

Newsletter

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CRTA:



Schweizerische Eidgenossenschaft
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ABOUT 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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● INTRODUCTORY REMARKS

Goodbye old legislature, welcome the new one

The moment has come to bid farewell to the old legislature of the National Assembly of the Republic of Serbia. The new, 13th legislature in a row since the re-establishment of the multiparty system in Serbia was constituted in August.

The work of the previous legislature was highlighted by the non-presence of topics relevant to citizens, which were not initiated and using the parliamentary rostrum to fight the political opponents. The almost complete absence of the opposition in the parliamentary seats, in addition to the concentration of power in other branches of government, brought about the complete marginalisation of the Parliament during the 12th legislature.

These two pieces of information to a great extent reflect the work of the Parliament in the previous legislature – when voting for laws the MPs have voted “yes” in 99% of the proposals, and in 99% the Government of Serbia was the law proposer.

Although these numbers seem symbolic, they are precise.

When voting on acts, the average presence of the MPs was 279.3 times, they voted “yes” 277.1 times, while out of 267 of the adopted laws in total, the Government of Serbia proposed 263.

Thus, the new legislature has a task ahead that is difficult and easy at the same time – to do better than the previous legislature. The task is easy because the old legislature has set the bar very low and difficult because it requires the reclaiming of the power that other branches of government had taken over in the meantime.

The composition of the new legislature, the constitutive sitting and the public statements of the MPs after the sitting, in particular the Speaker and Deputy Speaker, gave the same hints on what we could expect in the forthcoming legislature. The opposition is present in the Parliament again, we can once more hear different opinions from the parliamentary rostrum, and even some forms of cooperation appeared all at once. We could also hear statements announcing that the work of Parliament will continue to be directed by the President of Serbia. Nothing we have seen so far guarantees that the 13th legislature will succeed in fulfilling its mandate, enhance the work of Parliament, and at least to some extent succeed in playing its Constitutional role.

1.

The 13th legislature of the National Assembly of the Republic of Serbia has been constituted. The mandates of the 250 MPs have been verified, and 15 parliamentary groups have been formed.

2.

The National Assembly of Republic of Serbia Speaker and Deputy Speaker have been elected, the Secretary General of the National Assembly of the Republic of Serbia has been appointed, the committees have been formed, as well as standing parliamentary delegations to the international institutions.

- Vladimir Orlic from the Serbian Progressive Party was elected the Speaker.
- Seven (7) Deputy Speakers have been elected - Sandra Bozic (SNS), Bozidar Delic (HOPE), Zoran Lutovac (DS), Borko Stefanovic (SSP), Snezana Paunovic (SPS), Elvira Kovac (SVM) and Usame Zukorlic (SPP). The new Secretary General of the National Assembly of the Republic of Serbia is Srdjan Smiljanic.
- Twenty (20) parliamentary committees and 11 standing parliamentary delegations have been formed.

5.

The Speaker of the National Assembly of the Republic of Serbia has met with the People's Republic of China Ambassador to Serbia

22.

The Speaker of the National Assembly of the Republic of Serbia has met with the Ambassador of the Russian Federation to Serbia

25-31.

The Speaker of the National Assembly of the Republic of Serbia has met with the Head of the OSCE Mission to Serbia, the Ambassador of the United Kingdom to Serbia, the Minister of Foreign Affairs of Cuba, the Ambassador of the United States to Serbia, the Head of the Delegation of European Union, the Ambassador of the Republic of Slovenia to Serbia and the Ambassador of the Republic of Italy to Serbia.

● PREVIOUS LEGISLATURE IN NUMBERS



99% of the laws were proposed by the Government as the executive.

70% of the laws were adopted without submitted amendments.



More than **1/3** of the public sittings of the parliamentary committees were shorter than 10 minutes.

The MPs asked questions to the executive **10 times**.

The highlights of 2021 included the election of the holders of the highest judicial office and amendments to the Constitutions in the field of judiciary.

*Information is taken from the **Annual Report** on the work of the National Assembly in 2021.*

● OPEN PARLIAMENT'S ANALYSIS AND POINTS OF VIEW

Preliminary structure of the forthcoming legislature of the National Assembly of the Republic of Serbia

Out of 18 electoral lists, seven lists won the mandates, with five electoral lists of the minority parties that fall under the rule of the so-called "natural threshold". Therefore, **the candidates from 12 lists in total will get the mandates** (Table 2).

