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● INTRODUCTORY REMARKS

May and June Highlights in Parliament

Termination of the state of emergency, hunger strike of the MPs and advocating of both elections and boycott campaigning in the Hall of the National Assembly were the key events of May and June in the Parliament. Due to forthcoming parliamentary, local and provincial elections there were no Assembly sessions in June, and in May two sessions were held.

In May and June, the MPs worked **for entire three days** and adopted **four laws and two decisions**. After verifying the Decision on the introduction of the state of emergency due to the pandemic of coronavirus on 28 April, the MPs then met on 6 May to end the state of emergency. With the Decision on termination of the state of emergency, at the same sitting the MPs adopted the Law on applicability of the decrees thereby revoking measures from 11 decrees and at the same time extending the validity of measures from 15 decrees which the Government adopted during the state of emergency. However, not much was said about the law and the measures concerned during the discussion in plenum, which was imbued with insults, accusations and labelling of political opponents. During the discussion, the MPs demanded the reports and the plan of the Government from the previous period, but, in their words, none of that was delivered to them. In discussion with MP Nenad Konstantinovic (Serbia 21), Prime Minister Ana Brnabic emphasised that the most questions about the measures, the reasons of their adoption and methods of implementation, were answered “during regular daily press conferences”.

Before the session started, leader of Dveri Bosko Obradovic entered the Hall with sounds of the whistle, thus, as he later explained, providing support for the action “Noise against Dictatorship”, but he also announced that he would not end his MP’s mandate peacefully. Although the security guards had taken Obradovic outside of the Plenary Hall, two days later, the leader of Dveri movement continued his “performance” at the front stairs of the Parliament, with the support of his colleagues and supporters. Soon before the start of the Second Sitting of the First Regular Session there was **a verbal and physical incident** among the MPs when Marijan Risticovic from People’s Peasant Party jacket was ripped. The representatives of the highest government authorities reacted to the escalation of tension, including the Speaker of the National Assembly, Maja Gojkovic, who had invited the authorities to respond and demanded from the representatives of the European Union to assess “fascistic” behaviour of MP Obradovic. Open Parliament thoroughly condemned physical and verbal violence, escalation of animosity and unacceptable behaviour in the plenum which deteriorated the reputation and importance of the parliament, and also invoked urgent mitigation of tensions.

On that day, in the Plenary Hall, it was often repeated **this was Fascism**, and words such as “hordes of Fascists”, “punks”, “pure bare fascism of Hitler and Ustasha type”, “heinous monstrous act” could be heard, however, no one was reprimanded. The discussion again the least concerned the proposals of the laws that the MPs in fact convened for, such as the amendments to the Law on Election of MPs, amendments to the Law on Local Elections, amendments to the Law on Population Protection from Infectious Diseases and amendments to the Decision on dismissal and appointment of the members and deputy members of the Republic Electoral Commission.

In the midst of this atmosphere, independent MP Milan Sevarlic referred to the alleged statement of the President of Serbia on the potential recognition of independent Kosovo so he demanded an urgent sitting. After the Speaker of the Assembly instructed him to “learn the Rules of the Procedure”, Sevarlic **announced that he would start a hunger strike**. A few minutes later, he had been

THE OPEN PARLIAMENT INITIATIVE

The Open Parliament Initiative has been monitoring the work of the Serbian Parliament every day since 2012. The Open Parliament collects and publishes data on the Parliament’s work and results and deals with the analysis of various processes from the perspective of transparency, accountability and participation.

The main goal of the Open Parliament Initiative is to increase transparency and accountability of the work of the Parliament, to inform the citizens about the work of the Parliament and to establish regular communication between citizens and their elected representatives. Our work is based on the values contained in the international Declaration on Parliamentary Openness, and the Open Parliament took part in the development of this initiative.

Since January 2018, the Open Parliament team has increased the focus of this initiative’s activities on democratism and accountability in the conduct of MPs and the work of the institution.



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joined by Dveri leader Bosko Obradovic, and then also by Serbian Progressive Party MPs Aleksandar Martinovic and Sandra Bozic, who demanded the prosecution to react and instigate the prosecutor's investigation against Bosko Obradovic. Two days later, **Ivan Kostic** from Dveri joined the strike, claiming that members of Serbian Progressive Party demonstrated a lack of consistency since they only lasted for two days. His hunger strike lasted for nine days.

This June in Parliament was unprecedented – during three decades of restored multiparty system in Serbia, in total seven MPs went on a hunger strike, and five of them in June this year. In only one day, 10 May 2020, yet four MPs decided to engage in this radical protest act.

After one day, Sevarlic **gave up on strike**, complaining that popular colleagues had taken his glory, in his words, while the MPs from Serbian Progressive Party went on for one, in fact, two days when **their requests were fulfilled**. Bosko Obradovic supported Sevarlic requests concerning the protection of Kosovo and Metohija as an integral part of Serbia, but, as he had said, he also went on a strike due to the violation of the Constitution, deterioration of the democracy and a request for postponement of the elections. He was on strike for eleven days, and he stopped on 20 May for health reasons and peace of his closest family, being pleased with this act since “it has exposed the system we live in, and we have raised the awareness of the international public and revealed the non-democratic face of this government”.

If the elections had not been postponed due to the coronavirus, this June the Assembly of Serbia would have its new legislature, 12th in the row since the multiparty system was restored. According to the preliminary results, it was already known who will be the new “tenants” of the building in Nikola Pasic Square, yet this month, **we only had the Assembly activities in the Hall**. It was occupied even by the MPs from the groups that claimed this legislature was no longer ongoing, and until 21 June we had interchanging **electoral and boycotting campaign** here, and after that we could have heard the analysis of the results. The MPs held **32 press conferences** in total, and out of this number, the leader of Enough is Enough movement, Sasa Radulovic, addressed the press for 14 times. He spoke about malfunctioning electoral conditions, media closure and illegitimacy of the boycott unless the entire opposition is taking part in it. Radulovic was running a pre-election campaign from the Assembly Hall every day, and when his list failed to cross the threshold, he demanded the elections to be declared as failed and that new elections should be called. He estimated that in the previous elections there had been a mass forgery of the minutes and citizens' will, so the government could decide independently who from the electoral lists would join the Assembly or not. Independent MP Djordje Vukadinovic said that “June elections are a play and staged performance” and **called citizens to boycott the elections** as undemocratic and non-free. He also warned that epidemiological situation was aggravating, he spoke of the risky football game with 20,000 visitors without protective measures and demanded the elections to be postponed. Srdjan Nogo, an MP, was also active in June when he announced that on Saturday (20 June), just before the elections, **on the plateau in the front of the Assembly the citizens would elect their 250 MPs** who would then enter the Assembly, authenticate their mandates and elect the new government and amend the Constitution. Nogo had indeed spent two days in front of the Assembly with some of his followers, but that did not last for long.

