



Brussels, 21 April 2023

JOINT DECLARATION

The EU-Serbia Civil Society Joint Consultative Committee (JCC) is one of the bodies set up under the Stabilisation and Association Agreement between the European Union and Serbia. The JCC enables civil society organisations (CSOs) from both sides to monitor Serbia's progress towards the European Union, and to adopt recommendations for the attention of the government of Serbia and the EU institutions. The JCC understands the notion of civil society as encompassing organisations of employers, trade unions and other economic, social and civic interests.

The JCC is made up of 18 members, nine from each side, representing the European Economic and Social Committee (EESC) and Serbian civil society. During its current term, the JCC is co-chaired by **Laurențiu Plosceanu**, member of the EESC, president of the Romanian Construction Entrepreneurs' Association (ARACO) and vice-president of the General Union of Romanian Industrialists (UGIR), and **Boško Savković**, secretary-general of the Serbian Association of Employers.

The meeting was held in Brussels. The JCC discussed the current state of play in EU-Serbia relations and accession process negotiations with the EU, media freedom and an overview of the rule of law situation in Serbia.

1. *On the state of play in EU-Serbia relations and the accession process*

On progress in accession negotiations

- 1.1. The JCC notes with regret that, following the opening of negotiations under cluster 4 on the Green agenda and sustainable connectivity¹ in December 2021, the pace of reform efforts has slowed down, and calls on the Serbian authorities to reinforce its efforts to demonstrate Serbia's commitment to the accession process.
- 1.2. As an important step in the accession process, the JCC notes the commitment taken on 18 March 2023 to implement the Agreement and the Implementation Annex² on the path to the normalisation of relations between Serbia and Kosovo*. It calls on the competent EU bodies to amend the EU's

¹ Cluster 4 comprises four negotiating chapters: chapter 14 (transport policy), chapter 15 –(energy), chapter 21 (trans-European networks), and chapter 27 (environment and climate change).

² [Belgrade-Pristina Dialogue: Implementation Annex to the Agreement on the Path to Normalisation of Relations between Kosovo and Serbia | EEAS Website \(europa.eu\)](#).

*All references to Kosovo, whether the territory, institutions or population, in this text shall be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

negotiating framework for Serbia and in the agenda of Kosovo*'s Special Group on Normalisation, and calls on both parties to implement their obligations in good faith.

- 1.3. The JCC encourages all stakeholders, especially social partners and civil society organisations, and supports the efforts for the implementation process and normalisation of Serbia- Kosovo* relations. The JCC is looking forward to the results of the work of the newly established Joint Monitoring Committee³.
- 1.4. The JCC reiterates its support for the central role of cluster 1 on Fundamentals (functioning of democratic institutions, rule of law, economic criteria and public administration reform), the progress of which impacts all other criteria and defines the dynamics of EU accession negotiations.
- 1.5. The JCC considers that aligning not only with the EU acquis but also with the EU's common foreign and security policy can bring significant benefits to Serbia, and calls for a clear definition of Serbia's strategic direction and for alignment with the positions adopted by the EU, as expected under the EU-Serbia Negotiating Framework.

On the European action fostering Serbia's accession process

- 1.6. The European Union is and will remain Serbia's most important political and economic partner. The JCC wholeheartedly supports investments in Serbia's growth and in the development of an ambitious national energy and climate plan, including the EUR 165 million in support to help Serbia cope with the energy crisis, and the financial package of EUR 2.2 billion that will allow for substantial modernisation of the Corridor X railways and improve Serbia's connectivity with other European rail networks. The JCC stresses the importance of continuing and reinforcing support for projects leading to security of supply, diversification of energy sources, renewable energy generation, decarbonisation, market liberalisation and energy efficiency.
- 1.7. The JCC looks forward to the outcomes of the European Parliament's own-initiative procedure on the 2022 Commission Report on Serbia⁴, and agrees with the European Parliament's recommendation, on the New EU strategy for enlargement⁵, to "step up the involvement of civil society and the local and regional authorities of both EU Member States and candidate countries in the accession process".
- 1.8. The JCC calls on the Member States to continue to be supportive of EU enlargement policy. Moreover, it calls on the current Swedish Presidency of the Council of the European Union, as well as the upcoming trio starting with the Spanish presidency, to keep the accession of our Western Balkans partners high on their agendas. The JCC particularly agrees with the Tirana 2022 EU-Western Balkans Summit's declaration, which "calls for the acceleration of the accession process, based upon credible reforms by Partners, fair and rigorous conditionality and the principle of own merits, which is in our mutual interest"⁶.

