Thursday 16 January 2014

P7_TA(2014)0040

European integration process of Kosovo

European Parliament resolution of 16 January 2014 on the European integration process of Kosovo (2013/2881(RSP))

(2016/C 482/18)

The European Parliament,

— having regard to the Presidency conclusions of the Thessaloniki European Council of 19 and 20 June 2003 concerning the prospect of the Western Balkan countries joining the European Union,

— having regard to the First Agreement of Principles Governing the Normalisation of Relations between Prime Ministers Ivica Dacic and Hasim Thaci of 19 April 2013 and the Implementation Action Plan of 22 May 2013, which was the result of ten rounds of the high-level Belgrade-Pristina dialogue,

— having regard to the Joint Report of 22 April 2013 by the Vice-President/High Representative and the European Commission to the European Parliament and the Council on Kosovo's progress in addressing issues set out in the Council Conclusions of December 2012 in view of a possible decision on the opening of negotiations on the Stabilisation and Association Agreement,

— having regard to the European Council Conclusions of 28 June 2013 adopting the Decision authorising the opening of negotiations on a Stabilisation and Association Agreement between the EU and Kosovo,

— having regard to the Commission Communication of 10 October 2012 on a Feasibility Study for a Stabilisation and Association Agreement between the European Union and Kosovo (COM(2012)0602),

— having regard to the Council decision of 22 October 2012 authorising the Commission to open negotiations on a framework agreement with Kosovo on participation in Union programmes,

— having regard to the reports of the Secretary-General of the United Nations on the ongoing activities of the United Nations Interim Administration Mission in Kosovo and developments relating thereto, including the report released on 29 August 2013, which covers the period from 23 April to 15 July, and the latest report released on 28 October 2013,

— having regard to Council Joint Action 2008/124/CFSP of 4 February 2008 on the European Union Rule of Law Mission in Kosovo, EULEX Kosovo, as amended by Council Joint Action 2009/445/CFSP of 9 June 2009, by Council Decision 2010/322/CFSP of 8 June 2010 and by Council Decision 2012/291/CFSP of 5 June 2012,

— having regard to the conclusions of the General Affairs Council meetings of 7 December 2009, 14 December 2010 and 5 December 2011, which stressed and reaffirmed, respectively, that Kosovo, without prejudice to the Member States' position on its status, should also benefit from the prospect of eventual visa liberalisation once all the conditions have been met; having regard to the launch of a visa dialogue in January 2012, the presentation of the visa liberalisation roadmap in June 2012, and the first Commission report of 8 February 2013 on progress by Kosovo in fulfilling the requirements of the visa liberalisation roadmap (COM(2013)0066),

— having regard to the Structured Dialogue on the Rule of Law launched on 30 May 2012,

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— having regard to the Kosovan National Council for European Integration, attached to the President's office and serving as the high-level coordinating body responsible for building a consensus on the European agenda through an inclusive and cross-party approach, which was inaugurated in March 2012,

— having regard to UN Security Council resolution 1244 (1999), to the International Court of Justice (ICJ) Advisory Opinion of 22 July 2010 on the accordance with international law of the unilateral declaration of independence in respect of Kosovo, and to the UN General Assembly resolution of 9 September 2010 ([1]), which acknowledged the content of the ICJ opinion and welcomed the EU's readiness to facilitate dialogue between Belgrade and Pristina,

— having regard to the joint statements of the EP-Kosovo interparliamentary meetings of 28-29 May 2008, 6-7 April 2009, 22-23 June 2010, 20 May 2011, 14-15 March 2012 and 30-31 October 2013,

— having regard to the Commission Communication of 16 October 2013 on Enlargement Strategy and Main Challenges 2013-2014 (COM(2013)0700),

— having regard to its resolution of 22 October 2013 on budgetary management of European Union pre-accession funds in the areas of judicial systems and the fight against corruption in the candidate and potential candidate countries ([2]) and the observations on Kosovo contained therein,