2020

Month in the Parliament

MAY

6.

During the state of emergency, the second session was announced for 6th May, with the Decision on the termination of the state of emergency and verification of the decree adopted by the Government with the co-signature of the President of the Republic during the state of emergency verified by the National Assembly, as proposed under the items of the agenda. When the session started, the leader of Dveri, Bosko Obradovic, approached the Speaker's table and blew the whistle, as he later explained, to show his support to the everyday action – Noise against Dictatorship. The Speaker of the Assembly, Maja Gojkovic, reacted to such behaviour, so after more than two decades, we had an opportunity to see how security guards almost carry away an MP from the Hall.

6.

The continuation of the session included a set of criticism and praise for the measures taken during the state of emergency, and the most common questions were what had happened with the report and where had been the ministers to defend it. Nenad Konstantinovic from Serbia 21 persistently demanded a plan from Prime Minister Ana Brnabic: “Today, you are alone here Prime Minister. Where is Djordjevic? He should be here and explain how coronavirus penetrated the Gerontological Home after five weeks? What happened to Minister Sarcevic? Is he missing too?” Prime Minister concluded that MP Konstantinovic is “a very uninformed man”, as later she asked him where he had been living for the past two months. “Because, if you abided by the measures, and I believe you had, thank you for that, you could have watched the TV”, “Well, I think you would not be able to understand the plan not only in drawing, but in writing”, had been some of the comments made by the Prime Minister during the discussion with this MP.

6.

Serbian Progressive Party MP, Vladimir Djukanovic, spoke outside the agenda during the session, and focused his speech on the elaboration of the scattered shouts “Djilas thief” in front of the building where Dragan Djilas family lives, banging of pots as the expression of civil disobedience and torches on the building rooftops as the response to pots banging. “You mentioned everything but the topic today, and we should have had all the ministers here today so we could interrogate them about the results, and we only had Ivica Dacic briefly”, said Radical Party member Nemanja Sarovic before the debate ended.

8.

From the first day with the whistles, insults, a fight and one ripped jacket, the second day came with another sitting and the hunger strike of four MPs. During the Second Sitting of the First Regular Session one could not hear much on amendments of the law which would have allowed the authentication of the signatures for submitting of electoral lists in the municipalities as well and not just with the notaries. In addition, the agenda included amendments to the laws on local elections, amendments to the law on population protection from infectious diseases and decision on dismissal and appointment of the members and deputy members of the Republic Electoral Commission.

8.

During all days of the session, the items of the agenda were the least discussed, because before the session started, the leader of Dveri, Bosko Obradovic had verbally attacked Minister of Health Zlatibor Loncar, and physically assaulted Marijan Risticovic, an MP from People's Peasant Party. General assessment that this was fascism, was repeated for 30 times outside the agenda in the plenary sitting, during both days of the session, by all of the following: Assembly Speaker Maja Gojkovic, Minister Loncar, and MPs from ruling majority, Aleksandar Martinovic, Vladimir Marinkovic and Veroljub Arsic.

10.

At the time when in the Hall Bosko Obradovic announced that Dveri would not participate in the elections, independent MP Miladin Sevarlic requested the floor because of the violation of the Rules of Procedure, claiming that President of Serbia said that Kosovo would get independence for the entire territory, and requested urgent sitting on that matter. However, the Assembly Speaker Maja Gojkovic had no understanding for his concern, hence she referred him to examine the Rules of Procedure in more detail: “I truly apologise, but you have not been granted the floor for the discussion, but because of the violation of the Rules of Procedure, so please, learn the Rules of Procedure, we will have the summer break now, so learn the Rules of Procedure, indeed”.

PARLIAMENT IN NUMBERS

Statistical review of the work of the 11th Convocation is concluded with June 30th

10.

Sevarlic announced that he would start a hunger strike until his proposal was adopted, and he was immediately joined by Bosko Obradovic. Although his motive for hunger strike was the same as for MP Sevarlic, later on, Bosko Obradovic, Dveri movement leader, requested for the government and opposition to start a dialogue, and few minutes later, MPs from Serbian Progressive Party Aleksandar Martinovic and Sandra Bozic announced that they were starting the hunger strike because "prosecution and judiciary failed to respond to Bosko Obradovic fascistic attacks".

10.

In only 24 hours, the Assembly Speaker Maja Gojkovic had confirmed, that for her, even when they were starving during their hunger strike, the MPs were not equal. "I am deeply concerned for both health and lives, and medical condition of MPs Miladin Sevarlic, Aleksandar Martinovic and Sandra Bozic". These three had been consistent and decisive, added Gojkovic, while she insinuated that Bosko Obradovic had interrupted his hunger strike. "I am saying that we do not know what happened in the National Assembly of the Republic of Serbia, except that he had a good night sleep, seven or eight hours, and now that you are back here he came out again to convince the public that he was really on a hunger strike. I am not here to judge, we are not some Stasi police state making recordings of the MPs and what they have been doing in this building".

11.

After only a couple of hours, the first to give up was independent MP Miladin Sevarlic, as he said he had been overpowered in the media due to the popularity of the Assembly majority, on the first hand, and on the other hand, by the Dveri movement. The same evening, the President of Serbia Aleksandar Vucic made a public announcement and invited Martinovic and Bozic to stop the hunger strike. Bozic had given up after the President's speech ended, and Martinovic had done the same a day later after his demands were fulfilled. The prosecution had, as Martinovic said, undertaken the procedure of evidence collecting against B.O. and other persons due to suspicion that they had committed violence against Marijan Risticovic and Zlatibor Loncar.

12.

Ivan Kostic from Dveri joined Bosko Obradovic and started a hunger strike on 12 May, claiming that members of Serbian Progressive Party demonstrated lack of consistency since they only lasted for two days. His hunger strike lasted for nine days, when he stopped the hunger strike along with Obradovic, although their demands had not been fulfilled.

25.

Although for two weeks there were no Assembly sessions, the MPs from the current legislature, regardless if they had been boycotting the plenum work or not, met in the Hall of the National Assembly House and sent messages on various topics, from defence against hail-storms to Constitutional Court. Independent MP Srdjan Nogo proposed as the legal obligation for the politicians to write down their programme and to guarantee the deadline for fulfilling their promises. However, when the hailstorm hit a large part of Sumadija, MP from People's Party, Miroslav Aleksic, appealed to the Government to invest money into the anti-hail system. He said that government should have the anti-hail system as their priority and not fountains and flag poles, and mentioned that he "is under impression that the Minister of Agriculture is asleep, as well as the Government, or they are all just thinking about the elections".

2020

Month in the Parliament

JUNE

1.

In June, a total of 32 press conferences by MPs were held, and out of those, the leader of Enough is Enough movement Sasa Radulovic addressed the press for 14 times. He spoke about malfunctioning electoral conditions, media closure and illegitimacy of the boycott unless the entire opposition is taking part in it. Radulovic was running a pre-election campaign from the Assembly Hall every day, and when his list failed to cross the threshold, he demanded the elections to be declared as failed and that new elections should be called.