³ [Belgrade-Pristina Dialogue: Establishment of Joint Monitoring Committee in line with Ohrid commitments | EEAS Website \(europa.eu\)](#)

⁴ [Serbia Report 2022 \(europa.eu\)](#).

⁵ [New EU Strategy for enlargement, rapporteur: T. Picula \(europa.eu\)](#).

⁶ [tirana-declaration-en.pdf \(europa.eu\)](#).

- 1.9. The JCC affirms the key role of the Berlin process as a driver of regional cooperation and an accelerator of the EU integration process. The JCC invites the authorities to continue to participate in all areas of the Berlin process cooperation format, including the Green Agenda for the Western Balkans and projects in transport, energy, private sector support, environment and climate actions.
- 1.10. The JCC welcomes the readiness of the business community in the region, gathered in the Western Balkans 6 Chamber Investment Forum (WB6 CIF), to assist in the development of economic measures under normalisation of relations between Serbia- Kosovo*, in removing barriers to business activity through the implementation of Common Regional Market Action Plan's, and in strengthening the new dynamic on the path towards the EU. For preserving a credible perspective of EU accession, the new enlargement vision requires a strong commitment and responsibility of EU and Western Balkan leaders to accelerate the gradual integration of the region into the EU single market, with the implementation of effective systems for encouraging and monitoring the performance and achievements of each candidate and potential candidate individually.
- 1.11. The JCC welcomes the three opinions published by the Venice Commission in October and December 2022: two opinions on the constitutional amendments on the prosecution service and the judiciary⁷, and the joint Venice Commission/ODIHR opinion on electoral law and electoral administration⁸. It stresses that the success of the reforms on the judiciary depends on the subsequent non-legislative steps mentioned by the Venice Commission, such as filling vacancies, association of sufficient budgetary means to judiciary, including salaries, the change of legal culture and effective protection of any pressure towards judiciary. The JCC calls on the Serbian authorities to take into careful account the recommendations put forward in the opinions.
- 1.12. The JCC is looking forward to the second meeting of the European Political Community in Moldova, aiming to create a political forum between European countries around unifying projects and common challenges, without replacing the enlargement process.

2. *On media freedom*

- 2.1. The JCC notes that, with the exception of the 2021 report according to which Serbia had made "limited progress", all of the European Commission's Serbia reports from 2016 to 2022 assess that Serbia made no progress on media freedom. Moreover, Serbia is ranked 79th out of 180 countries in RSF's 2022 World⁹. The JCC calls on the authorities to make clear efforts to foster media freedom in Serbia, as a precondition for a functioning democracy.

⁷ [Venice Commission | Council of Europe \(coe.int\)](#).

⁸ [Venice Commission | Council of Europe \(coe.int\)](#).

⁹ [Serbia | RSF](#).

On the EU Media Freedom Act

- 2.2. The JCC agrees with European Commission President Ursula von der Leyen's statement in her 2021 State of the Union address¹⁰ that information is a public good. In line with the EESC's opinion on the European Media Freedom Act¹¹, the JCC considers that, to be efficient, EU media need to be entirely independent of political influence, and stresses the need for binding requirements for transparency in media ownership and full independence of national regulatory bodies. The JCC believes that the same principles should apply to EU candidate countries, including Serbia.

On the Media Strategy 2020-2025

- 2.3. Considering that the Media Strategy and the Action Plan could bring the necessary improvements to the Serbian media landscape, the JCC regrets that their implementation has suffered significant delays and calls on the Serbian authorities to demonstrate a tangible and real political will when it comes to their implementation. This includes amending the Law on public information and media and the Law on electronic media, working towards transparent co-funding for media serving the public interest, better transparency in media ownership, and greater independence and accountability for the Regulatory Electronic Media Body (REM), the decisions of which must be based on principles of public interest regardless of political and economic interests, as defined by the Law on electronic media.
- 2.4. The JCC welcomes the formation of a new working group for the implementation of the Action Plan for monitoring the realisation of the media strategy for the period 2023-2025 and recommends transparent and full cooperation with Serbian civil society, including on progress reporting.

