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

9th Meeting

29-30 October 2018
Belgrade

**DECLARATION and RECOMMENDATIONS**

The European Union-Serbia Stabilisation and Association Parliamentary Committee (SAPC) held its ninth meeting on 29-30 October 2018, 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. Mr Nikolaus Lutterotti,** Ambassador of Austria to the Republic of Serbia, on behalf of the Austrian Presidency-in-Office of the Council,
* **H.E. Mr Sem FABRIZI**, Ambassador of the European Union to Serbia,
on behalf of the European Commission,
* **Ms Jadranka JOKSIMOVIĆ**, Minister of European Integration
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 under the Negotiating Chapters 23 and 24, including judiciary, constitutional reform, fundamental rights, freedom of media and professionalism;
* Economic development;
* Update on the EU-facilitated Dialogue between Belgrade and Pristina;
* Foreign, security and defense policies and cooperation;
* EU pre-accession assistance to Serbia and communicating EU‑related benefits to citizens;

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. Hailed the continued progress of Serbia made in the accession negotiations, bringing the total number of chapters opened to 14, two of which have been provisionally closed; welcomed the opening of negotiating chapters 13 (Fisheries) and 33 (Financial and budgetary provisions); recalled that the country’s consistent 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, and called for tangible and sustained progress in this regard; called on the Council and the Commission to support opening of additional technically prepared chapters and underlined the need for informed, transparent and constructive public debates on the EU, its institutions and the implications of membership; called on the government of Republic of Serbia, in cooperation with the European Commission, to continue their coordinated efforts to continuously strengthen the citizens’ awareness of the practical benefits of European integration; welcomed that citizens’ support for the accession of Serbia to the European Union had increased, according to recent public opinion polls; supported Serbia’s 2025 perspective, which should be feasible with substantially intensified reforms in coming years;
2. Welcomed EU facilitation of the Dialogue between Belgrade and Pristina at highest political level through High Representative/Vice President Mogherini in order to achieve a legally binding agreement on comprehensive normalisation of relations; reiterated its call for the full implementation of all agreements reached in the EU‑facilitated Dialogue and in particular urged to establish the Association/Community of Serb‑majority Municipalities and implement the agreement on energy; welcomed important steps made by Belgrade in the Dialogue on normalisation of relations with Pristina;
3. Welcomed the high growth rate of Serbia’s economy and that Serbia had strengthened financial stability, in particular with regard to the budget sufficit and the fact that the real GDP growth in the second quarter of 2018, compared to the corresponding period of the previous year, amounted 4.8%, which had positioned Serbia among the fastest growing European economies; commended higher trade with the EU and that Serbia attracts most FDIs in the region which had led to new jobs for Serbia’s citizens;encouraged Serbia to step up efforts to increase both public and private investment and deliver on other reforms presented in the Economic Reform Programme 2018-2020, in particular in the areas of fiscal rules, energy markets, tax administration, state aid control and labour taxation; underlined the paramount role of small and medium-sized enterprises (SMEs) for the economy and the importance of the existence of the support programmes for their development, particularly in the field of IT and digital economy; noted that an increasing number of key infrastructure projects were financed by third countries and noted the importance of transparency and compliance with EU standards as general rule; highlighted that the business environment had improved and the unemployment rate had fallen significantly, and called for more private investments; called for opening the European Social Fund for Serbia to use;
4. Reiterated its call on Serbia to progressively align its foreign and security policy with that of the EU, in line with the requirements of its candidate status and that of the Stabilisation and Association Agreement and expressed the expectation that the level of alignment with the EU CFSP would rise; welcomed Serbia's participation in four EU CSDP missions and operations and in the roster of the EU Battle Groups, as well as its cooperation in combating terrorism threats, irregular migration and organised crime and the joint activities in the framework of the Partnership for Peace Program;
5. Welcomed Serbia´s decision to terminate the visa-free travel regime for Iranian nationals and encouraged Serbia to progressively align its visa policy with that of the EU;
6. Noted that some progress had been made in the area of the judiciary; underlined the need for further reforms guaranteeing separation of powers and strengthening independence of the judiciary, based on a wide and inclusive consultation process; noted that judicial independence in Serbia was still not fully assured; welcomed that relevant draft amendments to the Constitution had been submitted to the Venice Commission; welcomed the fact that the recommendations formulated by the Venice Commission in its June opinion were followed; encouraged the Serbian authorities to keep creating a constructive and positive environment around the public consultations concerning this important process of amending the Constitution; commended the reduction of the backlog of cases and the introduction of measures to harmonise court practices; noted, however, the lack of random allocation of cases in all courts; called on the authorities to fully implement the objectives and measures set out in the action plan for chapter 23, including the adoption of legislation on Free Legal Aid and protection of personal data;
7. Called on Serbia to step up the 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 in high-level cases of corruption and expected adoption of the new law on the Anti-Corruption Agency, without further delay; welcomed that the Law on Lobbying was adopted by the Government and submitted to the National Assembly; encouraged Serbia to continue with the implementation of the recommendations provided by the Council of Europe’s anti‑corruption body GRECO; welcomed Serbia’s active role in international and regional police and judicial cooperation, the progress made in the fight against organized crime and the adoption of Serbia’s first national Serious and Organised Crime Threat Assessment (SOCTA); stressed the continued importance of the completion of the implementation of the action plan agreed with Financial action task force (FATF);