The lists	Abbreviation	No .of MPs
ALEKSANDAR VUCIC – Together We Can Do Anything	ZMS	120
Marinika Tepic – United for Serbia's Victory (Party of Freedom and Justice, People's Party, Democratic Party, DZVM – VMDK, Party of Macedonians in Serbia, Movement of Free Citizens, United Trade Unions of Serbia "SLOGA", Movement for Reversal, Movement Free Serbia, Vlach Party)	UPS	38
Ivica Dacic – Prime Minister of Serbia	Dacic	31
DR MILOS JOVANOVIC – HOPE FOR SERBIA – Serbian Coalition HOPE – National Democratic Alternative – Democratic Party of Serbia (DSS) – For the Kingdom of Serbia (MONARCHISTS) - Vojislav Mihailovic	HOPE	15
WE HAVE TO – ACTION – Ecological Uprising – Cuta – Don't Let Belgrade D(r)own – Nebojsa Zelenovic	WE HAVE TO	13
Bosko Obradovic – Serbian Movement DVERI – POKS – Milos Parandilovic – Patriotic Bloc for the Restoration of the Kingdom of Serbia	PBOKS	10
MILICA DJURDJEVIC STAMENKOVSKI – Serbian Party Oathkeepers	OATHKEEPERS	10
Vajdasagi Magyar Szövetség - Pásztor István - Alliance of Vojvodina Hungarians - István Pásztor	SVM	5
THE MUFTI'S LEGACY – Justice and Reconciliation Party (SPP) – Usame Zukorlic	SPP	3
TOGETHER FOR VOJVODINA – VOJVODJANI (DEMOCRATIC ALLIANCE OF CROATS IN VOJVODINA, TOGETHER FOR VOJVODINA)	ZZV	2
SDA of Sandzak – Sulejman Ugljanin, PhD.	SDA	2
"Coalition of Albanians from the valley" – "Koalicioni i shqiptarëve të luginës"	KAD	1

Table :2 Preliminary overview of the electoral lists that have won the mandates in the National Assembly after the 2022 parliamentary elections

Concerning the party structure, from the data mentioned in the electoral lists^[1], **the representatives of 25 parties and movements will hold seats in the Assembly**, as well as the group of the MPs from the list "WE HAVE TO – ACTION – Ecological Uprising – Cuta – Don't Let Belgrade D(r)own – Nebojsa Zelenovic" without any party affiliation mentioned in the electoral list.

[1] Some of the MPs are famous for membership in organisations that differ from those officially mentioned in the electoral list ,so the number of future actors expected in the new legislature has varied in the public .So among others ,the following are mentioned as the future participants of the parliamentary" life : "Movement for Reversal ,the United Trade Unions of Serbia" SLOGA , "the Movement of Free Citizens ,Better Serbia ,People's Peasant Party ,United Peasant's Party ,There is No Going Back – Serbia is Behind ,as well as Don't Let Belgrade D(r)own ,Open Citizens 'platform Action and Ecological Uprising that are within the list We Have To.

Separately, the most MPs seats will go to the Serbian Progressive Party (98), followed by the Socialist Party of Serbia (22), and the Party of Freedom and Justice (17) comes third (Table 3).

Political Party	No .of MPs	List name	Percentage
SNS	98	ZMS	39.20%
SPS	22	Dacic	8.80%
SSP	17	UPS	6.80%
/	13	WE HAVE TO	5.20%
People's Party	12	UPS	4.80%
Oathkeepers	10	OATHKEEPERS	4.00%
DS	9	UPS	3.60%
JS	8	Dacic	3.20%
DSS	7	HOPE	2.80%
MONARCHISTS	7	HOPE	2.80%
SDPS	7	ZMS	2.80%
Dveri	6	PBOKS	2.40%
PUPS	6	ZMS	2.40%
SVM	5	SVM	2.00%
POKS	4	PBOKS	1.60%
PSS-BK	3	ZMS	1.20%
SPP	3	SPP	1.20%
PS	2	ZMS	0.80%
SDA	2	SDA	0.80%
SNP	2	ZMS	0.80%
SPO	2	ZMS	0.80%
BGS	1	HOPE	0.40%
DSHV	1	ZZV	0.40%
Green Party	1	Dacic	0.40%
ZZV	1	ZZV	0.40%
PDD	1	KAD	0.40%

Table 3: Preliminary overview of the political structure of the electoral lists that have won mandates after the 2022 parliamentary elections, and the number of mandates per each political party or movement

As for the gender structure of the forthcoming legislature, **the representation of women as the under-represented gender did not reach desired 40 per cent**, although it was close to that (Table 4).