On media pluralism

- 2.5. With a market of over 2 600 media outlets registered in the country, the JCC strongly advocates establishing clear criteria for, and a consistent and unified method of measuring, media pluralism, as required by the Media strategy. As a first step, it is necessary to establish a detailed analysis of the media market, diversity of content and the needs of different audience groups.
- 2.6. The JCC points out that transparency in media ownership, as well as in public co-funding or advertising from public resources, need to be urgently addressed at national and local levels as indicated in the media strategy. Moreover, it considers that media ownership concentration, like in the case of *Telekom Srbija*, is a serious challenge to diversity, affecting the entire media landscape.
- 2.7. The JCC notes that, in July 2022, the REM awarded the licences for the four national frequencies for the next eight years to the same television channels as in the previous period despite the fact that they had received warnings for violating their legal obligations in the preceding period. The JCC calls for

¹⁰ European Commission, 2021, State of the Union Address by President von der Leyen, Strasbourg, 15 September 2021.

¹¹ [European Media Freedom Act | European Economic and Social Committee \(europa.eu\)](https://eesc.europa.eu/en/press/communications/2021/04/01/eesc-opinion-on-the-european-media-freedom-act).

full transparency and for respect for the principles of media pluralism in awarding the fifth licence and in line with existing legislation and deadlines defined in the call published by REM.

On disinformation and misinformation

- 2.8. The JCC reiterates the importance of fighting against disinformation and false narratives, and invites the Serbian authorities to contribute to this common endeavour.. The JCC therefore finds the launch of the Russia Today multimedia website in Serbian regrettable. Moreover, the JCC recommends that the Serbian authorities closely follow and respond accordingly to the spread of disinformation online, especially on social media.

On the working conditions of journalists

- 2.9. In line with the European Commission's 2022 Serbia Report¹², the JCC notes that cases of threats and violence against journalists remain a major concern. As emphasised in the March 2023 statement by its co-chairs¹³, the JCC strongly and unequivocally condemns all types of harassment against journalists and calls on the Serbian authorities to react by publicly condemning all threats and attacks, and making sure that their authors are adequately held accountable.
- 2.10. The JCC is looking forward to the upcoming country visit report by the Council of Europe Commissioner for Human Rights and agrees that "the safety of journalists and human rights defenders remains an issue of serious concern"¹⁴; it supports the findings of the UN Special rapporteur on freedom of opinion and expression following her visit to Serbia.
- 2.11. The JCC strongly condemns the growing problem of strategic lawsuits against public participation (SLAPPs) targeting journalists, human rights defenders and civil society representatives and their organisations, which put great pressure on the media's financial and human resources capacities. It calls on the authorities to improve the capacity of the Serbian judiciary to apply international and regional standards on freedom of expression in defamation and SLAPP cases.
- 2.12. The JCC notes that the amendments to the Law on access to information of public importance adopted in November 2021 were a step in the right direction, but notes with regret that the availability of information to investigative and other journalists remains a concern and needs to be improved.

12 [Serbia Report 2022.pdf \(europa.eu\)](#).

13 [Statement from the co-chairs of the EU Serbia Joint Consultative Committee \(JCC\) on media freedom in Serbia | European Economic and Social Committee \(europa.eu\)](#).

14 [Serbia: more efforts needed to face the past, increase safety of journalists and human rights defenders, and protect women from violence - Commissioner for Human Rights \(coe.int\)](#).

3. *On the situation of civil society in Serbia*

- 3.1. The JCC believes that the extent to which the government cooperates with CSOs and social partners is one of the indicators of the democratic development of society. The JCC therefore recommends ensuring the strong and effective involvement of civil society in the negotiating structures for the EU accession process, but stresses however that these consultations must be real and effective, with the participation of CSOs and social partners.
- 3.2. The JCC considers that the adoption in 2022 of the strategy for creating a stimulating environment for the development of civil society in the Republic of Serbia is a step in the right direction, but much more remains to be done. Therefore, the JCC is looking forward to the implementation of the strategy, but it should not overlap with the work of the Social and Economic Council of the Republic of Serbia.
- 3.3. The JCC strongly regrets that civic space in Serbia remains obstructed¹⁵ and calls on the Serbian authorities to prevent or sanction the identified attacks and smear campaigns¹⁶. The JCC urges the authorities to spare no effort in securing a real, genuine, enabling environment for organised civil society and social partners in Serbia.
- 3.4. The JCC supports Serbia in the adoption of the implementing judicial laws with a view to strengthening the independence and effectiveness of judiciary, and calls on the Serbian authorities to continue to work in the same spirit to complete and implement the reform processes.
- 3.5. In addition, the JCC calls on the Serbian authorities to implement the improved process, as defined by the new Law of 2021 on the Ombudsman, when electing a new Protector of Citizens.

