

P7_TA(2013)0226

2012 progress report on the former Yugoslav Republic of Macedonia

European Parliament resolution of 23 May 2013 on the 2012 Progress Report on the former Yugoslav Republic of Macedonia (2013/2866(RSP))

The European Parliament,

- having regard to the European Council decision of 16 December 2005 to grant the status of candidate country for EU membership and to the Presidency Conclusions issued following the European Council meetings of 15 and 16 June 2006 and 14 and 15 December 2006,
 - having regard to the European Council conclusions of 13 December 2012,
 - having regard to the Joint Statement by the Heads of Mission of the EU and the US of 11 January 2013,
 - having regard to the Commission's 2012 Progress Report (SWD(2012)0332) and the Commission Communication of 10 October 2012 entitled 'Enlargement Strategy and Main Challenges 2012-2013' (COM(2012)0600),
 - having regard to UN Security Council resolutions 845 (1993) and 817 (1993), as well as to UN General Assembly resolution 47/225 (1993) and to the 1995 Interim Accord,
 - having regard to the judgment of the International Court of Justice on the Application of the Interim Accord of 13 September 1995,
 - having regard to Recommendation 329 (2012) of the Congress of Local and Regional Authorities of the Council of Europe on local democracy in the country,
 - having regard to its previous resolutions, including its resolution of 22 November 2012 on Enlargement: policies, criteria and the EU's strategic interests¹,
 - having regard to the 10th meeting of the Joint Parliamentary Committee of 7 June 2012,
 - having regard to Rule 110(2) of its Rules of Procedure,
- A. whereas all candidate and potential candidate countries should be treated according to their own merits in the integration process;
- B. whereas the High Level Accession Dialogue (HLAD) has brought new dynamism to reform processes in the country;
- C. whereas EU accession is fundamental to the long-term stability of the country and good inter-ethnic relations;
- D. whereas the European Council decided for the fourth consecutive year not to open the accession negotiations with the country in spite of the positive recommendation of the

¹ Texts adopted, P7_TA(2012)0453.

Commission in this respect; whereas this further postponement is adding to the growing frustration of the country's public opinion about the stalemate of the EU integration process and risks exacerbating domestic problems and internal tension; whereas bilateral issues should not represent an obstacle to the official opening of accession negotiations, although they should be solved before the end of the accession process;

- E. whereas the country is prepared to launch accession negotiations with the EU;
- F. whereas regional cooperation and good neighbourly relations remain essential parts of the enlargement process;
- G. whereas bilateral issues should be addressed in a constructive spirit, taking into account overall EU interests and values;

General considerations

1. Reiterates its call to the Council to set a date for the start of accession negotiations without further delay;
2. Regrets that, for the fourth consecutive year, the Council decided not to follow the recommendation of the Commission during its last meeting on 11 December 2012 and has not yet opened accession negotiations; nevertheless believes that the European Council conclusions, unanimously endorsed for a time-bound decision based on a further report by the Commission, represent a genuine step forward, recognising the importance of sufficient progress on key areas as drafted in the European Council's December 2012 conclusions; congratulates the Enlargement Commissioner on his initiatives and calls on him to include an assessment of the cost of non-enlargement, including the major risks for the country in case of prolongation of the status quo, in his forthcoming report; welcomes the Spring report of 16 April 2013 from the European Commission and calls on the Irish Presidency to conduct intense diplomacy to achieve a satisfactory outcome aimed at a Council decision to open the negotiations before the end of June 2013;
3. Underlines the fact that good neighbourly relations are an essential pillar of the EU accession process; welcomes the country's overall constructive role as regards relations with other enlargement countries; encourages the continuing diplomatic exchanges which have taken place between Athens, Sofia and Skopje and stresses the importance of all sides demonstrating proper commitment to 'good neighbourly relations' based especially on friendship, mutual respect, constructive dialogue and a genuine desire to resolve misunderstandings and overcome hostilities; calls for the avoidance of gestures, statements and actions which could negatively impact on good neighbourly relations; welcomes in this respect the first meeting held recently between the representatives of the governments in Skopje and Sofia aimed at the possibility of signing an agreement between the two countries; urges the Enlargement Commissioner to pay special attention in his report to the issue of good neighbourly relations; also calls for greater socio-cultural collaboration in view of strengthening the ties between the peoples of the region;
4. Reiterates its position that bilateral issues should be addressed as early as possible in the accession process in a constructive and neighbourly spirit and preferably before the opening of accession negotiations; reiterates its view that bilateral issues should not be resorted to in order to hinder the EU accession process;

