

Enlargement report for Serbia

European Parliament resolution of 29 March 2012 on the European integration process of Serbia (2011/2886(RSP))

The European Parliament,

18. Is seriously concerned about repeated allegations of misuse of Article 359 of the Criminal Code on abuse of office, which was accompanied by alleged widespread unjustified freezes of company and private assets; underlines that these allegations have undermined trust in the rule of law in the country; calls on the authorities to swiftly proceed with a revision of the Criminal Code to ensure that it is in line with European standards and to immediately put an end to the bringing of charges of abuse of office in private enterprises and enterprises with majority private ownership and to discontinue the pending criminal proceedings; emphasises that, where people have been charged under Article 359 and there is a suspicion that the period for which they have been detained or their assets frozen is disproportionate to their alleged offence, they should be entitled to an immediate review of the proceedings against them and the right to reclaim private property and fair compensation;

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P7-TA-2012-0114+0+DOC+XML+V0//EN&language=EN>

Izveštaj o proširenju za Srbiju

Rezolucija Evropskog parlamenta o procesu evropskih integracija Srbije (2011/2886(RSP)) doneta 29. marta 2012

Evropski parlament,

18. je ozbiljno zabrinut zbog ponovljenih navoda u vezi sa zloupotrebom člana 359. Krivičnog zakonika o zloupotrebi službenog položaja, koja je praćen navodnim rasprostranjenim neopravdanim zamrzavanjem preduzeća i privatnih sredstava; ističe da su ovi navodi podrili poverenje u vladavinu prava u zemlji; poziva nadležne da brzo izvrše izmenu Krivičnog zakonika kako bi se osiguralo da je u skladu sa evropskim standardima, da odmah stave tačku na podnošenje optužnica po odredbi zloupotrebe službenog položaja u privatnim preduzećima i preduzećima sa većinskim privatnim vlasništvom i da prekinu neokončane krivične postupke; naglašava da lica koja su optužena na osnovu člana 359, a u čijim slučajevima postoji sumnja da je period njihovog pritvora ili zamrzavanje njihove imovine nesrazmeran njihovom navodnom krivičnom delu, treba da imaju pravo na neposrednu reviziju postupka protiv njih i pravo na povraćaj privatne imovine i adekvatnu nadoknadu;