



Doc. 12034

29 September 2009

Honouring of obligations and commitments by Serbia

Reply to Recommendation¹: Recommendation 1867 (2009)

Committee of Ministers

1. The Committee of Ministers welcomes the Parliamentary Assembly's recommendation and its spirit of constructive engagement. The Committee of Ministers fully shares the Parliamentary Assembly's support for Serbia's European aspirations and for Serbia's continuing reform process. The Committee of Ministers also reiterates its appeal to the Serbian authorities to ensure full co-operation with the International Criminal Tribunal for the former Yugoslavia, including the arrest and transfer of the two remaining fugitive indictees, which is one of the outstanding accession commitments to the Council of Europe.

2. In conducting its regular monitoring of Serbia's compliance with its accession obligations and commitments on behalf of the Committee of Ministers, the Rapporteur Group on Democracy (GR-DEM) takes full account of the relevant resolutions of the Parliamentary Assembly, notably [Resolution 1661 \(2009\)](#), as well as the reports and recommendations of the other Council of Europe institutions and bodies. The Committee of Ministers considers that Serbia has very nearly fulfilled all the formal, quantifiable commitments it undertook upon accession to the Council of Europe. It has therefore decided to orient its monitoring process towards a dialogue-based regular stocktaking of co-operation and progress with the fulfilment of statutory commitments and democratic processes.

3. Serbia currently participates in all the relevant Council of Europe regional programmes, including Joint Programmes with the European Commission concerning special prosecutors, social security co-ordination, architectural and archaeological heritage, as well as in the multilateral programme "Network of Schools of Political Studies". Recently completed assistance programmes funded by voluntary contributions include a three-year project on the reform of the prison system, a three-year project on human rights training of judges, prosecutors and lawyers and a one-year project providing support to the Constitutional Court. Two European Commission/Council of Europe Joint Programmes on strengthening higher education and on the promotion of freedom of media have also recently been completed. Another Joint Programme on support to the parliament has been extended until October 2009. A new European Commission/Council of Europe Joint Programme to support local self-government was launched in May 2009. A new project, financed by the Human Rights Trust Fund, will assist the Serbian authorities in ensuring execution of judgments of the European Court of Human Rights and enforcement of domestic court decisions.

4. In light of Serbia's recognised administrative capacity to implement reform processes and projects, the Committee of Ministers has noted that assistance for Serbia increasingly takes the form of advice and expertise. The Serbian authorities are encouraged to make the best possible use of this type of co-operation, which is one of the most important benefits of Council of Europe membership. The Secretariat is working closely with the Serbian authorities to develop new targeted co-operation programmes, including a project to assess the implementation of the judicial reforms in Serbia and two new European Commission/Council of Europe Joint Programmes, within the framework of the EU's Instrument for Pre-Accession Assistance (IPA), to deal with money laundering and with the confiscation of the proceeds of crime and the financing of terrorism.

1. adopted at the 1066th meeting of the Ministers' Deputies (23 September 2009)