1.

An MP and Vice President of the Party of Freedom and Justice, Ana Stevanovic, asked at the press conference "if the spreading of the epidemic had been covertly approved so as to have the coming elections organised" and reported on the data from World Health Organisation that the situation as regards the coronavirus was globally aggravating. An MP from the same party, Marinika Tepic, also advocated for the boycott from the Assembly Hall, but talked about the trade in arms, misconduct in the top of the government, and by the end of the month, also spoke about "tampered elections".

370 DAYS OF SESSIONS IN THE PLENUM:

60 regular sessions **42** extraordinary sessions

THE WORK OF THE ASSEMBLY FROM JUNE 2016 UNTIL JUNE 2020 WAS CHARACTERISED BY THE FOLLOWING:

- Misuse of procedures, deficit of parliamentary control and lack of debate on the proposed laws, the ruling majority submitting hundreds of amendments which disabled essential participation of the opposition in the plenary discussion in the first part of the legislature.
- Since 2019, a group of the opposition MPs boycotted the work of the parliament.
- The most recent European Commission Report 2019 on Serbia highlights the state in the parliament, urging for immediate changes of negative practice and restitution of inter-party dialogue.
- Postponed sessions and inactivity of the Assembly most of the time in the state of emergency introduced during the epidemic caused by coronavirus.
- Insults, flaming rhetoric and inappropriate behaviour of the MPs in the plenum, followed by escalation of tensions.
- Five MPs who started a hunger strike near the very end of the XI legislature.



LEGISLATIVE ACTIVITY

370 days of legislative activity

617 adopted laws



96.92% of adopted laws proposed by the Government (**598 laws**)

12 were the proposals of the ruling majority MPs

2 were the proposals of the MPs who do not belong to the ruling majority

5 were the proposals by other authorised proposers

The common practice of the parliamentary agenda dominated by the proposals submitted by the government, or in some cases the MPs from the ruling majority, continued. Hence, the noteworthy case in March 2019, when two proposals of MPs not belonging to the ruling majority were included in the agenda of the plenary session, remains the exception that proves the rule.

Another exception in 2020, are two law proposals submitted by an MP from the opposition Democratic party, Gordana Čomić, which were included in the agenda of the plenary session: Law amending the Law on Local Elections and Law amending the Law on Election of Members of the Parliament. **These two laws were adopted at the Extraordinary session in February 2020.**



URGENT PROCEDURE

36.14% of all laws (including new laws, amendments to laws and ratifications of international agreements) were adopted by an urgent procedure.

48.81% are adopted by an urgent procedure, if we exclude the laws on the ratification of international agreements, which are generally adopted by a regular procedure, and consider only new laws and amendments to law

PARLIAMENT'S SUPERVISORY ROLE:

14 sessions for parliamentary questions on the last Thursday of the month.

MPs Question Time held during the 11th convocation



A total of 16 public hearings were organized during the 11th convocation.

Public hearings held during the 11th convocation



After a four-year break, the annual reports of several independent institutions for 2018 were discussed in the plenary and the conclusions of the parliament on the following reports were passed:

- In June 2019 (State Audit Institution, Fiscal Council and Commission for the Protection of Competition);
- In July 2019 (Ombudsman, Commissioner for Information of Public Importance and Personal Data Protection, and Anti-Corruption Agency);
- In October 2019 (the annual report of The Commissioner for Protection of Equality).

Three members of the **Council of Regulatory Body for the Electronic Media** have been elected in **December 2019**, following a two-year delay. Another two members of the Council of Regulatory Body for the Electronic Media have been elected in Extraordinary session in February 2020.

Parliamentary committees increasingly chaired by the ruling majority MPs: **out of 20 parliamentary committees, only 2 are chaired by non-majority MPs** (European Integration Committee and Committee on Education, Science, Technological Development and the Information Society).

The **State Budget for 2020** was adopted in November, without violating the Rules of Procedures. A total of **17 Laws on Budget Expenditure were adopted in December 2019.**



MPS ACTIVITIES

REQUESTS FOR THE FLOOR

MPs with the most requests:

1504 Marijan Rističević
[People's Peasant Party]

1430 Vjerica Radeta
[Serbian Radical Party]

986 Vladimir Orlić
[Serbian Progressive Party]

Out of the total number of floor appearances, 31% were the female MPs.

VOTING

MPs who mostly voted FOR:

815 Blaža Knežević
[Serbian Progressive Party]

815 Dragana Barišić
[Serbian Progressive Party]

814 Borka Grubor
[Serbian Progressive Party]

MPs who mostly voted AGAINST:

84 Miladin Ševarlić
[-]

44 Đorđe Vukadinović
[-]

40 Dragan Vesović
[DVERI]

¹ In March 2019, for the first time since 2015, two proposals submitted by the opposition MPs Nenad Čanak, Olena Papuga and Nada Lazic were included in the agenda of the plenary session: the Proposal of the Law on Financing of the Autonomous Province of Vojvodina, and the Proposal of the Resolution of the National Assembly of the Republic of Serbia on Vojvodina. Proposals were not adopted as they have not received support from the sufficient number of MPs.

MPs who mostly ABSTAINED from voting:



QUESTIONS

The most parliamentary questions were posed by:



The most explanations and notifications were requested by:



FINES

MPs with the highest number of fines:



MPs who were imposed the highest fines:



● ANALYSIS OF THE OPEN PARLIAMENT

WHAT IS DISPUTABLE IN THE LAW ON APPLICABILITY OF THE DECREES ADOPTED DURING THE STATE OF EMERGENCY?

On 6 May, the Assembly adopted Law on applicability of the decrees the Government adopted during the state of emergency with the co-signature of the President of the Republic and verified by the National Assembly.

This law **revokes some measures** the Government adopted during the state of emergency declared on 15 March 2020, however, the **application of other measures** the Government adopted with the explanation of mitigating adverse economic and social consequences of the epidemic of COVID-19 will remain. Under the same Law, the Assembly bounded electoral committees **to adopt decisions on continuation of implementing the electoral activities on 11 May 2020** as regards the procedure of implementing elections for members of parliament, Autonomous Province of Vojvodina MPs and councillors in the cities and municipality assemblies.

In the explanation it is mentioned that all measures derogating from the constitutionally guaranteed human and minority rights shall cease to have effect on the day of the termination of the state of emergency, while other measures which are needed to be implemented thoroughly and with full effect will stay in force. It is therefore mentioned that application of these measures will continue pursuant to the "Law adopted by the National Assembly under its competences, as measures prescribed by the National Assembly". However, the adopted law includes the disputed provisions derogating from the Misdemeanour Law as regards sanctioning the offenders who violated the measures during the state of emergency, as well as provisions extending the applicability of the decrees not derogating from human rights.