— having regard to its previous resolutions,

— having regard to Rule 110(2) of its Rules of Procedure,

A. whereas the agreement reached in April 2013 by Prime Ministers Thaci and Dacic marks an important step and reinforces the responsibility of both sides to implement the agreement in good faith, continue the normalisation of relations, and bring forward the reforms needed on the path towards European integration;

B. whereas 104 of the 193 member states of the United Nations, including 23 of the EU's 28 Member States, recognise Kosovo's independence;

C. whereas all EU Member States support Kosovo's European perspective, in line with EU commitments to the Western Balkans and without prejudice to the Member States' position on the status of Kosovo;

D. whereas important political, administrative and economic reforms have been achieved by the authorities and the people of the Republic of Kosovo; whereas a lot has to be done to strengthen rule of law, which is the cornerstone of long-term development, democracy, and a social market economy;

E. whereas Kosovo has increased its capacity to address the priorities of the European integration process by following up on the short-term priorities identified by the feasibility study and by preparing for the negotiations on the Stabilisation and Association Agreement (SAA);

F. whereas in the context of the visa liberalisation dialogue Kosovo has modified and adopted important legislation, including laws on asylum, party financing and human trafficking;

G. whereas further efforts are needed to meet the challenges of the European reform agenda in view of the SAA, particularly in priority areas such as the rule of law, the judiciary, public administration, electoral reform, and human and fundamental rights;

([1]) A/RES/64/298.
([2]) Texts adopted, P7_TA(2013)0434.

1. Welcomes the conclusion of the First Agreement on the Principles of Normalisation of 19 April 2013 between the two Prime Ministers, as well as the agreement on the implementation plan, and stresses the importance of it being implemented fully in good faith and in due course; also welcomes the allocation of additional EU funding under the Instrument for Pre-Accession Assistance (IPA) in support of the implementation of the agreement;

2. Congratulates the Vice-President/High Representative on her work in facilitating the Belgrade-Pristina dialogue;

3. Welcomes the launch of negotiations between the EU and Kosovo on the SAA on 28 October 2013; regrets, nevertheless, the fact that, due to internal division in the Council, the negotiating mandate differs from the ones of previous SAAs; stresses that this SAA will create a powerful reform incentive and new opportunities that will strengthen Kosovo's relations with its neighbours and ensure the wider stabilisation of the region;

4. Emphasises the fact that the local elections held on 3 November 2013 were a crucial test in the process of normalising relations between Belgrade and Pristina;

5. Welcomes Kosovo's first ever country-wide local elections held under Kosovan law on 3 November, 17 November and 1 December 2013 as having marked a huge step forward for democracy in Kosovo and for citizens' confidence in the democratic processes underpinning the normalisation process, and welcomes the overall orderly conduct of the elections, as assessed in the preliminary statements of the EU Election Observation Mission (EOM); welcomes the fact that Kosovo's first woman mayor was elected; continues to stress the need to encourage women candidates to participate in future elections; welcomes the measures taken by Kosovan authorities to enhance trust in the country's institutions, for example the strong stand-by mechanism by which citizens can complain about intimidation and irregularities on election day; welcomes the visible voter turnout in Serbian-dominated municipalities to the south of the Ibar river as a crucial step towards the formation of the Association of Serbian Municipalities; stresses, in this regard, that the failure to inaugurate a new mayor in North Mitrovica and the subsequent call for new elections in this municipality must not hinder the continuation of the process and the full implementation of the 19 April 2013 agreement; strongly condemns the murder of Dimitrije Janicijevic, municipal councillor of North Mitrovica, and calls for the relevant authorities to start immediately the investigation and bring the perpetrators to justice;

6. Strongly condemns the violence and persistent intimidation which occurred in north Mitrovica and Zvečan municipalities; underlines the fact that such incidents jeopardise stability and security in the broader region and urges the relevant authorities to do their utmost to facilitate efforts to bring the perpetrators of violence to justice; notes that further vigilant efforts are needed to break up the organised crime network and its ties to local political elites and to re-establish rule of law in the north of Kosovo; welcomes the stance of Serbian political leaders who actively encouraged ethnic Serbians in Kosovo to participate in the elections; regrets, however, the fact that leaders in Belgrade did not actively visit the north of Kosovo before 3 November 2013;