5. Insists that all candidate and potential candidate countries should be treated on their own merits in the integration process;
6. Strongly believes that the start of negotiations can itself be a ‘game-changer’, providing a positive impulse and an effective instrument to further reforms, improve the domestic situation, facilitate inter-ethnic dialogue and promote favourable relations with neighbours;
7. Considers the High Level Accession Dialogue (HLAD) to have been an important instrument in breaking the existing log jam and instilling renewed dynamism into the EU accession process; welcomes the progress made in over 75 % of the policy areas identified; reiterates the importance of full and irreversible implementation; stresses that HLAD is not a substitute for accession negotiations; calls on the Council to ask the Commission to start the screening process as soon as possible in order to allow further progress;
8. Welcomes and fully supports the recent agreement leading to the unblocking of the deadlock in the domestic political developments in the country and considers that the present accord will allow further progress towards EU accession in advance of the European Council discussions; calls on all parties to continue with political dialogue and stresses the need for broad cross-party support and engagement in the EU agenda; underlines the fact that the national parliament is a key democratic institution for the discussion and resolution of political differences and asks all the political forces in the country to act in this spirit, respecting its procedures and the democratic values on which it was founded; supports initiatives leading to an improvement of the functioning of the parliament, including the proposal for a Commission of Inquiry in order to establish accountability for the events of 24 December 2012, make further recommendations for a comprehensive reform of the parliament’s procedures on a genuine cross-party basis, improve the authority, independence and legitimacy of the parliament and prevent any repeat of such incidents; calls on the authorities to set up the Commission of Inquiry immediately so that it can commence its important work with a view to the restoration of a normal political process in the country; regrets that the journalists were also expelled from the parliament and calls for a resumption of the dialogue between the government and the Association of Journalists under conditions in which journalists themselves can have trust and confidence;
9. Expresses deep concern at the tensions in inter-ethnic relations which have arisen during the year; believes that strengthened political dialogue is essential in continuing progress towards a peaceful multi-ethnic, multi-cultural and multi-religious society and eliminating the risk of the polarisation of society along ethnic lines; firmly condemns all incidents and signs of intolerance based on ethnic grounds;
10. Welcomes the government’s report on the implementation of the Ohrid Framework Agreement (OFA) and expects the report to be presented publicly in order to generate broad social and political support for the multi-ethnic future of the country; encourages the government to move swiftly to the next stage of the review;
11. Welcomes the 2011-14 Decentralisation Programme and calls for full implementation of the Law on Regional Development; encourages the government to continue fiscal decentralisation, with a medium-term aim of 9 % of GDP to be spent by local and regional authorities; commends the work of the UNDP and the wider donor community working in partnership with the government to build the capacity of local government to ensure good governance and equal access for all citizens;