Gender	No .of MPs	Percentage
Female	96	38.40%
Male	154	61.60%

Table 4: Preliminary gender structure of the XIII parliamentary legislature

The lists with a small number of mandates have the greatest deviation from the established ratio of 60:40. Three mandates of the list MUFTI'S LEGACY –Justice and Reconciliation Party (SPP) – Usame Zukoric, two mandates of the list “TOGETHER FOR VOJVODINA - VOJVODJANI (DEMOCRATIC ALLIANCE OF CROATS IN VOJVODINA, TOGETHER FOR VOJVODINA) and one mandate of the list “Coalition of Albanians of the Valley – *Koalicioni i Shqiptarëve të Luginës*” went to men, so the percentage of women from these lists is zero, while two MPs – one man and one woman – represent the list of SDA of Sandzak – Sulejman Ugljanin, PhD, so this party has reached the greatest percentage of the representation of the under-represented gender, the half (Table 5).

Electoral lists	Women	Men
SPP	0.00%	100.00%
ZZV	0.00%	100.00%
KAD	0.00%	100.00%
SDA	50.00%	50.00%
ZMS	40.00%	60.00%
HOPE	40.00%	60.00%
PBOKS	40.00%	60.00%
OATHKEEPERS	40.00%	60.00%
SVM	40.00%	60.00%
Dacic	38.71%	61.29%
WE HAVE TO	38.46%	61.54%
UPS	36.84%	63.16%

Table :5 Gender structure per electoral lists that have won mandates in2022

In the age structure ,the generation born between 1970 and 1979 dominates among the future MPs ,and **the average age is 47.12 years** .There are 14 MPs younger than.30

The oldest MP from the new legislature will be Vladeta Jankovic, born in 1940, and the youngest is Nikola Bokan, born in 1999 (Table 6).

Decade	No .of MPs	Percentage
1940-1949	9	3.60%
1950-1959	28	11.20%
1960-1969	51	20.40%
1970-1979	76	30.40%
1980-1989	61	24.40%
1990-1999	25	10.00%

Table :6 Preliminary age structure of the XIII parliamentary legislature

On average, the oldest list is “Coalition of Albanians of the Valley – *Koalicioni i Shqiptarëve të Luginës*”, which has only one MP of 58 years of age, followed by the list “DR MILOS JOVANOVIC – HOPE FOR SERBIA – SERBIAN COALITION HOPE – National Democratic Alternative – Democratic Party of Serbia (DSS) – For the Kingdom of Serbia (MONARCHISTS) - Vojislav Mihailovic”, with the average age of 52.9, while the youngest list is “SDA of Sandzak –Sulejman Ugljanin PhD”, with the average age of 34.5 (Table 7).

List	Average age) years(
KAD	58
ZZV	52
HOPE	52.9
UPS	49.2
Dacic	48.6
ZMS	48.1
PBOKS	47.1
WE HAVE TO	46.8
SVM	45.8
OATHKEEPERS	45.2
SPP	37.33
SDA	34.5

Table :7 Age structure per electoral lists that have won mandates in2022

As for the regional distribution, **the majority of MPs have a residence in Belgrade**, in total 42 per cent. It is followed by South Backa District, with 12 per cent, and third place goes to Raska District, with 5.2 per cent. Even 16 districts are represented with less than five MPs, i.e. less than 2 per cent. The districts without their representatives in the new legislature of the National Assembly are the two from the territory of Kosovo and Metohija – Kosovo-Pomoravlje and Prizren Districts (Table 8).

District	No .of MPs	Percentage
City of Belgrade	105	42.00%
South Backa District	30	12.00%
Raska District	13	5.20%
Nisava District	10	4.00%
Sumadija District	10	4.00%
Zlatibor District	7	2.80%
Pomoravlje District	7	2.80%
Srem District	6	2.40%
Pcinja District	6	2.40%
Macva District	5	2.00%
Podunavlje District	5	2.00%
Rasina District	5	2.00%
West Backa District	4	1.60%
Jablanica District	4	1.60%
South Banat District	4	1.60%
Moravica District	4	1.60%
North Backa District	4	1.60%
Central Banat District	4	1.60%
Branicevo District	3	1.20%
Zajecar District	2	0.80%
Kolubara District	2	0.80%
Kosovo-Mitrovica District	2	0.80%
Pirot District	2	0.80%
North Banat District	2	0.80%
Bor District	1	0.40%
Kosovo District	1	0.40%
Pec District	1	0.40%
Toplica District	1	0.40%
Kosovo-Pomoravlje District	0	0.00%
Prizren District	0	0.00%