7. Urges the Kosovan authorities to adopt, as soon as possible and in consultation with the Venice Commission, a new electoral law with a view to making election procedures more transparent, simplifying voting and restoring the confidence of Kosovan citizens in the democratic process, and ensuring the participation of civil society in the election reform process;

8. Notes at the same time that further continuous efforts will be needed to bring the ethnic Albanian and Serbian communities closer together;

9. Welcomes the agreements on telecommunications and energy, and stresses the importance of Kosovo being assigned as soon as possible an international telephone code of its own, which will help shape the Kosovan identity and its international visibility;

10. Emphasises the need for complete transparency in communicating the outcome of the Belgrade-Pristina dialogue and for parliaments and civil societies to be involved in the implementation process; welcomes the appointment of liaison officers by both sides and urges that continuous support be given to both of them;

11. Stresses the importance of visa liberalisation for Kosovan citizens and encourages Kosovan authorities to step up efforts to meet the priorities established in the Visa Action Plan; urges the Commission and the Member States to be more responsive to the efforts made by the Kosovan Government and, in this connection, calls on the Commission to accelerate technical work on the visa liberalisation process;

12. Calls on the Council to adopt, as soon as possible, the decisions needed to enable Kosovo to participate in EU programmes;

13. Encourages the remaining five Member States to proceed with the recognition of Kosovo; calls on all EU Member States to do their utmost to facilitate economic, people-to-people contacts, and social and political relations between their citizens and those of Kosovo; points to the need to take active steps to provide for the full implementation of the IPA, and also to improve cooperation between EULEX, Europol and Interpol, including, as long as full recognition is lacking, practical steps to include Kosovo in the work of both these agencies, and calls on the Commission to work on agreements which would allow Kosovo to cooperate with the EU agencies;

14. Welcomes the establishment of the Kosovo Police Regional Command Team in the north as part of the process to build a unified Kosovan police force;

15. Stresses the importance of the work of EULEX in consolidating the rule of law in Kosovan institutions, but notes the widespread dissatisfaction among both Kosovan Serbs and Albanians with EULEX's performance; calls on EULEX, therefore, to increase the efficiency, transparency and accountability of its work, to inform the European Parliament and the Parliament of Kosovo regularly about its activities and decisions and, in particular, to demonstrate more concrete and high-level results both to the Kosovan and Serbian authorities and the wider population; draws attention to the existence of areas where improvements should be expected, including a better definition of capacity-building objectives and their link to specific benchmarks; stresses the need for better coordination of external and internal objectives, better coordination between EU institutions and between the latter and the Kosovan authorities and the international community; in this regard, urges EULEX wherever possible to prioritise its objectives, optimise the use of its resources and staff and speed up the implementation of the Council operational paper on the implementation of UNSCR 1325 in the ESDP (from November 2005);

16. Calls on the Kosovan authorities to continue to respect EULEX's mandate and to support the exercise of its executive powers; notes the Kosovan Government's interest in taking over the functions of EULEX; insists on EULEX's presence to support the implementation of the 19 April 2013 agreement in the area of rule of law; underlines the fact that public security is essential if the agreements are to be successfully implemented; emphasises the urgent need for measures to address this; stresses that more than 250 cases are currently under investigation by EULEX, including cases of organised crime, corruption, war crimes and other serious charges involving dozens of political party officials among others; underlines that any transfer of responsibilities must be gradual, based on real progress on the ground and involve Kosovan civil society and the democratic institutions of the Republic of Kosovo; thus calls on the Kosovan Government to agree to extend the EULEX Kosovo mandate beyond June 2014;

17. Calls in particular on both Kosovo and Serbia to actively and constructively cooperate with EULEX as regards the implementation of the agreement on mutual legal assistance in order to deal with the growing number of requests concerning properties in Kosovo;