On the fight against discrimination

- 3.6. The JCC calls on the Serbian authorities to demonstrate real political dedication in the fight against all types of discrimination, including minority and vulnerable groups in Serbia. The JCC also calls on the Serbian authorities to start effectively implementing the new action plans on gender equality and Roma inclusion, and to strengthen Serbian human rights institutions.
- 3.7. The JCC welcomes the adoption of the Strategy for Deinstitutionalization and Development of Community-Based Services 2022-2026 and the Law on Social Entrepreneurship. It regrets however that the Action plan on the former has not yet been adopted. The JCC calls for their urgent implementation, as the achievement of their objectives should lead to exercise of human rights and decrease of discrimination for citizens belonging to socially vulnerable groups.

On social dialogue and labour reforms

- 3.8. The JCC stresses once again the importance of youth for the future of Serbia and therefore the importance of taking concrete measures to create prospects and opportunities for young people,

¹⁵ [CIVICUS - Tracking conditions for citizen action.](#)

¹⁶ [Informator #9 o napadima i pritiscima na aktiviste i aktivistkinje \(yucom.org.rs\).](#)

enabling them to stay and prosper. In line with the EESC's opinion Youth Policy in the Western Balkans, as part of the Innovation Agenda for the Western Balkans¹⁷, the JCC fully supports all initiatives supporting and consolidating youth policies at all levels and unlocking their full potential, including the ongoing IPA support to establish the Youth Guarantee for the Western Balkans¹⁸.

- 3.9. The JCC underlines that, to remedy high youth unemployment rates and young people's difficulties in integrating in the labour market, the education and training systems need to be aligned with the growing demand for new skills in the digital and green transitions.
- 3.10. The JCC highlights once again the vital importance of recognising the principle of decent work, based on written contracts, safety, and decent and timely pay, and of properly addressing labour market issues such as the regulation of teleworking and combatting informal economy. The JCC calls on Serbia to continue with labour reforms in line with the principles of quality of work and quality of life¹⁹ and the recommendations of the decent work country programme signed with the ILO²⁰. In that respect, the JCC supports initiatives improving working conditions in Serbia, such as the system for mediation and grievance in Serbian enterprises²¹.
- 3.11. The JCC urges the Serbian authorities to ensure that the rights of both domestic and seconded/foreign employers and workers are fully respected. It stresses the need for respect for internationally and nationally recognised rules on human rights and social rights for all workers.
- 3.12. The JCC calls on the Serbian authorities and the representative social partner organisations, in the framework of the Social and Economic Council (SEC) and in consultation with the National Convention on the EU and other relevant stakeholders to speed up their action in the negotiating Chapter 19 on Social policy and employment.
- 3.13. The JCC calls on the adoption of a new Labour Law entirely aligned with EU directives, with the aim of promoting the social dialogue and collective bargaining. The JCC underlines that social partners must be actively involved in the process of creation of the new Labour Law. .

17 [Youth Policy in the Western Balkans, as part of the Innovation Agenda for the Western Balkans | European Economic and Social Committee \(europa.eu\)](#).

18 [Youth-Employment-leaflet-15-6-b.pdf](#).

19 <https://www.eesc.europa.eu/en/our-work/opinions-information-reports/opinions/key-components-sustainable-quality-work-during-and-after-recovery>.

20 [About the ILO in Serbia](#).

21 [Decent work outcomes in supply chains: Fair global supply chains: In Serbia, ILO and GIZ collaborate to improve grievance mechanisms](#).

The JCC instructs its co-chairs to forward this joint declaration to the EU-Serbia Stabilisation and Association Council, the EU-Serbia Stabilisation and Association Parliamentary Committee (SAPC), the European External Action Service (EEAS), the European Commission and the government of Serbia and all relevant ministries.

In accordance with the EU-Serbia JCC's Rules of Procedure, the present joint declaration was adopted unanimously, with the abstention of the Chamber of Commerce and Industry of Serbia on point 2.6..

The next JCC meeting is to be held in Serbia in the second half of 2023. As agreed in the previous meetings, the assessment of an enabling environment for civil society and fulfilment of the Copenhagen political criteria for accession are a permanent part of the JCC's meeting agenda