Table :8 Preliminary regional structure of the XIII legislature

In addition to the total number of MPs per district, to have a better understanding of the district representativeness in the Parliament, it is important to know the size of the population, whose local problems and needs will be best understood and represented by the local MPs from the same district, as, in fact, **the ratio between the number of citizens and the number of MPs from that district is the most relevant**. However, in the current electoral system entire Serbia is one electoral unit and every MP is representing all the citizens of Serbia. If we take into consideration the number of citizens in each district, Belgrade is again ranked first, with one MP per 16,137.9 citizens, while on the other hand, in Bor District, one MP represents almost 109,210 citizens.

Per the number of citizens, the citizens of Pirot, Pomoravlje and Podunavlje Districts have better indirect representation than indicated by the total number of MPs. However, in that sense, the citizens from Macva, Srem and Nisava Districts are more poorly represented.

For the districts of Kosovo and Metohija, the Statistical Office of the Republic of Serbia does not have information on the number of citizens, so this kind of analysis is not possible (Table 9).

District	No. of MPs (both male and female)	The population of the district ^[2]	No. of citizens per MPs
City of Belgrade	105	1,694,480	16,137.90
South Backa District	30	618,624	20,620.80
Raska District	13	303,552	23,350.15
Pomoravlje District	7	194,676	27,810.86
Sumadija District	10	278,917	27,891.70
Podunavlje District	6	182,895	30,482.50
Nisava District	10	357,920	35,792.00
Zlatibor District	7	262,664	37,523.43
Pcinja District	5	195,041	39,008.20
Pirot District	2	82,537	41,268.50
West Backa District	4	168,841	42,210.25
Central Banat District	4	171,988	42,997.00
Rasina District	5	219,017	43,803.40
North Banat District	4	177,044	44,261.00
Jablanica District	4	196,265	49,066.25
Moravica District	4	196,516	49,129.00
Srem District	6	295,132	49,188.67
Zajecar District	2	104,352	52,176.00
Branicevo District	3	163,058	54,352.67
Macva District	5	274,549	54,909.80
North Banat District	2	133,934	66,967.00
South Banat District	4	275,289	68,822.25
Kolubara District	2	160,558	80,279.00
Toplica District	1	82,067	82,067.00
Bor District	1	109,210	109,210.00
Kosovo-Mitrovica District	2	...	...
Kosovo District	1	...	...
Pec District	1	...	...
Kosovo-Pomoravlje District	0	...	...
Prizren District	0	...	...

Table :9 Crossing of preliminary regional structure of the XIII legislature with the size of population per region
The list MILICA DJURDJEVIC STAMENKOVSKI – Serbian Party Oathkeepers has the highest percentage of MPs from Belgrade, 70 per cent, while the minority parties Vajdasági Magyar Szövetség - Pásztor István - Alliance of Vojvodina Hungarians - István Pásztor, MUFTI'S LEG-

[2] The Statistical Office of the RS estimation for 2020, <https://publikacije.stat.gov.rs/G2021/Pdf/G202113048.pdf>

ACY – Justice and Reconciliation Party (SPP) – Usume Zukorlic, SDA of Sandzak – Sulejman Ugljanin, PhD and the Coalition of Albanians of the Valley – *Koalicioni i Shqiptarëve të Luginës* do not have any women MPs with residence in the territory of Belgrade (Table 10).

Lists	City of Belgrade	In total ,outside of Belgrade
OATHKEEPERS	70.00%	30.00%
WE HAVE TO	61.54%	38.46%
UPS	52.63%	47.37%
ZZV	50.00%	50.00%
Dacic	41.94%	58.06%
ZMS	40.83%	59.17%
HOPE	40.00%	60.00%
PBOKS	10.00%	90.00%
SVM	0.00%	100.00%
SPP	0.00%	100.00%
SDA	0.00%	100.00%
KAD	0.00%	100.00%

Table 10: Regional structure per electoral lists that have won mandates in 2022

Concerning the previous parliamentary experience, **117 MPs will take the seats in the Parliament for the first time** – 133 of them already have parliamentary experience, and 105 of them will continue their MP status from the previous legislature. The MPs Veroljub Arsic, Igor Becic and Aleksandar Cotric are the MPs with the most mandates so far, and this will be their ninth MP mandate in total in the Assembly of the Republic of Serbia.