The measures such as those referring to the organisation of the work of the employers, time periods in judicial proceedings, restrictions of retail prices for protective means and other are revoked, while the decrees on financial and economic assistance to the agricultural households are extended, as well as the measures in road traffic or applicability of time periods in administrative proceedings and other [See the detailed list at the end of the article.](#)

Derogations from the Misdemeanour Law as regards sanctioning the offenders who violated measures during the state of emergency

The Law provides for that for the offenders "who committed violations under these decrees during the state of the emergency **the provisions of these decrees will apply after the state of emergency was terminated**". This position is especially problematic since it **derogates from general rules on temporal application of provisions** of misdemeanour law in Serbia. It precisely means that it will be derogated from the rule applicable in the Misdemeanour Law when the law most lenient for the offender shall apply. In other words, misdemeanours introduced by the Government decrees which under the Law will no longer be valid shall not be considered as misdemeanours after the provisions cease to apply. Therefore, under general rules, the offenders will not be able to be

sanctioned for those, because **Misdemeanour Law** (Article 6) prescribes that if after the commission of a criminal offence, the provision was amended once or more times, **the provision most lenient for the offender shall apply**.

Extending validity of decrees not derogating from human rights

The Law provides, that until the relevant laws enter into force, **the provisions of some decrees adopted during the state of emergency shall remain in force**. These are the decrees adopted by the Government during the state of emergency which are not derogating from human and minority rights, but are referring to the measures falling under competences of the National Assembly. In such way, as mentioned in the explanation of the Law proposal, the Government measures remain in force as measures prescribed by the National Assembly.

Nevertheless, **the Assembly shall not be able to confirm the Government decrees** (as per Article 99 of the Constitution on Assembly competences), the same as the Government competences do not allow possibility of the Government regulating the matters falling under the competences of the National Assembly. The Assembly may only confirm a decree which provides for the measures derogating from human and minority rights from Article 200 para. 6 of the Constitution. Although in all the decrees the Government (with co-signature) referred to Article 200 para. 6 of the Constitution, many of those decrees do not derogate from human and minority rights, but “prescribe measures which fall under the competences of the National Assembly”. **Therefore, the basis for their adoption could not have been Article 200 para. 6 of the Constitution and it has not been clear what is the legal basis for submitting those to be verified in the Assembly**. The procedure of their verification and/or practically transformation into the law by all means differed from the procedure of adopting laws – including the fact that all of them were adopted jointly, meaning that not each decree separately was the subject of discussion and voting in the Assembly.

Since the basis for adopting all decrees was the existence of the state of emergency, the legal basis for extending their duration after the state of emergency **“until the relevant laws are adopted”** is questionable. Thus, the matters that should be regulated under the competences of the Assembly, will be regulated with the provisions that were given the legal force by the Assembly but were adopted under the regular legislative procedure. Therefore, the matters which are provided for to be regulated by the National Assembly under the legislative procedure, will be regulated outside the regular legislative procedure.

The measures from following 15 decrees will remain in force:

- Decree on applicability of time periods in the administrative proceedings during the state of emergency (“Official Gazette of RS”, No. 41/20 and 43/20);
- Decree on investing foreign currency funds governed by Deposit Insurance Agency during the state of emergency (“Official Gazette of RS”, No. 42/20);
- Decree on extending deadlines for submitting annual financial statements by the budget beneficiaries and beneficiaries of the mandatory social insurance organisations during the state of emergency due to the disease COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 47/20);
- Decree on the procedure of issuing debt securities (“Official Gazette of RS”, No. 54/20);
- Decree on extending the deadline for submitting quarterly reports on the realisation of the annual, and/or triannual programme of business activities during the state of emergency due to the disease COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 54/20);

- Decree on fiscal benefits and direct benefits to the private sector economic operators and financial assistance to citizens for the purpose of mitigating the economic consequences due to the disease COVID-19 (“Official Gazette of RS”, No. 54/20 and 60/20);
- Decree on confirming Financial Assistance Programme for business entities to maintain liquidity and working capital in aggravated economic circumstances due to pandemic of COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 54/20 and 57/20);
- Decrees on the measures in road traffic during the state of emergency due to the disease COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 55/20);
- Decree on extending time periods for holding regular sessions of the companies general assemblies and submitting of the annual and consolidated financial statements of the companies, cooperatives, other legal entities and entrepreneurs, as well as deadlines for filing corporate income and self-employment income taxes, validity of the licensed auditors licences and licence assessing value of the real-estate which expire during the state of emergency introduced due to pandemic of COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 57/20);
- Decree on financial assistance to agricultural households through facilitated access to loans in aggravated economic circumstances due to the disease COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 57/20);
- Decree on financial assistance to agricultural households for the purpose of mitigating consequences due to the disease COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 57/20);
- Decree on establishing guarantee scheme as the measure of supporting the economy due to the disease COVID-19 pandemic caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 57/20);
- Decree on amending general revenue and receipts, expenditure and expenses of the 2020 Republic of Serbia budget to remove the adverse consequences due to the disease COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 60/20);
- Decree on postponing the deadline for determining who qualifies as a qualified new employee (“Official Gazette of RS”, No. 60/20);
- Decree on establishing temporary register and method of short-term financial assistance to all adult citizens of the Republic of Serbia to remove the negative effects due to the disease COVID-19 pandemic caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 60/20)

Measures from 11 decrees shall cease to have effect:

- Decree on measures during the state of emergency (“Official Gazette of RS”, Nos. 31/20, 36/20, 38/20, 39/20, 43/20, 47/20, 49/20, 53/20, 56/20, 57/20, 58/20 and 60/20);
- Decree on work organisation for the employers during the state of emergency (“Official Gazette of RS”, No. 31/20);
- Decree on tax measures during the state of emergency for the purpose of mitigating the economic consequences due to the disease COVID-19 caused by virus SARS-CoV-2 (“Official Gazette of RS”, No. 38/20);
- Decree on using financial assets of the Republic of Serbia budget during the state of emergency

due to the disease COVID-19 caused by virus SARS-CoV-2 ("Official Gazette of RS", No. 38/20);

- Decree on time periods in judicial proceedings during the state of emergency declared on 15 March 2020 ("Official Gazette of RS", No. 38/20);
- Decree on restricting retail prices of protective means during the state of emergency due to the disease COVID-19 caused by virus SARS-CoV-2 ("Official Gazette of RS", No. 40/20, 43/20, 48/20 and 59/20);
- Decree on special technical requirements, standards and use of medical instruments during the state of emergency due to the disease COVID-19 caused by virus SARS-CoV-2 ("Official Gazette of RS", No. 41/20);
- Decree on the manner of the defenders' participation in the main hearing of the criminal proceedings taking place during the state of emergency declared on 15 March 2020 ("Official Gazette of RS", No. 49/20);
- Decree on additional borrowing during the state of emergency due to the disease COVID-19 caused by virus SARS-CoV-2 by taking loans, issuing government securities in the national and international financial markets and providing guarantees of the Republic of Serbia ("Official Gazette of RS", No. 52/20);
- Decree on organising work of the social security institutions for accommodating beneficiaries and social welfare institutions for providing services of residential accommodation during the state of emergency ("Official Gazette of RS", No. 54/20);
- Decree on documents to accompany goods in transport during the state of emergency due to the disease COVID-19 caused by virus SARS-CoV-2 ("Official Gazette of RS", No. 55/20)

HUNGER STRIKE AS A TYPE OF MPS FIGHT IN SERBIA

During three decades of restored multiparty system in Serbia, a total of seven MPs went on a hunger strike, and five of them this year. In only one day, 10 May 2020, four MPs decided to engage in this radical protest act.

