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**7th meeting, 23 October 2018, Belgrade**

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**JOINT DECLARATION**

The EU-Serbia Civil Society Joint Consultative Committee (JCC) is one of the bodies set up within the framework of 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 eighteen 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 **Ana Milićević-Pezelj**, member of the EESC and Executive Secretary of the Union of Autonomous Trade Unions of Croatia (SSSH), and **Zoran Stojiljković**, President of the Trade Union Confederation "Nezavisnost".

Members of the JCC discussed the state of play and the work ahead in Serbia's accession negotiations to the EU. They discussed the level of inequality and equal opportunities in the areas of social policy and employment in the EU and Serbia and assessed Serbia's usage of and expectations from the Instrument of Pre-Accession Assistance (IPA). They held a discussion on the enabling civic space and the situation of civil society in the EU and Serbia.

# **State of play of EU-Serbia relations and the accession process**

## The JCC members are pleased that since the last meeting, Serbia has opened Chapter 13 (Fisheries) and Chapter 33 (Financial and budgetary provisions). This brings the number of chapters open to fourteen, of which two have already been provisionally closed. The JCC calls for increased efforts from the Serbian authorities towards meeting the benchmarks set for opening and closing of the chapters, especially the interim benchmarks in the rule of law chapters (Chapters 23 and 24).

## The JCC welcomes the recent positive signals from the EU institutions that show that the enlargement policy is and will be at the centre of the EU's attention in the coming years. The JCC salutes the Commission Communication of 17 April 2018 entitled "2018 Communication on EU Enlargement Policy", accompanied by the "Serbia 2018 Report", the Sofia Declaration of the EU-Western Balkans summit held on 17 May 2018 and its Priority Agenda, as well as the Council conclusions on Enlargement and Stabilisation and Association Process adopted by the Council on 26 June 2018 and endorsed by the European Council on 28 June 2018. The JCC encourages other future presidencies of the Council of the EU to keep the integration of the Western Balkan countries high on their list of priorities.

## The JCC once again expresses its readiness to contribute to the implementation of the actions stipulated in the Action Plan in Support of the Transformation of the Western Balkans for 2018-2020. In this respect, the JCC welcomes the new Commission's Proposal for a Regulation of the European Parliament and of the Council establishing the instrument for Pre-accession Assistance (IPA III) published on 14 June 2018 that seeks to provide financial means to maximise this transformation.

## The JCC takes note of the Commission assessment of 17 April 2018 of the Economic Reform Programme of Serbia (2018-2020) and the Joint Council Conclusions of 25 May 2018 of the Economic and Financial Dialogue between the EU and the Western Balkans. Members of the JCC are pleased that the economic growth in Serbia accelerated in 2018 and that the unemployment is falling. They also expressed satisfaction that Serbia moved up five places on the Word Economic Forum's Global Competitiveness Report for 2018, reaching 65th place among 140 countries listed. The JCC stresses the importance of creating a favourable and more predictable business environment in order to foster entrepreneurship, business creation and help SMEs grow, thus creating new jobs and reducing unemployment.

## The JCC invites the Serbian authorities to concentrate on the implementation of structural reforms that would also bring social progress and social cohesion to the Serbian society, in close cooperation with social partners and other civil society organisations (CSOs). The JCC also invites the Serbian authorities to reform the tax system in a way to reduce poverty and inequalities.

## The JCC once again encourages the Serbian authorities to double their efforts to ensure respect for the rule of law, fundamental rights, judicial reform, the fight against corruption and the autonomy of journalists and freedom of the press. It expresses its concern about the lack of progress in the area of freedom of expression. Members of the JCC invite Serbian authorities to strengthen the independence of the Regulatory Body for Electronic Media, as well as other independent regulatory bodies and associations of liberal professions, and to assure the implementation of their decisions.