In the end, **if we look at the job occupations of the MPs, most of them come from fields of law and economy**, and the top five include education, engineering, medicine and political science. There are no unemployed MPs, and 13 of them have retired from a job (Table 11).

Area/Occupation	No .of MPs	Percentage
Law	41	16.40%
Economy	41	16.40%
Education	27	10.80%
Engineering	22	8.80%
Medicine	17	6.80%
Political science	17	6.80%
Management	16	6.40%
Retired	13	5.20%
Art	12	4.80%
Other social sciences	12	4.80%
Agriculture	8	3.20%
Economy/entrepreneurship/trade	5	2.00%
Journalism	5	2.00%
Sport	5	2.00%
Other	4	1.60%
Natural sciences	3	1.20%
Students	2	0.80%

Table 11: Preliminary structure per job occupation in the XIII legislature

Analysis authors :Open Parliament Team



Mirjana Nikolić
Istinomer journalist

Constitutive sitting or the story about wrath

It has been a month since the constitutive sitting of the 13th legislature of the Assembly of Serbia, but if we apply the unspoken journalistic rule that only what we remember matters – we will not forget one speech of the representative of the opposition and the wrath of the majority that the speech ever happened. In particular, the rage and spite had arisen as the speech was interrupted by applause. We also remember the tone of the new Speaker's speech when he was addressing his colleagues, as in the first public speech, he clearly emphasised "who are they, and who are we". The constitutive sitting took two days, we received a hint about how it would all look like, and then there was a break that is still going on. The ruling majority demonstrated the determination to diminish the significance of the parliament, even more, being oblivious that it would bring its demise, and the opposition, hungry for media attention, demonstrated that it had no plan and that everyone would be opening new questions every day, aware of the fact that there will be no epilogue.

Where is the heart of the state beating?

The supporters of the government today have been convinced that the oldest MP in this legislature, Vladeta Jankovic, has violated the rules of the procedure and used an opportunity to address the public from the Chairperson's seat contrary to every protocol. He will not be forgiven for these two precious minutes when he said that there had been no equal and fair elections in Serbia for ten years, that the system became the one-party system with its undisputed leader and that it has been keeping significant parts of the society in the dark deliberately and purposefully, denying them the fundamental rights and freedoms.

"The trust we won will be only justified if the beating of this country's heart would really be felt here, under the parliament's dome, and not on the other side of the park. When the legislative, i.e. the National Assembly, is not constituted properly, the remaining two branches of government are failing – the executive, which does not act based on the will of the people expressed through its representatives gathered here but under the indirect command of the leader, and the judiciary, in particular, since its bias and passivity make every citizen feel unprotected and helpless", Jankovic has said, that this part of the speech caused unprecedented wrath with the majority that has been believing that their leader, the strong one, was precisely the only thing this country needed.

Wait and see!

If we analyse only a few answers that were addressed to the MP who believed that the Assembly, not the President, should speak on behalf of the citizens, we could easily make a conclusion that this composition of the Assembly would not last long. We are used to them telling us what they want, how much they want, unburdened by truth, so the progressive party supporters will not be able to stand any other tone. The head of the parliamentary group named after the President “Aleksandar Vucic – Together We Can Do Anything” was the first to demonstrate that. The party has been “self-cancelled” and promoted as the most important what Vucic wanted. Milenko Jovanov was the first to demonstrate how the government would treat those who do not support it – “You had your applause, just wait and you will see”! He then demonstrated how his colleagues, under a command, could applaud **faster, stronger and better than the opposition**.