Miladin Sevarlic, independent MP, on 10 May started a hunger strike and sat down on the stairs of the Assembly building, because of, as he had said, the inability to win over the MPs to discuss the infringement of the territorial integrity and sovereignty of the country and violation of the Resolution 1244 SCUN. On 11 May, he ended his strike, disappointed since little attention was dedicated to his requests because other MPs also started a hunger strike.

On the same day, **Bosko Obradovic** from Dveri joined the MP Sevarlic, to support his demands as regards the protection of Kosovo and Metohija as integral part of Serbia, but also, in his words, because of the violation of the Constitution, deterioration of the democracy and a request for the elections to be postponed. He announced to the media that he had started "a strict Christian fast" in order to calm down, to apply the non-violate form of resistance and contribute to relieving of the tensions in the society. He was on strike for eleven days, and he stopped on 20 May for health reasons and peace of his closest family, being pleased with this act since "it has exposed the system we live in, and we have raised the awareness of the international public and revealed the non-democratic face of this government". No one from the Serbian Orthodox Church had visited Obradovic, neither did the Speaker of the Assembly nor the President of the Republic, although Obradovic requested a dialogue with him.

Aleksandar Martinovic i Sandra Bozic from Serbian Progressive Party also went on a hunger strike on 10 May, and their reasons were the failure of the prosecution and judiciary to react to the violent behaviour of Bosko Obradovic. Sandra Bozic, the MP, stopped starving on 11 May as the President of the Republic of Serbia and President of Serbian Progressive Party Aleksandar Vucic pleaded her. Day later, Martinovic also announced he would stop his hunger strike and he read the statement of the First Basic Public Prosecution where it had been stated that evidence gathering procedure against Obradovic had been taken. At the same time, this was the **first case in Serbia that the MPs from the ruling majority have had their demands fulfilled by the means of the hunger strike**.

On 12 May, **Ivan Kostic** joined Obradovic and started the hunger strike, claiming that members of Serbian Progressive Party demonstrated the lack of consistency since they only lasted for two days. His hunger strike lasted for nine days, when he stopped the hunger strike along with Obradovic, although their demands had not been fulfilled.

The most famous hunger strike in Serbian political scene was Tomislav Nikolic strike, who at the time was an MP from the parliamentary group Forward, Serbia, who started his hunger strike on **16 April 2011** after saying to the people gathered at the rally in front of the National Assembly Dome that he would start "hunger and thirst strike", as a personal and Christian act, as this would be his ultimate way of fighting for better Serbia. The **next day** in the parliamentary club, the **President of Republic Boris Tadic** paid him a visit, and they had a private conversation. However, they had failed to agree about the calling of elections. On the evening of that day, Nikolic was transferred from the Assembly to the private Belgrade Clinical Centre in New Belgrade, because he had been suddenly sick. Three days later, 20 April, Tomislav Nikolic **ended his hunger strike**. Patriarch Irinej influenced Nikolic's decision to stop the strike since he visited Nikolic in hospital. **Tomislav Nikolic's hunger strike is considered the most successful one in the history** since in the following presidential elections he had won, defeating Boris Tadic, which was the moment when the multiannual reign of Serbian Progressive Party had started.

We would recall this form of political struggle from 1996, before Nikolic, when there had been several attempts, mostly without epilogue The sole success was the attempt of Democratic Party MP in the Assembly, Zoran Zivkovic, who went on a hunger strike in the premises of City Electoral Commission (CEC) of the City of Nis in September 1996. Zivkovic was starving for 48 hours, when his request for his party to get the controllers at all polling stations was granted. Since this request was granted, they managed to win the local elections in Nis in November of the same year. The same year, Zoran Djindjic, Democratic Party MP announced coalition "Together" MPs hunger strike due to non-recognised local elections and as a sign of solidarity with mass protests of the citizens. However, there was no epilogue to this, and as stated by Vuk Draskovic, Serbian Renewal Movement leader, the strike was ended the same night.

Serbian Renewal Movement (SPO) was the first to introduce this form of political struggle among the MPs at the very beginning of the multiparty system in Serbia. In July 1993, Serbian Renewal Movement parliamentary group went on a hunger strike in the Federal Assembly of FR Yugoslavia when their leader Vuk Draskovic was arrested, and they had been joined by other opposition MPs. Vuk Draskovic and his wife Danica Draskovic were beaten and arrested in the headquarters of the party, since after the protests "Stop the fascism" that they had organised, the police officer Milorad Nikolic was killed in front of the Assembly building. Serbian Renewal Movement MPs soon joined Draskovic who in this letter from prison announced that he would keep on striking until he died. On 9 July, the then-President of Serbia, Slobodan Milosevic, adopted a decision that Vuk and Danica Draskovic would be exonerated from criminal prosecution, and as far as their beating was concerned, he stated that he had known nothing.

At the very beginning of the multiparty system in Serbia, the opposition MPs in the Assembly of Serbia went on a hunger strike during March 1991 demonstrations expressing their “resentment due to the unacceptable manipulation of the public opinion and Serbian misfortune”. Then 17 MPs from Serbian Renewal Movement decided to join the hunger strike along with one MP from SDS and Reform Union for Vojvodina. However, this strike did not have a large impact on the former political situation and was quickly forgotten.

CONDEMNING ESCALATION OF TENSIONS AND VIOLENCE IN THE NATIONAL ASSEMBLY

Open Parliament thoroughly condemns physical and verbal violence that we had been witnessing last days in the Assembly, as well as absolutely inappropriate behaviour during the discussions in the plenum which are deteriorating reputation and importance of the Parliament.

The Assembly sessions during and after the state of emergency were characterised by the **escalation of animosity and unacceptable behaviour of the MPs and the representatives of the executive**, demonstrating a complete ignorance and a lack of respect of the basic function of the division of power, democratic system and the value of the dialogue. While addressing from the speaker’s platform in the Assembly, the participants of the Assembly sittings made a series of insults and accusations, absolutely inappropriate for the highest representative body. Discussions in the Assembly plenum were imbued with the elements of hate speech and labelling of not only the representatives of the opposition, but also journalists, civil society, representatives of the academic community, and during the last days, all the boundaries of common decency and political culture were crossed, increasing the tensions in the society.