# **Decreasing of Inequality and Promotion of Equal Opportunities in Social Policy and Employment**

## The JCC invites the Serbian authorities to focus, in close cooperation with the social partners and other CSOs, on structural reforms in the area of social policy, education and employment. When drawing up structural reforms and Economic Reform Programmes, various principles incorporated in the European Pillar of Social Rights should be carefully studied. It invites once again the Serbian authorities to perform social impact assessments of all such reforms.

## The JCC notes that despite recent improvements, low employment and high and long-term unemployment persist without adequate support fostering labour market integration. It invites the Serbian government to pay special attention to workers at the lower sections of the wage distribution, as well as to increase substantially the inclusion of unemployed in active labour market measures, in particular the most vulnerable groups such as women, Roma and people with disabilities. It also invites Serbian government to consider introducing a minimum income allowing a decent life, accompanied by appropriate vocational integration and reintegration initiatives. The JCC believes that skills mismatches in Serbia, as well as challenges in the labour market generated by digital and technological changes in the economy, can be addressed by the development of more effective vocational training, apprenticeship and lifelong learning schemes and with closer involvement of social partners and other relevant CSOs in their design.

## The JCC stresses the importance of collective bargaining as a key mechanism for creating fair and sustainable wage system and combating the gender pay gap, as well as vertical and sectoral segregation on the labour market. The JCC therefore calls the Serbian government to ensure an environment which will stimulate development of the collective bargaining.

## The JCC notices that informal economic activity is a major problem, reducing access to social benefits, health care and pensions. The JCC invites the Serbian government, in accordance with the social partners, to boost efforts to tackle the informal economy and to pay special attention to the strengthening of administrative capacities, particularly when it comes to the labour inspection system.

## Members of the JCC point out that Serbia has one of the highest Gini coefficients and at-risk-of-poverty rates in Europe (according to Eurostat's Survey on Income and Living Conditions - SILC). They are of the opinion that major part of the reason for such high levels of inequality is that the tax and benefit systems are highly regressive. The JCC invites Serbian authorities to restructure the tax system in a comprehensive way, towards a progressive tax system based predominately on direct taxes, in order to ensure an adequate and better targeted financing of active social policies and social protection. This should be done by taking into account the concrete effects these measures will have on the reduction of material depravation, poverty and income inequalities.

## Members of the JCC notice with concern that recent studies show that about half a million of citizens in Serbia are unable to meet basic subsistence needs because of weak effectiveness of the social assistance system. The JCC stressed the fact that the high level of poverty in Serbia is particularly high in rural areas and invited the Serbian authorities to address regional disparities in the country. They expressed their opinion that family benefits needs to be better targeted in order to improve their efficiency. Members of the JCC call on the Serbian authorities to ensure, in practice, efficient protection of children, families in a vulnerable situation and large families from poverty.

## The JCC calls on the Serbian authorities to work on the effective implementation of the Istanbul Convention on violence against women and domestic violence as well as on full alignment with the UN Convention on the Rights of Persons with Disabilities. It stresses the need to draft and adopt of a comprehensive strategy on de-institutionalisation and accessibility, in close cooperation with CSOs representing people with disabilities.

## The JCC stresses the importance of social dialogue and invites the Serbian authorities, including at the local level, to increase collaboration with the social partners and other CSOs operating in the area of social policy, employment and economic policies. It emphasises that the social partners should be consulted, more systematically and in a timely matter, on all the relevant legislative proposals and in all of its phases when developing strategic documents in the area of social policy and employment. The JCC invites once again the EU institutions and the Serbian government to provide for the strengthening of the overall capacities of the social partners.

# **Instrument of Pre-Accession Assistance – Serbia's experience and expectations**

## The JCC welcomes the European Commission's proposal to increase the funds allocated for the new Programme for Pre-Accession Assistance for 2021-2027 (IPA III) and invites all EU institutions to support this increase. Members of the JCC believe that the increase of pre-accession assistance would enable Serbia to be better prepared for accession, meeting the acquis standards and improving the economic and social convergence with the EU.

