly from Bosnia-Herzegovina, and IDPs from Kosovo. It deeply regrets that the end-of-2006 deadline for resolving all outstanding issues foreseen by the Sarajevo Declaration on the return of refugees and property reparations has not been met. The Serbian Government is called upon to adopt a clear legal framework covering, inter alia, the right to return to the place of origin and the right to property compensation. The EU is urged to remain committed to upholding the rights of refugees, and to provide continuing support to the countries in question, including by earmarking sufficient financial resources to that end. They emphasise that the integration or resettlement of IDPs and refugees should not significantly alter the original ethnic balance of an area or region. In this respect, the report draws attention to the Council of Europe's Framework Convention on the Protection of Minorities (1995).

Recognising the progress made in the fight against **organised crime and corruption**, the report points out that corruption is a major obstacle to attracting greater foreign investment, and calls on the Serbian government to implement a comprehensive anti-corruption strategy. It considers it necessary to pursue the fight against organised crime. The Council and the Commission are urged to further encourage the Serbian government to carry out substantial reform of the police, the security services and the army, including measures to provide for greater civilian oversight of the military. It considers that the reform of the police should take into account the need for minority-language-speaking police forces in regions inhabited by large minority populations. The report welcomes the judicial reform measures taken to date but stresses the need for this process to be pursued, particularly in relation to the speed of trials, witness protection, the prevention of corruption and the independence of judges. It regrets that the Constitutional Court is not functioning, something that is not conducive to the development of democracy and democratic legislation in Serbia. MEPs welcome the work of the Serbian War Crimes Prosecutor but regrets that domestic war crimes trials are undermined by a lack of transparency and political will to trace back the chain of command responsibility beyond the immediate perpetrators to those who issued the orders. It believes that the sentences imposed by the Serbian war crimes court on four members of the paramilitary group, the Scorpions, for the execution of six Muslims from Srebrenica did not reflect the heinous nature of the crime.

As regards the recent history of Serbia, MEPs believe that the citizens of Serbia are entitled to be told the truth about the recent policies of war and genocide committed in their name, and to have knowledge of the perpetrators of war crimes. They believe that Serbia must honestly confront its recent past in order to progress and that coming to terms with the past is an integral part of the road to reconciliation with Serbia's neighbours. They call on the government to re-open the Truth and Reconciliation Commission established in 2001, not least in order to secure an end to the climate of fear that persists in some parts of the country. The committee welcomes the Serbian President's apology to Croatian citizens for war crimes committed by Serbs during the 1992-1995 war in Croatia. Reconciliation and justice are indispensable for the stability and development of all the countries in the region as well as for their integration into the European Union. It urges Serbia's neighbouring countries to follow this model and to condemn any manifestation of ethnic intolerance and racism which takes place in their territories.

On the issue of **regional cooperation**, the report emphasises that it is in Serbia's best interests to develop and maintain good relations with its regional partners, to enhance effective trans-border cooperation, fully utilising the potential of the national minorities in the border areas, and to participate actively in bilateral, regional and European infrastructural projects. It encourages the Serbian Government to promote good neighbourly relations with both entities of Bosnia and Herzegovina (the Federation of Bosnia and Herzegovina and the Republika Srpska), since such relations will help to foster a better climate of cooperation in the region.

The report also calls on the Council and the Commission to allocate to the International Commission for Missing Persons (ICMP) sufficient financial resources to enable that organisation to complete its work of identifying all missing persons in the territory of the former Yugoslavia by 2010. MEPs welcome the adoption of a comprehensive national strategy to combat human trafficking, but urges the Serbian Government to be more stringent in prosecuting cases and ensuring that traffickers receive and serve prison sentences consistent with the nature of the offence. They believe that the transformation of Radio Television of Serbia (RTS) into a public service represents a step forward. They draw attention also to the need to draw up fully democratic rules governing the allocation of radio and television broadcasting concessions and providing in particular for the possibility of appealing against decisions of the concessionary authority. They deeply regret that there has been no progress in the resolution of cases involving murders of journalists.

As regards the **civil society**, MEPs note the existence of a well-developed NGO sector, however, the Serbian parliament is urged to adopt legislation to improve the legal situation for civil society organisations. They condemn the public denigration of civic society actors who criticise the government or draw attention to sensitive issues such as war crimes.

The report welcomes the initialling of the visa facilitation and readmission agreements and urges the Council to ensure that they enter into force by the end of 2007. The Council, with the support of the Commission, is urged to establish a concrete roadmap for visa-free movement and to adopt support measures designed to increase travel opportunities for a greater proportion of citizens, particularly young people. MEPs also request Serbia to reform the education system and to continue approximating EU environmental legislation and standards and to implement and enforce adopted legislation.

Lastly, the report calls on the Council, the Commission and all Member States to make concerted efforts to **increase EU visibility in Serbia**.