Any encouragement from the Assembly seats as well as inciting of the citizens and supporters to openly “oppose” political opponents and representatives of the opposition is ultimately unacceptable and dangerous behaviour. The members of parliament have the right to express their opinions through protest and/or some symbolic act, as a form of a political action, but such act must not include violence towards other individuals or groups. In the spirit of the transparent and objective informing of the citizens, the public service is obliged to ensure the transmission of the entire Assembly session, including the actions of MPs when they were expressing their political protest.

Open Parliament calls for urgent relieving of tensions and, as for those carrying out representatives’ offices and other public offices, to adhere at least to the basic rules of decency in their political actions.

NUMEROUS LAWS AND MINIMAL DIALOGUE DURING THE FOUR-YEAR MANDATE OF THE XI LEGISLATURE OF THE ASSEMBLY

The mandate of the XI Legislature, established four years ago to this day, was characterized by the lack of a high quality debate, flaming rhetoric, improper behaviour of the MPs, abuse of the procedures and a boycott of the work of the parliament by a group of the opposition MPs. In this legislature, which is only the second full-time mandate since 2000, the MPs worked for 370 days in the plenum, as referred to in the Open Parliament analysis.

A lack of dialogue and improper conduct of the MPs contributed to the further deterioration of the citizens trust in the highest legislative body. Open Parliament has been pleading for years now to

adopt the Code of Ethics on the MPs conduct, which would make a first step towards a higher quality debate in the plenum and greater political accountability.

In July 2019, the Open Parliament initiative created a set of recommendations for solving chronic problems of the parliament. The set of 46 recommendations, as the baseline for long-term positive changes, has been drafted regarding the procedure of adopting laws, enforcement of the oversight function of the parliament as regards the executive, higher participation of the public and improving of the cooperation with the independent institutions.

Intense legislative activity was the hallmark of this legislature. In total, 617 laws were adopted, and in 97% of the cases the Government was the proposer. The MPs proposed 14, and other authorised proposers had proposed five laws which were adopted.

The Parliament carried out its oversight function superficially and almost symbolically. By mid-2019, the controlling mechanisms that the Assembly has at its disposal, had been used very rarely. Parliamentary questions on the last Thursday of the month, addressed to the Prime Minister and other Government members, were far from regular – we had them once per year in 2016 and 2017, and in 2018 and 2019 the MPs had an opportunity to ask question to the executive five times, and twice in the first half of 2020. Djorjđe Vukadinovic, an MP who is not a member of any parliamentary group, asked the most parliamentary questions (24), followed by Marijan Risticovic from People’s Peasant Party with 22 and Bosko Obradovic from Dveri with 20 questions.

Since June 2019, we had certain improvements when in the plenum, after four-year-pause, the reports of the independent institutions were scrutinised, and following that, public hearings and sittings for parliamentary questions were organised more frequently. Progress was made when the MPs were enabled to have enough time to prepare and analyse the proposal of the Budget Law.

This legislature is characterised by a group of opposition MPs boycotting the Assembly sittings as they had resorted to that in February 2019, dissatisfied with the relation of the Assembly majority towards them. Due to this, to an even greater extent, confronting arguments regarding the legislative solutions had been missing. The most active MPs were Marijan Risticovic from People’s Peasant Party who took the floor 1,504 times, Vjerica Radeta from SRS with 1,430 and Vladimir Orlic from SNS who took the floor 986 times. In this Assembly legislature, the most offences were declared for Radoslav Milojcic, 13, followed by Bosko Obradovic (Dveri) and Sasa Radulovic (Enough is Enough) 9 times each. The highest fines imposed on the MPs were the ones for Sasa Radulovic of RSD 109,617 and for Radoslav Milojcic of RSD 106,022.

● SELECTION OF LAW ABSTRACTS

LAW ON APPLICABILITY OF THE DECREES THE GOVERNMENT ADOPTED DURING THE STATE OF EMERGENCY WITH THE CO-SIGNATURE OF THE PRESIDENT OF THE REPUBLIC VERIFIED BY THE NATIONAL ASSEMBLY

Law was adopted on the proposal of the Government on 6 May 2020

Since the Speaker of the National Assembly claimed that no conditions had been met to convene the Assembly, the state of emergency due to prevention of spreading of the infectious disease COVID-19 in Serbia was declared on 15 March 2020 by the joint decision of the Speaker of the National Assembly, Prime Minister and President of the Republic. The National Assembly did not convene until 28 April 2020, so in the period before that the Government had adopted the decrees introducing various measures during the state of emergency with the co-signature of the President of the Republic. On its first session during the state of emergency, the National Assembly verified all the decrees the Government adopted during the state of emergency with the co-signature of the President with the law.

With the termination of the state of emergency, the basis for decrees adopted during the state of emergency to stay in force will no longer be valid. For this reason, the Law proposal provided for that some decrees adopted during the state of emergency shall cease to have effect on the day of the termination of the state of emergency. However, it was stipulated that provisions of these decrees shall apply to those who committed offence as stipulated under these decrees during the state of emergency after the decrees cease to have effect. In addition, it was suggested that fifteen decrees adopted by the Government shall stay in force after the termination of the state of emergency until the laws in the areas currently regulated by those decrees would be adopted.

Taking into consideration that the elections for the members of parliament, deputies in the Assembly of AP Vojvodina as well as the councillors in the majority of local self-government units had been called on 5 March 2020, and that after the state of emergency had been introduced all electoral activities ceased, the Law Proposal provided for that on 11 May 2020 the competent electoral committees would adopt the decisions on continuation of electoral activities in the procedure of the election implementation at all levels. The electoral committees undertake to ensure and keep the existing electoral documentation until the moment of continuation of electoral activities and the elections and to establish new deadlines for the election activities implementation. All electoral activities taken so far in the procedure of implementing the elections will remain in force (e.g. authenticated voters' signatures for supporting specific electoral list).

Abstracts of key laws in the parliamentary procedure

PROPOSAL OF THE LAW AMENDING THE LAW ON ELECTION OF MPS

MPs Ljupka Mihajlovska and Tatjana Macura submitted the proposal of the law on 20 November 2019.

By the survey carried out in 2016, it has been established that even 60% of the polling stations in Serbia are not accessible to persons with disabilities, which has to a significant extent obstructed the exercise of their electoral rights guaranteed under the Constitution. The law proposer realised that it is necessary, on the one hand, to enable persons with the disability to exercise their right to vote under equal conditions, and, on the other hand, the conditions should be created to incite their political participation.

To ensure the higher participation of persons with disability in the National Assembly, the law proposal introduces the obligation that among the first ten candidates in the electoral list at least one has to be a candidate with a disability, whose physical impairment or existence of disability has been confirmed by the final decision of the competent authority.