12. Welcomes the efforts by the authorities to break with the Communist past, the public disclosure of the names of agents affiliated with the former Yugoslav secret services, and the extension of the time frame of applicability of the Lustration Law until the adoption of the Law on Free Access to Public Information; at the same time, encourages the authorities to retrieve the Yugoslav secret service archives from Serbia and to include in the lustration process the personnel of the intelligence and counter-intelligence services; encourages strengthening the mandate of the Data Verification Commission by transferring all necessary documents from the intelligence and counter-intelligence services to the Commission's premises on a permanent basis; stresses the need for a reform of the security sector and strengthening the parliamentary oversight of the intelligence and counter-intelligence services;
13. Believes that the best way of achieving a multi-ethnic society is through a strengthened political dialogue, an example-based leadership which shows acceptance and tolerance towards other ethnicities, and an educational system that teaches the values of a multi-ethnic society; therefore, welcomes the government's multi-ethnic education project and calls on all schools to follow the lead of pioneers such as those in Kumanovo who are seeking to end the separate education of different ethnic communities;
14. Strongly encourages the authorities and civil society to take appropriate measures for historical reconciliation in order to overcome the divide between and within different ethnic and national groups, including citizens of Bulgarian identity; restates its call for positive progress to be made in joint celebrations of common events and figures with neighbouring EU Member States; encourages the attempts to establish joint expert committees on history and education, with the aim of contributing to an objective, fact-based interpretation of history, strengthening academic cooperation and promoting positive attitudes of young people towards their neighbours; urges the authorities to introduce educational materials free of ideological interpretations of history and aimed at improving mutual understanding; notes with concern the phenomenon of 'antiquisation'; is convinced that culture and art should be used to bring people closer together rather than divide them; urges the government to send clear signals to the public and media that discrimination on the basis of national identity is not tolerated in the country, including in relation to the justice system, media, employment and social opportunities; underlines the importance of these actions for the integration of the various ethnic communities and the stability and European integration of the country;
15. Welcomes progress in strengthening the normative framework in the field of justice for children, including amendments to the juvenile justice law, the establishment of a monitoring system and the development of a national strategy on the prevention of juvenile delinquency; notes with concern the remaining gaps in the protection of child victims of crimes, in particular victims of abuse, due to insufficient resources, the limited capacity of professional staff and the absence of an effective response system for child victims; calls for improved financial and human resources for centres for social work and the creation of multi-disciplinary teams able to provide recovery, rehabilitation and reintegration services for child victims;

Good neighbourly relations and the name issue

16. Continues to regret that the inability to solve the name dispute has blocked the country's road to EU membership; agrees with the European Council that the name issue needs to be

brought to a definitive conclusion with no delay on either side and that the Hague Decision, which is part of international law, needs to come into force; strongly supports the efforts of the UN special envoy to reach a commonly acceptable solution; welcomes the proposal made by the Enlargement Commissioner regarding a trilateral meeting between Skopje, Athens and Brussels; takes the view that this initiative could help boost the UN-led negotiations; welcomes the momentum generated for a Memorandum of Understanding and the recent contacts with the UN mediator; calls on all parties to seize every opportunity in order to make this action successful, to enter into constructive dialogue towards finding a solution and to unblock the situation; takes the view that the country's leadership and the European Union should explain to the public the benefits of a solution if one is agreed ahead of the referendum on the issue;

17. Reiterates its call to the Commission and the Council to start developing, in accordance with the EU Treaties, a generally applicable arbitration mechanism aimed at solving bilateral issues between enlargement countries and Member States;
18. Welcomes the use of the term 'Macedonian' in the 2012 Progress Report, whilst respecting the different languages, identities and cultures within the country and the neighbouring EU Member States;