18. Strongly condemns the attack that led to the killing of an EULEX official on 19 September 2013 near the Zveçan/Zvečan municipality and calls for a prompt investigation to be conducted; urges all parties to avoid any action which might lead to tension;

19. Stresses again the need for local responsibility for and ownership of the reconciliation process and, at the same time, condemns nationalistic rhetoric on both sides; believes that the Kosovan authorities should take further decisive steps to build confidence between Kosovan Serbs and Albanians particularly in the north and to reach out to the Serbian and other minorities with a view to ensuring broad integration within society; calls also for the constitutional principle granting Kosovan Serbs the right to access all official services in their own language to be fully implemented; stresses, at the same

time, the importance of fully bilingual education; encourages all Kosovan Serbs and their political representatives to use all the possibilities afforded to them by the Kosovan Constitution to play a constructive role in politics and society and thus, by active participation within Kosovan institutions together with Kosovan Albanians, to share responsibility for social development and institution-building and to take special care to involve women in this process; welcomes the progress made as regards the organisation of municipal administrations;

20. Applauds the EU's moves to encourage inter-community dialogue and reconciliation; urges that all actors continue to pay close attention to the technical aspects of EU integration, as well as to symbolic gestures of reconciliation;

21. Stresses that implementing legislation on the protection of minorities and cultural rights remains an important challenge in Kosovo; points out the need to implement the legislation on cultural heritage and the Serbian Orthodox Church, as well as the strategy and action plan for the Roma, Ashkali and Egyptian communities, whose situation on the ground is still a major cause for concern; while welcoming the fact that some progress has been made towards improving the livelihoods of Roma, Askhali and Egyptian communities, remains concerned about their situation, given that children in particular remain vulnerable and marginalised; stresses the need to address the situation of Roma as a key human rights issue; calls on the authorities and the Commission to give adequate attention to improving the living conditions of these communities, including their access to education; stresses the position of Croatian, Bosniak, Ashkali, Turkish, Gorani and Balkan-Egyptian minorities with regard to the importance of multilingual education, for the purpose of ensuring that these ethnic minorities do not feel politically isolated;

22. Welcomes the additional funding made available by the Commission under the EU IPA to support the Serb-majority municipalities throughout Kosovo;

23. Calls on the Kosovan authorities to improve the effectiveness, transparency, accountability and impartiality of the judicial system and to respect its independence in order to ensure that the general public and the business community trust the judiciary, and to tackle effectively all forms of violence against women; urges the authorities to proactively strengthen the rule of law, in particular by reducing political interference in the judiciary, ensuring that disciplinary sanctions against judges and prosecutors result in concrete action, working towards the independence and efficiency of the Prosecutorial Council and the State Prosecutor, and implementing the new criminal code and criminal procedure code;

24. Calls on the authorities to step up their commitment to genuine judicial reform, to build capacity with a focus on merit-based recruitment of the judicial personnel needed to overcome the existing case backlog, and to ensure a safe environment, free from political interference, for judges and prosecutors;

25. Is particularly concerned by the lack of tangible progress in efforts to tackle corruption in Kosovo; believes that corruption remains a major challenge and a serious obstacle to the functioning of the public institutions; considers it regrettable, in this respect, that the Anti-Corruption Agency established in 2006 has no investigative powers; notes that the Assembly of Kosovo adopted a new anti-corruption strategy and action plan; calls on the authorities to ensure their implementation by setting clear roles and responsibilities for the anti-corruption institutions so that they are able to deliver concrete and sustainable results;

26. Remains concerned about the limited scope of the witness protection framework in Kosovo, which is particularly important in high-profile cases, and calls for EU Member States to step up cooperation as regards the possible relocation of witnesses;

