

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

1st Meeting
15 November 2013
Belgrade

DECLARATION and RECOMMENDATIONS

The EU-Serbia Stabilisation and Association Parliamentary Committee (SAPC) held its 1st meeting on 15 November 2013 in Belgrade, under the co-chairmanship of Mr Eduard Kukan for the European Parliament Delegation and Mr Ivan Andrić for the National Assembly of Republic of Serbia Delegation.

It exchanged views with:

Mr Nebojša STEFANOVIĆ, Speaker of the National Assembly;

Mr Aleksandar VUČIĆ, First Deputy Prime Minister and
Mr Nikola SELAKOVIĆ, Minister of Justice and Public Administration,
- on behalf of the Government of the Republic of Serbia;

Mr Michael DAVENPORT, Head of the Delegation of the European Union in Serbia
- on behalf of the High Representative of the Union for Foreign Affairs and Security Policy
and on behalf of the European Commission.

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

- State of play of EU-Serbia relations,
- Economic developments,
- Improving the functioning of the rule of law:
reform of the judiciary and the fight against corruption and organised crime,
- Dialogue between Belgrade and Pristina,
- Regional cooperation and region's progress towards the EU membership.

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 decision to launch the accession negotiations with Serbia; considered that the EU-Serbia intergovernmental conference should take place in December 2013, taking into consideration positive European Commission Progress Report and provided that Serbia meets the criteria laid down in the Council's conclusions;
2. Appreciated efforts and resources Serbia committed in implementation of Interim Trade Agreement and, in this regard, welcomed the Stabilisation and Association Agreement with Serbia (SAA) coming in force as of 1 September; encouraged Serbian institutions in adoption the framework for accession negotiations, coordination of all activities and intensifying of scheduled regulations adoption;
3. Noted with satisfaction the development of inter-parliamentary relations between the National Assembly of Serbia and the European Parliament, which are organised within a framework of a Stabilisation and Association Parliamentary Committee and will allow for more in-depth and frequent meetings between the respective members of Parliaments; encouraged the current efforts of the National Assembly in securing parliamentary oversight of the future negotiation process in accession and engagement of the civil society through a consultative mechanism from the early stages of the process;
4. Welcomed the progress in Belgrade-Pristina dialogue, engagement and commitment of all parties in the process and recently reached agreements on telecommunication and energy; recalled of the need for maximum transparency in communicating the dialogue outcome and involving parliament and civil society in implementation process; reiterated that smooth and timely implementation of the agreements reached so far, and in particular those pertaining to the police, judiciary and security issues in the north of Kosovo, is of essence for the success of the European integration process; encouraged both sides to continue the high-level dialogue addressing the issues of missing persons, the status of the Serbian Orthodox Church in Kosovo and property issues with the aim of full normalization of relations in accordance with the Brussels Agreement;
5. Appreciated the constructive approach of the Serbian Government to relations with neighbouring countries; underlined the crucial importance of regional cooperation and reconciliation for the successful European integration of the whole region, as well as of progressive solution of the bilateral issues with neighbours; called in particular on Belgrade and Zagreb to swiftly start addressing all outstanding bilateral issues, among others the issue of missing persons, aiming for withdrawal of the mutual charges for genocide filed at the International Court of Justice which remains a great hurdle for developing genuine friendly relations between the countries;
6. Particularly welcomed and emphasised the beginning of the process of *acquis* compliance analysis of the Chapters 23 and 24 before the Intergovernmental conference; encouraged Serbian Government to continue and intensify the reform of the judiciary in line with the National strategy and the recommendations of the Venice Commission, in order to enhance the independence of judiciary and its efficiency; considered that particular attention should be given to the ongoing efforts to strengthen the independence, competence and efficiency of prosecutors; reiterated its call to improve the legal certainty concerning provisions related to the Article 234 of the Criminal Code through further revision of the Criminal Code and by ensuring competence of prosecutors with regard to economic and financial crimes, which should put a final end to repeated abuses of the article 359/234 on abuse of office;

7. Welcomed the commitment of the Serbian Government in fight against corruption and organised crime which is a crucial matter for the development of the country; stressed the importance of strengthening both independent institutions and judicial authorities and underlined that continuous work is needed for implementation of the Anti-Corruption Strategy; emphasised that political will and institutional strengthening are crucial for establishing a solid track record fighting corruption at all levels, particularly of investigations and convictions in high-profile corruption cases;
8. Stressed the importance of promoting and protecting human rights, fundamental freedoms, including the principle of anti-discrimination on all grounds, at all levels; underlined that implementation of the Strategy for prevention and protection against discrimination is key and welcomed the progress achieved so far; called on the Serbian Government to continue with the efforts in implementation of the legislative framework for improvement of the situation of minority communities and groups and securing their rights, as well as to guarantee implementation and to maintain the competences of national councils of national minority, and to address more vigorously economic and social situation of Roma;
9. Called on the European Council and EU Member States to find a way to retain the proposed amount of funds earmarked for IPA 2 for 2014-2020 financial framework at the level initially proposed by the European Commission; noted the importance and necessity of further strengthening the capacity for management of EU pre-accession funds as a prerequisite for efficient implementation of political, economic, legal and institutional reforms;
10. Expressed concern about the decision to ban the September 2013 Belgrade Pride Parade, but appreciated the existing adequate legal regulations protecting the rights of the LGBT population and welcomed the repeated will of the National Assembly to organise a conference dedicated to this issue; reminded the authorities of their responsibility to create a genuine climate of tolerance and inclusion in the country;
11. Commended the work of independent regulatory bodies and cooperation with all institutions and especially with the National Assembly, in joint efforts on improvement of the legislative framework and state institutions' accountability to citizens; underlined with satisfaction the significance of the Ombudsman, the State Audit Institution, the Commissioner for Information of Public Importance, the Commissioner for Protection of Equality but also of all other independent bodies and organs which made significant contribution within their remit;
12. Encouraged Serbian authorities to undertake overdue structural economic reforms and improve the investment climate in the country, pointed out to the importance of transparent and efficient restructuring of public companies as soon as possible;
13. Reaffirmed its staunch support for visa liberalization for the Western Balkan countries as an important pillar of the European integration process of the whole region; called on the Member States not to abuse the visa suspension mechanism adopted in September and called on them to continue, together with the Western Balkans countries, working on the prevention of the misuse of the right of asylum.