In addition, the proposal of the law provides for the solution ensuring that blind and low visions persons, if they want to, will be able to vote independently, which obliges Republic Electoral Commission to provide at each polling station, for blind and low visions persons, the template for casting a vote, along with the ballot, which will have perforated circles next to a serial number of the candidate. The applicable law enables the voter who is not able to vote in person at the polling station (because of blindness, disability or illiteracy) to bring the person who will, instead of him/her, in a manner he/she determined, fill in the ballot, and/or cast a vote, but the applicable law does not provide for the possibility of their independent voting.

Finally, the solution was proposed to make voting outside of the polling station during the Election Day implementation more efficient. Namely, it has been provided for that REC will determine a phone number and an e-mail address which the voter will use to submit notification on the reason of absence from voting at the polling station. On the basis of these notifications, by 12 p.m. on the Voting Day, REC will notify the chairpersons of the electoral committees on the voters who submitted notifications on the reasons of absence from voting at the polling station.

PROPOSAL OF THE LAW AMENDING THE LAW ON ELECTRONIC MEDIA

On 17 December 2019, on the proposal of 36,316 voters, the Proposal of the Law amending the Law on Electronic Media entered the parliamentary procedure.

In their belief that reality programmes are filled with content that may cause harm to physical, mental and moral development of the minors, and that the existing legal framework proved to be inefficient in prevention of the adverse effects of these programmes, 36,136 voters submitted the Proposal of the Law amending the Law on Electronic Media to the National Assembly. The key novelties of the Law are, on the one hand, restricting broadcasting of the reality programmes at certain times and, on the other hand, determining minimum time for children and minor programmes.

Restricting times for broadcasting reality programmes

Broadcasting reality programmes would be restricted to three hours from 6 a.m. until 11 p.m. In addition, the reality programmes shall not be broadcasted live, but with at least half an hour delay. The media service providers would be liable for violating both obligations and thus processed for offence.

It has been specified that reality programmes shall be those programmes which could be observed as a complex TV genre since their form is between information and amusement, documentary and dramatic approach. Reality programme shall be a programme in which the participants, whether in natural or in artificially created environment, are subjected to certain, often extreme situations mostly for the purpose of amusement. Within the meaning of the law, the reality programmes shall also mean "pseudo-realities" in which staged and played situations are broadcasted as real.

Introducing the obligation of broadcasting 30 minutes of children and minors' programme a day

In the period from 7 a.m. until 10 p.m., the media service providers undertake to broadcast a minimum 30 minutes of children and 30 minutes of programme for minors, and for violating these obligations they will be liable and processed for offence.

It has been specified that the children programme and/or programme for minors shall mean any form of information, amusement and motion picture programme that in its form, content, function and time of broadcasting is meant exclusively for children (under the age of 12), and/or minors (older than 12).

PROPOSAL OF THE LAW AMENDING THE LAW ON ELECTION OF MPS

Goran Cabradi, an MP, submitted the law proposal on 18 December 2019.

Since the legislator in Serbia has already recognised the fifteen-year-old minors' ability to work, ability to have their ID card with sixteen and get married also, the law proposer considers that young people should be more actively involved in political life and provided with an ability to choose. The additional argument contributing to the proposed solution is the age limit for ensuring active right to vote which has been already decreased in many European countries (in Austria, Malta, Greece, at all levels of government in Germany, Scotland and at local elections in Estonia).

Within that meaning, the amending of the Law on Elections of MPs has been proposed to enable minors who are older than sixteen to cast a vote in the elections for members of parliament. The law in force guarantees the right to vote and elect members of parliament only to the adult persons with legal capacity who are citizens of Serbia with residence in Serbia, where an adult shall mean a person who is older than eighteen. Passive voting right, and/or right to be elected, would be still possible only for the adult persons with legal capacity who are citizens of Serbia with residence in Serbia.

PROPOSAL OF THE LAW AMENDING LAW ON ELECTION OF MPS

MPs Branka Stamenkovic, Vojin Biljic and Sasa Radulovic submitted the law proposal on 30 January 2020.

The law proposers believe that the applicable legislative solution, which provides for the same threshold for all electoral lists, regardless if their proposer is only one political entity or a multiparty coalition, is the basic reason that even parties without any real support in the electorate have their MPs in the National Assembly, as they are entering the parliament hiding behind large political parties, as a part of broader coalitions.

For the purpose of overcoming aforementioned problems, the law proposal provides for introduction of so called threshold for party alliances, meaning that different threshold is set for parties and/or groups of citizens participating in the elections independently unlike the threshold which is required for the coalitions.

Within that meaning, it has been provided for that parties and/or groups of citizens participating in the elections independently will participate in the distribution of seats if they had won 3% of votes out of the total number of voters who voted in a constituency. Percentage of votes needed for participating in the distribution of seats is increased for the coalitions and it shall be 6% for bipartite coalition, 10% for tripartite coalition; 15% for four-party coalition, 20% for five-party coalition and/or 25% for six and more party coalition.

National minorities parties participating in the elections independently, as well as the coalitions of national minority parties would participate in the distribution of votes even when they would not win 3% votes.

Considering that the law was proposed three months before the regular parliamentary elections, the law proposer proposed that it should be applied after 1 June 2020, meaning after the elections for MPs had been held.

PROPOSAL OF THE LAW AMENDING THE LAW ON LOCAL ELECTIONS

MPs Branka Stamenkovic, Vojin Biljic and Sasa Radulovic on 30 January 2020

The law proposers believe that the applicable legislative solution, which provides for the same threshold for all electoral lists, regardless if their proposer is only one political entity or a multiparty coalition, is the basic reason that even parties without any real support in the electorate have their councillors in local assemblies, as they are entering the representative bodies hiding behind large political parties, since they are a part of the broader coalitions.

For the purpose of overcoming aforementioned problems, the law proposal provides for introduction of so called threshold for party alliances, meaning that different threshold is set for parties and/or groups of citizens participating in the elections independently unlike the threshold which is required for the coalitions.

Within that meaning, it has been provided for that parties and/or groups of citizens participating in the elections independently will participate in the distribution of seats if they had won 3% of votes out of the total number of voters who voted in a constituency. Percentage of votes needed for participating in the distribution of seats is increased for the coalitions and it shall be 6% for bipartite coalition, 10% for tripartite coalition; 15% for four-party coalition, 20% for five-party coalition and/or 25% for six and more party coalition.

National minorities parties participating in the elections independently, as well as the coalitions of

national minority parties would participate in the distribution of votes even when they would not win 3% votes.

Considering that the law was proposed three months before the regular parliamentary and local elections, the law proposer proposed that it should be applied after 1 June 2020, meaning after the elections for MPs and councillors in local assemblies had been held.