## The JCC believes that it is of the utmost importance to ensure that Serbia develops, strengthens and maintains the capacities to manage the increased funds. It invites Serbian authorities to secure a continuous project pipeline and develop and implement efficient recruitment and retention policies for staff dealing with the planning, implementation and monitoring of the reforms and investments needed for EU integration allowing for good absorption and optimal use of EU funds.

## In the area of management of the EU Funds, the JCC invites the Serbian authorities to use in a more efficient and transparent way the existing relevant civil society platforms, especially when it comes to the monitoring of the implementation of the IPA Funds.

## Members of the JCC are of the opinion that it is necessary to ensure that the new financial pre-accession instrument for the Multiannual Financial Framework (MFF) 2021-2027 is prepared on time and harmonised with the requirements of structural funds − especially in programming, financial management and control. The JCC believes that EU funds should take into account the need to tackle social and economic inequalities.

## In the next MMF, the JCC calls on the budget authorities to increase funding for CSOs, including in the form of operating grants and multiannual financing which can reach out to the smallest organisations and the most disadvantaged sectors of society. It also calls on the Commission to monitor the implementation of the code of conduct on partnership with civil society within the Structural Funds and the Instrument for Pre-accession Assistance (IPA).

# **Enabling civic space and overview of the civil society situation in Serbia**

## The JCC expresses concern about shrinking civic space, both in the EU and in Serbia. It condemned the attacks on CSOs by representatives of government, parliament and government-funded media. The JCC invited Serbian authorities to guarantee the protection of human rights defenders, anti-corruption organisations and independent journalists and to prosecute and bring to justice perpetrators and those that have commissioned attacks on CSOs.

## Members of the JCC stress that the Commission's assessment in Serbia 2018 Report was that no progress was made towards establishing an enabling environment for the development and financing of civil society. They invite the Serbian government to adopt a national strategy for an enabling environment for CSOs and its accompanying action plan.

## Although the legal framework for the workings of civil society is mostly in place, there is a need for improvement in the following areas:

## freedom of association (adopting the necessary secondary legislation with regard to conflicts of interest) and freedom of assembly;

## volunteering (a new law that would provide a stimulating framework for volunteering);

## charity development (the Government Council for Charities needs to provide support for those who are active in the area of giving; tax legislation in the area of giving should be improved);

## public funding for CSOs (a clear diversification of budget line to enable exact calculations and monitoring of the funds that are allocated to CSOs; the regulation of public funding needs to address various elements such as scope, recipients, implementation rules, a code of conduct, the clear avoidance of conflict of interest and transparent reporting).

## While some progress has been made on the institutional framework for participation in decision-making processes, there is a need for improvements in terms of:

## strengthening mechanisms for cooperation with civil society (establishing a Government Council for Cooperation, a contact point with civil society in the Parliament and designated units or officers for cooperation with civil society within all state bodies, at both national and local level);

## creating and adopting common standards for the effective inclusion of CSOs in consultation processes, which will be obligatory for public institutions at both national and local level;

## public institutions to be more efficient in the way they receive, acknowledge and report on input from civil society;

## clarifying conditions under which laws could be passed in an urgent procedure and decrease the use of the urgent procedure.

## Members of the JCC reiterate the need to continue to involve representatives of social partners and other CSOs, in a meaningful way in all stages of the accession negotiations and in all the relevant chapters, especially those on the rule of law (Chapters 23 and 24) and on social policy and employment (Chapter 19). They are of opinion that the National Convention on the EU and other relevant civil society platforms should be consulted by the Serbian authorities in a more comprehensive and systematic way in all stages and in all chapters of the process.

## The JCC agrees to have the topic of the situation of civic space in Serbia as a permanent point in the agenda of all further meetings.

## 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.

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The next JCC meeting is to be held in the EU in the first half of 2019.

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