27. Is concerned at the lack of any significant progress in tackling corruption and organised crime, and in particular about the high rates of organised crime in the north of Kosovo; notes that corruption and organised crime are widespread in the region and also represent an obstacle to Kosovo's democratic, social and economic development; stresses that Kosovo needs to make it a priority to provide concrete evidence of results in tackling organised crime and corruption; considers that a regional strategy and enhanced cooperation between all the countries in the region are essential for tackling these issues more effectively, in particular as regards improvements to border surveillance and efforts to tackle the trafficking and exploitation of women and minors, notably those who are victims of sexual exploitation or forced begging; urges the central and local-level institutions to provide concrete results in fighting organised crime, trafficking of human beings, and

drugs and weapons trafficking; stresses the importance of a comprehensive, multi-disciplinary and victim-oriented approach with unhindered access to assistance, support and protection for victims; regrets the fact that high-level corruption and organised crime have been left largely untouched by EULEX;

28. Underlines the importance of implementing the necessary reform of public administration and of increasing the number of women and of people belonging to minorities at all levels of administration; remains concerned that many civil servants hold additional jobs that could in principle lead to conflicts of interests or facilitate corrupt practices;

29. Supports the continued prosecution of war crimes at national level, including the importance of prosecuting war rape; regrets the fact that, as a result of the 1999 war in Kosovo, 1 869 people are still missing; notes that this issue requires a prompt response from the authorities in Serbia and Kosovo as a vital precondition for reconciliation between the communities and for a peaceful future in the region, and stresses that, for the dialogue between Kosovo and Serbia to continue, cooperation to find missing persons and other aspects of transitional justice need to be a priority;

30. Calls, in this connection, on the Serbian authorities to provide full assistance in repatriating the bodies of Kosovan missing persons found recently in Serbia, and to continue searching in the identified zone in which missing persons are presumed to be buried;

31. Urges the authorities of Kosovo and Serbia to cooperate and take full responsibility for finding lasting solutions for internally displaced persons in Serbia and Kosovo; stresses that the Kosovan authorities should strengthen their efforts to find a solution to the problem of internally displaced persons in the context of the EU accession process, in particular the issue of solving property disputes efficiently;

32. Calls on the authorities of Kosovo and of neighbouring countries to continue to show good will towards, cooperate fully with and support the Special Investigative Task Force established following the December 2010 report of the Council of Europe Parliamentary Assembly as well as any prosecutions that may result from the Special Investigative Task Force's work, and encourages further speeding-up of its work;

33. Calls on both central- and local-level institutions to implement effectively legislation relating to human rights and to contribute to the further development of a multi-ethnic society, with particular emphasis on the education and employment of representatives of all minority groups;

34. Supports the professionalisation of the civil service and calls for the necessary legislation to be implemented in this respect; is concerned about cases of political interference in the recruitment and appointment of public employees;

35. Is concerned that discrimination is still a serious problem and calls on the authorities to give effect to the constitutional principle of non-discrimination; stresses the need for a comprehensive anti-discrimination strategy and for the Law on Anti-Discrimination to be implemented fully so as to guarantee, in accordance with the EU Charter of Fundamental Rights, the equality of all people irrespective of their ethnic origin, religion, gender, sexual orientation, age, or disability;

36. Notes the indictment filed against three Kosovan citizens for their involvement in the attack on Kosovo 2.0 on 14 December 2012 in the Red Hall of the Youth and Sport Centre and expects the perpetrators to be prosecuted in due course;

37. Stresses that, although the freedom to join trade unions is guaranteed by law, there is still a need for improvements to be made regarding basic labour and trade union rights; encourages Kosovo to strengthen social dialogue in the decision-making process, policy design and the capacity-building of social partners;

38. Calls on the Kosovan authorities to implement fully the Convention on the Rights of the Child and recommends that policies on child poverty be revised, including by modifying the social assistance scheme and introducing a universal, means-tested child benefit scheme;

39. Is concerned about the high rates of child poverty and mortality, the low level of cover afforded by Kosovo's social protection system and the high amount of out-of-pocket expenditure on healthcare, exposing vulnerable families to chronic poverty;