Political criteria

19. Shares the Commission's assessment that the country continues to fulfil the political criteria;
20. Calls for reinforcement of Parliament's oversight role vis-à-vis the government and improving the Electoral Code and increasing the transparency of political party financing; stresses, in this respect, that the OSCE/ODIHR recommendations issued after the 2011 parliamentary elections have been only partly implemented and calls, in this regard, on the government to amend the laws to fully implement the recommendations, including as regards the revision and update of the electoral roll;
21. Welcomes the continued efforts in advancing the legislative framework for civil and public service and general administrative procedures, notably with regard to the Law on Administrative Servants and the Law on General Administrative Procedures; calls for additional efforts to guarantee the transparency, impartiality and professionalism of public administration, to ensure merit-based recruitment and to strengthen financial control, strategic planning and human resources management;
22. Calls for further efforts to guarantee the independence and impartiality of the judiciary ; considers it important to define clear requirements for the dismissal of judges in order to eliminate risks to judicial independence; welcomes the progress in reducing the overall backlog of court cases but urges measures to address backlogs at the Supreme Court and the Administrative Court; urges the gradual rationalisation of the court network and continued support to the Academy for Judges and Prosecutors, in light of its key role in ensuring continuing training, career development and merit-based recruitment;
23. Welcomes the efforts to increase the efficiency and transparency of the court system and in particular the publication of judgments by courts at all levels on their respective websites; stresses the need to build up an enforcement record of cases of prosecutions and convictions against which progress can be measured; calls for the unification of jurisprudence in order

to ensure a predictable judicial system and public trust;

24. Supports the EULEX Special Investigative Task Force (SITF) and encourages the country to cooperate fully with the SITF and assist it in its work;
25. Welcomes the strengthening of the anti-corruption legal framework, including changes to the Law on Conflicts of Interest, but is concerned that corruption remains widespread both inside the country and in the region as a whole; calls for greater efforts regarding the implementation of laws currently in force and urges continued efforts to establish a track record for convictions in high-level cases; welcomes the OSCE-backed programme against corruption, the PrijaviKorupcija.org project allowing corruption to be reported by SMS message and the declaration by ten mayors of zero tolerance of corruption in their municipalities;
26. Notes that, while sentences for corruption-related offences are stricter, orders for the seizure and confiscation of assets remain exceptional; is of the opinion that the seizure and confiscation of assets is a crucial instrument in the fight against corruption and organised crime; calls on the country's authorities to fully enforce its Criminal Code provisions on extended confiscation, illicit enrichment and the criminal liability of legal persons;
27. Commends the amendments made to the Law on the Financing of Political Parties; notes in particular the leading role vested in the State Audit Office (SAO) in the supervision of political financing; calls on the country's authorities to provide the SAO with sufficient means to allow for a proactive and thorough control over party and campaign funding as well as to improve significantly the transparency of public expenditure and of the funding of political parties;
28. Notes that the activities to establish the National Intelligence Database are ongoing; encourages the authorities to complete the tender procedure and decide who will establish the National Intelligence Database as soon as possible in order to provide full support to the fight against organised crime, corruption, fraud, money laundering and other serious offences, including cross-border ones;
29. Welcomes the legal decriminalisation of defamation and the deepening dialogue between the government and journalists on issues relating to freedom of expression; calls on the authorities to continue to strengthen and promote freedom of information and pluralism of the media, which must be free of any form of political or financial influence and must be consistently applied; however, expresses concern that the country has fallen significantly in the 'Reporters Without Borders' Freedom Index and calls for further efforts towards strengthening professional standards in journalism, investigative journalism, promoting media pluralism, the independence of the public service broadcaster, the enforcement of employment rights of media workers, transparency of media ownership, sustainability and compliance with European standards; notes with concern the widespread self-censorship among journalists and the absence of any self-regulating media organisation; expresses concern that most government-funded advertising is channelled towards the pro-government media; supports social media activists who lobbied against censorship of the internet;
30. Is concerned about the lack of analytical and objective media reporting in the run-up to the local elections in March 2013, in particular as regards the activities of the opposition, reporting on which was virtually absent in both state and private media during the

campaign; emphasises that vigilant and professional media is a sine qua non for the further development of democratic culture and institutions in the country and for the fulfilment of the political criteria;