PROPOSAL OF THE LAW AMENDING THE LAW ON ELECTION OF MPS

MPs Nenad Canak, Nada Lazic and Olena Papuga submitted the proposal of the law on 4 February 2020.

The law proposer underlines the unequal representation of different parts of Serbia, which is considered a single constituency, is one of the main deficiencies of the MPs election in Serbia. For example, the share of voters from Belgrade in the total electorate is about 22%, while the share of the MPs from Belgrade in the National Assembly is about 36%, whilst the south of Serbia has a disproportionately small number of MPs compared to the number of voters. For the purpose of remedying this deficiency, it is proposed to divide Serbia into constituents, and adjust electoral administration to such division as well as to introduce different requirements for proposing electoral lists compared to the applicable legislative solution. As an additional correction to the proportionate system, which would enable higher representation in the National Assembly, it is proposed to introduce the preferential voting.

Dividing Serbia into five constituents

In the aim of ensuring that all parts of Serbia will have equal representation in the National Assembly, it has been proposed to amend current solution of whole Serbia being one electoral unit. Instead, the MPs would be elected in five constituents, where the number of MPs seats for each of the constituents would be proportionate to the number of voters registered in the electoral roll on the territory of the constituency.

The first electoral unit, which would be AP Vojvodina, will get 65 seats in the National Assembly; second electoral unit would be the City of Belgrade with 55 seats; third would include western Serbia (Macvanski, Kolubarski, Zlatiborski, Moravicki, Raski, Sumadijski, Podunavski and Rasinski district) with 63 seats; fourth electoral unit would include districts in eastern Serbia (Branicevski, Pomoravski, Borski, Zajecarski, Toplicki, Nisavski, Pirotski, Jablanicki and Pcinjski district) with 63 seats, while the fifth electoral unit would include all adult citizens of Serbia with legal capacity and residence outside of the territories of the first four electoral units and will be allocated 5 seats in the Assembly.

Decentralising electoral administration

In addition to Republic Electoral Commission (REC), the proposal of the law introduces the election commissions of the constituencies. Permanent composition of REC is extended compared to the one provided for in the current legislative solution, so that instead of currently sixteen members and the chairperson, it shall include the chairperson and 20 members. The manner of appointing members shall remain the same, as the members of the permanent composition are appointed by the National Assembly on the proposal of the parliamentary groups.

In its extended composition, REC will include one representative of the submitter of the electoral list who had proposed candidates in at least three constituencies in Serbia. REC competences will include aligning the work of the election commissions of the constituencies and monitoring their work. Moreover, competences such as establishing electoral committees, appointing chairpersons and members of electoral committees, establishing whether the proposed electoral lists were drawn up and submitted in accordance with the law and other, which under the applicable legislative solution falls under competences of REC, will be transferred to the election commissions of the constituencies.

The permanent composition of the election commission of the constituency will include a chairperson and six members and their deputies. REC will appoint them on the proposal of the authorities of cities and municipalities as for their territories the election commission will be established.

The permanent composition of the election committees shall remain unchanged compared to applicable legislative solution (chairperson and at least two members and their deputies). The extended composition of the electoral committees would not include a representative of the submitter of each proclaimed electoral list, as provided for under the applicable legislative solution, but only a representative of the submitter of such list which includes at least three quarters of the candidates out of a total number of MPs who are to be elected in the specific constituency as well as no more than two joint representatives of other submitters of the lists in the constituency concerned.

Amending requirements for proposing electoral lists

The proposal of the law specifies that one person may be a candidate for only one electoral list and only one constituency.

The electoral list in the constituency must be supported by at least 5,000 voters in the constituency concerned, however, if the same candidate submits lists in more than one constituency, for each subsequent constituency it shall be necessary for 1000 voters to support that list in the constituency concerned. Parties with representatives in the parliament at the moment of calling the elections are not obliged to collect signatures of the voters' support. Political parties of the national minorities will suffice with the support of 1000 voters per constituency.

Introducing preferential voting as the correction to the proportional system

The solution where the MPs are elected under the proportional system by giving voters the possibility of expressing their preferential vote is the novelty. The voting is conducted as the voter circles the number in front of the list he/she voted for, but they are able to designate one candidate from the list they give preference to compared to other candidates (preferential vote). For some candidates, the number of preferential votes shall be acknowledged providing that a number of preferential votes of those candidates equals at least 10% of the votes which the specific list has won.

Each electoral list will get the number of seats proportionate to the number of received votes, and those shall be distributed by the election committee of the constituency by applying the principle of the highest quotient. The calculated quotients are separated by sizes, and depending on how many MPs are elected for some constituency it will determine how many highest quotients are taken into consideration. Each list will get the number of seats depending on the number of quotients it receives.

PROPOSAL OF THE LAW AMENDING THE LAW ON ELECTRONIC MEDIA

MP Sasa Radulovic submitted a proposal of the law on 14 February 2020.

As the basic reason for submitting Proposal of the Law amending Law on Electronic Media, it has been emphasised that due to the circumstances and the possibility of the electronic communication network operator being simultaneously the media services provider, both media pluralism and citizens' right to be informed in entirety are denied. It is especially worrying, as the law proposer emphasised, that in the situation when the operators are establishing their own media services, they are excluding similar content of other participants in the market from their offer of channels.

Prohibition of mutual share in the capital assets of operator and media service provider

For the purpose of media pluralism protection, it has been provided for that the operator of electronic communications networks for the distribution of media content and multiplex operator (operator) may not, neither indirectly nor through related persons, have share in the capital assets of the media service provider. Also, media service provider may not have share in the operator's capital assets.

Prohibition of broadcasting advertisements intended for Serbian market in the programme broadcasted from other countries

The proposal of the law introduces the prohibition that the media services broadcasted from other countries would include advertising content intended for the market in Serbia. In addition, the obligation has been introduced that programme broadcasted in Serbian, both made in a personal production or by an independent producer, must be produced and broadcasted from the territory of Serbia.

The offering of operators may only include media services with licences granted by REM

The law proposal introduces the novelty that the operator may be broadcasting and/or retransmitting only those media services that are licensed by the Regulatory Authority for Electronic Media. In addition, the operator undertakes, that in the event all technical requirements are met, the contract will be concluded with each licence holder on the distribution of media content, and the fees the licence holders would receive would be established depending on the ratings

In case you have missed

New episodes of the audio report Strofa, Refren, Replika

In May, Open Parliament team prepared four episodes #StrofaRefrenReplika with focus on the discussion on acts of the Second Session during the state of emergency, verbal and physical incidents between the MPs, MPs hunger strike, and pre-election messages that the MPs released from the National Assembly Hall.

Listen to the four June episodes of #StrofaRefrenReplika to hear more about work of journalists and media coverage on the events from the Assembly during the XI legislature, in which context the work of the non-governmental organisations was mentioned, which were the most important events of the outgoing legislature and what was the outcome of the parliamentary elections on the basis of the preliminary results.