8. Emphasized the importance of the parliamentary dimension in the EU accession process, as well as the mutual cooperation between national parliaments’ working bodies and the European Parliament; reiterated its concern that frequent use of urgent procedures and other parliamentary practices could 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 was highly important in this process and that continuous cooperation with Civil Society Organisations (CSOs) could additionally strengthen its role; welcomed the measures taken towards transparency and the consultation process, including public hearings, regular meetings and consultations with the National Convention on the European Union (NCEU), as an important part of the negotiation procedure; and commended the cooperation among relevant parliamentary committees, as well as between the European Integration Committee and the NCEU; noted that the relevant Committees considered annual reports of independent state institutions and regulatory bodies for the year of 2017 in order to submit their proposals for conclusions to the plenary of the National Assembly and encouraged discussion of such reports on a regular basis;
9. Noted that some progress had been made in accordance with OSCE/ODIHR recommendations from previous elections; stressed the need to fully implement remaining recommendations of the OSCE/ODIHR Election Observation Mission final report, addressing its priority recommendations in the first place;
10. Underlined that the legislative and institutional framework for observance of international human rights law was in place; stressed that consistent implementation of that framework across the whole country was 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;
11. Acknowledged the active participation of the country’s national minorities in the election cycles and the good practice of establishing polling boards with equitable representation of national minorities; encouraged the persons belonging to national minority communities to actively take part in the upcoming elections for the National Councils of National Minorities; noted that the Parliament had adopted proposals on the framework of minority rights, especially on the Law on National Councils of National Minorities; supported the pro-active promotion of a culture of inclusion and tolerance; welcomed the fact that the Belgrade Pride on 16 September 2018 had been held without any incidents; supported activities towards the adoption of the Law on Gender Equality;
12. Reiterated the importance of freedom of expression and media and called again for more progress in this regard; stressed the importance of prevention of any possible threats, violence and intimidation against journalists and in this regard welcomed the Agreement on Cooperation and Measures for Improvement of Security of Journalists between the Prosecution, Ministry of Interior and media associations; called for 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; welcomed the initiative to redraft the media strategy in an inclusive manner; 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 communicating EU-related benefits to Serbia’s citizens;
13. Called on Western Balkan partners 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 Mechanism for International Criminal Tribunals (MICT) remained essential; called for war crimes to be handled without any discrimination, addressing impunity and ensuring accountability; commended the 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; reiterated its support for the initiative to establish the Regional commission for the establishment of facts about war crimes and other serious violations of human rights committed in the former Yugoslavia (RECOM); welcomed the adoption of “The Prosecutorial Strategy for the investigation and prosecution of war crimes in the Republic of Serbia 2018-2023” by the Office of the War Crimes Prosecutor; encouraged the openness of the Serbian authorities to discuss and overcome open bilateral issues through dialogue; noted Serbia’s active participation in a number of regional cooperation initiatives;
14. Welcomed the creation of a separate Ministry for Environmental protection in 2017 that reflected an increase of environmental awareness in Serbia; noted the gradual improvement of the quality of public consultations on environmental issues; underlined the importance of increasing capacity and improving inter-institutional cooperation at all levels as well as establishing a sustainable financing mechanism for environmental investments based on the polluter pays principle; welcomed the country’s efforts to promote investments in the fields of energy efficiency and renewable energy; emphasized the importance of legislative alignment with the corresponding EU directives; supported diversification of energy resources towards other renewables; emphasized the importance of effective policies to tackle air pollution in the main cities with regard, in particular, to sustainable mobility and public transport, as well as a solution for waste management;
15. Underlined the importance of increased connectivity within the Western Balkans, as well as between the Western Balkans and the European Union, a key factor for growth and jobs which would further stimulate investments in the region; recalled also that the adoption of technical standards and the implementation of soft measures such as aligning and simplifying border crossing procedures, railway reforms, information systems, road safety and maintenance schemes, third party access and strengthening the capacity of social partners were equally important to the economy but also for improving public services;
16. Expressed further support for increased regional cooperation under the "Berlin Process", including on reconciliation;stressed,however, that the Berlin process cannot become a surrogate of the enlargement process; called for the further development of the Regional Economic Area (REA), which already at this stage had a positive impact on regional trade flows; welcomed the unequivocal support to the European perspective of the Western Balkans reaffirmed at the Sofia Summit on 17 May 2018, as well as the adoption of the Sofia Declaration; recalled the statement that the EU was determined to strengthen and intensify its engagement at all levels to support the region's political, economic and social transformation, including through increased assistance based on tangible progress in the rule of law, as well as in socio-economic reforms, by the Western Balkan partners; strongly supported the Western Balkans partners’ pledge to continue strengthening good neighbourly relations, regional stability and mutual cooperation and in this regard; welcomed the adoption of the Joint Declarations in the framework of the Western Balkans Summit held on 10 July 2018 in London;
17. Commended the EU financial assistance to Serbia IPA II 2014-2020 for the implementation of the programmes and projects, which would contribute to the implementation of political, economic, judicial and institutional reforms as a prerequisite for Serbia’s progress in its EU accession process.