31. Notes the El-Masri judgment of the Grand Chamber of the European Court of Human Rights of 13 December 2012 which found multiple violations of the European Convention in the abduction, extraordinary rendition and torture of German citizen Khaled El-Masri on 31 December 2003 and his detention for 23 days in a hotel in Skopje before being transferred via Skopje Airport to Afghanistan; calls on the government to comply without delay with all aspects of the ECHR judgment, including the provision of a formal apology to Mr El-Masri, the payment of the compensation ordered by the court, and committing to the creation of an international commission of inquiry;
32. Welcomes the new Law on Equal Opportunities, the first five-year strategy on gender-based budgeting developed in partnership with UN Women, the funding allocated to the action plan on Roma inclusion and the project to help Roma legalise their homes; welcomes the opening of the new support office for the LGBT community but expresses concern at the act of vandalism committed against it; encourages the government to continue its efforts to strengthen anti-discrimination policies, especially those related to discrimination based on ethnicity as well as on national identity;
33. Calls on ministers and officials to publically condemn discrimination against LGBT people, to ensure that the planned Gay Pride or other activities of the LGBT community can be conducted safely and successfully and to commit to non-discrimination on all grounds named in the EU Treaty; calls on the media to refrain from anti-LGBT rhetoric, including hate speech and incitement to hatred;
34. Is concerned about cases of ill-treatment by the police; calls for continued training, professionalisation and depoliticisation of police personnel; believes that an independent oversight mechanism for law-enforcement agencies is needed to combat impunity and ensure democratic and accountable police services;
35. Stresses that the visa-free regime granted to citizens of the country and to all the Western Balkan countries is a highly important benefit in the process of integration into the EU and a very strong incentive for accelerating reforms in the area of justice and home affairs;
36. Calls on the authorities to take measures and cooperate with EU Member States to prevent undue asylum claims from the country's citizens in the EU, while guaranteeing the right to visa-free travel for all citizens and preventing any discrimination or stigmatisation of Roma people and persons from ethnic-minority groups; calls on the governments of the Member States not to challenge or hamper the visa-free travel of its citizens but to urge the authorities to implement policies that will offer all citizens a decent future within their country;
37. Whilst welcoming the high number of women parliamentarians compared to some Member States, remains concerned about the low participation of women in the labour market; calls on the authorities to strengthen childcare services for children with disabilities, street children, children using drugs and children who are victims of domestic violence, sexual abuse or trafficking;
38. Welcomes the continuing progress made by the Commission for Protection against

Discrimination; calls for it to be fully staffed and believes its acceptance by the European Network of Equality Bodies provides an example to other agencies and organisations to promote EU accession by themselves integrating in relevant European networks;

Civil Society

39. Believes that developing a political culture benefiting from an independent, pluralistic, inter-ethnic, inter-cultural and non-partisan civil society is essential to furthering democratic progress in the country and that the findings of civil society can enrich the possibilities for evidence-based policy making; stresses that civil society organisations (CSOs) need to be strengthened, become independent of political interests and intensify joint projects for mutual benefit with CSOs from neighbouring countries and more generally from across the EU;
40. Welcomes the consultation which took place with CSOs in relation to changes to the laws on legal aid and on foundations; calls for full and timely consultation with civil society on all relevant policy initiatives, including the High Level Accession Dialogue, and the inclusion of transparently-selected civil society observer members in all relevant government working groups;
41. Stresses the crucial role CSOs can play in making the EU integration process more transparent, accountable and inclusive;
42. Believes the parliamentary study on the Instrument for Pre-Accession Assistance (IPA) shows a need for the government to commit to the objective of partnership with civil society and to establish a national fund to provide co-financing to enable CSOs to fully participate in EU-funded programmes; calls for CSOs to be fully involved in programming decisions of the next IPA;