40. Calls for Kosovo's relations and representation within international cultural and heritage institutions to be upgraded with a view to improving the protection of religious and cultural sites and monuments, and for its representation in European and international media and sports organisations also to be upgraded with a view to enabling Kosovan artists and athletes to take part in all international cultural and sports events, including the Eurovision song contest, the European and world championships and the Olympics;

41. Underlines the importance of free and independent media and calls on the Commission to step up programmes to improve the quality and professionalism of journalists; stresses the role of a sustainable public service media therein; is concerned about the lack of protection for independent journalists and the pressure exerted upon them; calls on the Kosovan authorities to provide for a sustainable funding mechanism for public service media and to finish appointing the members of its governing body; emphasises the need to ensure clear media ownership, and a free and high-quality broadcasting service; supports the efforts made by the institutions to grant Kosovo its own internet domain code;

42. Stresses the central role of active and independent civil society organisations in strengthening and consolidating democratic political processes and building an integrated society in the country; underlines the importance of dialogue with the CSOs and stresses the crucial role of civil society actors in contributing to enhanced regional cooperation on social and political issues; welcomes improved cooperation by the government with NGOs and calls on the Kosovan authorities to set up a structured dialogue and consultation mechanism with civil society as regards policy making, including consultations on policies and legislation, and the monitoring of the European integration process;

43. Notes the ongoing process of privatising state assets, in particular the Post and Telecommunication Kosovo company (PTK); urges the Kosovan authorities to undertake practical steps to strengthen the transparency, accountability and legitimacy of the process as a whole, for example by making information available to all stakeholders in a timely manner;

44. Calls on Kosovo to improve the business environment for small and medium-sized enterprises by reducing the administrative burden and associated costs, increasing access to funding and providing specific support for start-ups; warmly welcomes the signing of a Memorandum of Understanding between the Chambers of Commerce of Kosovo and of Serbia;

45. Welcomes the fact that, on 17 December 2012, Kosovo became the 66th member of the European Bank for Reconstruction and Development (EBRD); welcomes furthermore the adoption of the first full EBRD strategy for the country on 8 May 2013, which will help speed up the reform process and the support for Kosovo's economy, improve the lives of the people, facilitate the transition and contribute to regional stability;

46. Welcomes the EU provisional commitment to provide additional grant funding to meet the full decommissioning costs of the old Kosovo A power plant by 2017; calls on Kosovo to step up its efforts and take the immediate concrete steps needed for the decommissioning of the Kosovo A power plant, and calls for a full Environmental Impact Assessment to be conducted in line with EU standards for the New Kosovo power plant; calls on Kosovo also to work on developing renewable energy and diversifying energy sources in line with its commitment to meet 25 % of its total energy needs using renewable energy sources by 2020, and underlines, in this regard, the need to allocate more of the financial aid provided by the EU and the EBRD to energy saving, energy efficiency, integration in regional power markets and renewable energy projects;

47. Regrets the delays by the Kosovan authorities in the preparation and adoption of a credible and effective environmental strategy, in particular as regards the Environmental Impact Assessment rules and EU climate targets;

48. Notes with concern the high unemployment rates, in particular among young people, and urges the government to address the issue by providing adequate opportunities for young people and by gearing education towards the needs of the labour market;

49. Stresses that Kosovan membership of regional cooperation organisations should be promoted and encouraged by all countries in the region; supports, in this connection, Kosovo's engagement in regional organisations and calls for the removal of all obstacles so as to enable Kosovo to take part in these organisations, including the Council of Europe

50. Stresses the importance of developing public transport, in particular by upgrading or creating new railway links as part of a sustainable transport system; suggests building up a cross-border system of high-speed railways between all countries in the Western Balkans, linked to the EU's Trans-European Network;

51. Notes with concern the current economic situation in Kosovo; stresses that economic statistics need to be improved in order to properly evaluate the economic situation before identifying ways to address it;

52. Calls on the Kosovan authorities to work on improving the reliability of statistical information in line with European standards and international methodologies;

53. Instructs its President to forward this resolution to the Council, the Commission, the European External Action Service and the Government and National Assembly of Kosovo.