Economic issues

43. Commends the country for maintaining macroeconomic stability; notes, however, that public sector debt has increased, the quality of fiscal governance has deteriorated and the global economic downturn has had a negative effect on foreign direct investment to the country;
44. Welcomes the legislative measures for strengthening the business environment and the continuous action aimed at developing sound medium-term macro-fiscal strategies; encourages the political forces to enter into a transparent political dialogue on the fiscal situation and the country's credit obligations;
45. Notes with concern that unemployment continues to be very high, with youth unemployment one of the highest worldwide, and that female employment remains very low; welcomes the action plan on youth employment developed in conjunction with the ILO Decent Work programme; calls on the government to improve coordination between bodies enforcing labour rules and build on the joint training organised by the European TUC to strengthen the capacities of social partners to engage in effective social dialogue; is of the view that further investment in the strengthening of research, technological development and innovation capacity is needed in order to facilitate the building of a knowledge-based economy;

46. Welcomes the progress made in modernising transport, energy and telecommunications networks and, in particular, the efforts to complete Corridor X¹; in view of the importance of the railway links in the framework of a sustainable system of transport, welcomes the government's intention to upgrade or construct railway links from Skopje to the capitals of the neighbouring countries and calls for greater progress, including finalisation of the financing of the railway connections within Corridor VIII²;
47. Underlines the importance of creating a consulting mechanism between the government and private companies when decisions regarding the fight against the economic crisis are being taken; also states that such a mechanism could be a solution towards adjusting the educational system to market needs, which could reduce unemployment among young people;
48. Takes note of the government's efforts to rebuild the local road infrastructure in the country, aimed at improving alternative tourism and the life of the citizens; in that regard, encourages the country to take a more dynamic approach in regional development projects under the IPA that will increase cross-border cooperation and the links among the countries in the region;
49. Points out that significant efforts are needed in the field of the environment and in particular in the areas of water quality, nature protection and industrial pollution control and risk management; underlines the fact that no substantial progress can be achieved without strengthening adequately the administrative capacity; calls on the country's government to take the necessary measures in this respect;
50. Restates the potential of renewable energy for the country and welcomes the fact that progress is being made, with 21 new concessions for small hydro-power plants already granted, a hydro-power plant already in operation and the construction of a wind park underway; calls on the government to raise the level of public debate on the impact of climate change and for more efforts to align national legislation with the EU acquis in this area, and to implement the national legislation, especially on water management, industrial pollution control, nature protection and climate change; stresses the need to strengthen administrative capacity at both central and local level;
51. Encourages the authorities to increase their efforts to introduce e-government as part of the public administration reforms aimed at delivering efficient, accessible and transparent services to citizens and businesses;

Regional and international cooperation

52. Welcomes the fact that the country is currently chairing and contributing to the South-East European Cooperation Process, with the hope that this will reinforce a strong European agenda, good-neighbourliness and inclusiveness; underlines the importance of regional cooperation in line with the European agenda and European values and calls for further progress in this regard; reaffirms that it is important for the EU to pursue the accession of

¹ Corridor X is one of the ten pan-European transport corridors and runs from Salzburg (Austria) to Thessaloniki (Greece). Its Branch D follows the route Veles - Prilep - Bitola - Florina - Igoumenitsa (Via Egnatia).

² Corridor VIII is one of the ten pan-European transport corridors and runs from Durrës (Albania) to Varna (Bulgaria). It also passes through Skopje.

all countries in the region without exception;

53. Believes that a change in mindset from ‘Western Balkans’ to ‘South-East Europe’ could assist in this endeavour;
54. Welcomes the country’s participation in the EUFOR Althea Mission and the agreement for the country to take part in CSDP crisis management operations; invites the country to align with the EU position on the International Criminal Court;
55. Calls on the government and all competent organisations to endeavour to meet the necessary criteria and conditions for visa waiver arrangements in the Schengen Area; stresses the need to ensure that the public is fully informed regarding visa waiver restrictions and that no abuse of the visa waiver or visa liberalisation policy occurs; stresses that the suspension of visa waiver arrangements would not be without unfavourable economic and social consequences;

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56. Instructs its President to forward this resolution to the Council, the Commission, the governments and parliaments of the Member States and the government and parliament of the country.