“Mr Chairperson, I would kindly ask you to check if all MPs sitting on the other side have taken their daily therapy”, were the words that Jovanov used in his first speech in this legislature, and in this speech he proposed Vladimir Orlic to be elected as a Speaker. He then continued: *“Someone lied to you, I do not know who and when, telling you that the political system functions by the opposition criticizing the government, and the government sitting silently. We will not sit and take it without a fight; we will fight for our beliefs”.*

Djordje Milicevic, a socialist party member, also accused the opposition of ruining the atmosphere of the constitutive sitting: *“You can see what happens when you provoke this situation, on the first day of the session, with no reason. With your speech yesterday, you have abused the status you currently have to promote your political opinions without any relevance to the time and place and the status you have.”*

Young Stefan Krkobabic also estimated: *“I think that the way we started our work yesterday was inappropriate. I respect your knowledge and your age, but this is not a way. We have opened Pandora Box. So, let us close it... Who won the elections? Aleksandar Vucic. Who won the parliamentary elections? Same, Aleksandar Vucic. Who won the elections? Yes, my dad too. That is true”.*

Aleksandar Mirkovic from Progressive Party has also emphasized that the Chairperson, with his speech, made a precedent never recorded before, and today he has been inviting everyone to respect the Rules of Procedure, but only if the SNS MPs are debating.

All the discussions have been building up to the moment when the newly elected Speaker of the Serbian Assembly, Vladimir Orlic, addressed his colleagues in his first speech from a great distance: *“I have been listening to you all day yesterday and today. I would like you to know that with your arrogant attempt to provoke and abuse your status, and you have started the day before with the abuse, I guess because this is how you wanted to present yourself in this legislature, but you should know that you will not impress anyone in this way. This will just not happen.”*

Orlic has said that this assembly will keep up with the politics that the people supported in the elections, and that it will continue implementing, as he has said, “the politics that made this country fundamentally free, independent, autonomous, which ensured us with the right and possibility to preserve our interests, and put our country and our home in the first place”. If it has been unclear to anyone, he has clarified that in the following days, the Assembly will implement the politics of Aleksandar Vucic, who is still the head of the Serbian Progressive Party.

The gap will get deeper

Although no one can remember all the words that have been said, the way they were said will not be forgotten, as well as the depth of the gap between the government and the opposition in Serbia. The gap will continue to get deeper. In the words of the MP from the SDA of Sandzak, Enis Imamovic, in the constitutive sitting, we witnessed something just beyond comprehension to the ruling political party for the first time after a while. *“Someone’s speech has been awarded applause, and it was not coming from the ruling majority. Yesterday, for the first time in a while, in this Parliament we heard applause coming from another Serbia that is freer, the one we are fighting for and believe in. However, your reactions to this applause are worrying”*, Imamovic has said. He is not the only one who believes that the speech by Vladeta Jankovic has hit the target and that every MP should have applauded him, irrelevant of the government or opposition if they hold to their personal authority.

The majority has forgotten about the constitutive sitting by now, a new sitting has not been scheduled yet, the procedure with the proposal for forming of the government has been initiated, and President has already said that the Prime Minister will be re-elected again with the mandate of only two years. The special sitting on Kosovo has been announced when the President should submit the report on the negotiations with Pristina. Concerning the potential platform that the parliament should agree on before continuing the negotiations, no definite arrangements have been made so far.

The old parliamentary legislature and new electoral lists – is previous performance determining the position in the electoral list ?

The National Assembly of the Republic of Serbia was dissolved on 15 February this year, under the order of the President of Serbia. On the day of the dissolution, the Assembly had 249 MPs, one seat less than 250 since Samira Cosovic, an MP has tendered her resignation, and the new MP's mandate has not been verified. Which "cards" did these MPs draw in the new electoral lists, and did their performance behind the parliamentary rostrum in any way influence their positions?

Out of 249 MPs, 74 did not make it to new lists, while 175 are again opting for seats in the new legislature. The majority stayed on the lists of the political options they have been a part of in the previous elections. The only exceptions are MPs from the Aleksandar Sapic – Victory for Serbia list, who are now on the Serbian Progressive Party (SNS) list.

Thirty-six MPs from the last legislature have never addressed the plenary. However, 20 of them eventually did make it to the new electoral lists. On the other hand, out of ten MPs who used the floor the most, two of them did not make it to new lists, Samir Tandir from the list Academician Muamer Zukorlic – Straight Ahead – Justice and Reconciliation Party (SPP) – Democratic Party of Macedonians (DPM) and Vladan Glisic, who joined the parliament with the list Aleksandar Sapic – Victory for Serbia, but acted as an independent MP.

In the previous elections, most seats went to the electoral list of the parties gathered around SNS. At the time of the dissolution of the Assembly, this group had 187 MPs. Out of them, 135 MPs made it to the list in the upcoming elections, and three MPs made it to the new legislature on the list of Serbian Patriotic Alliance. Out of all MPs of the entire legislature, the MP from this list, Momcilo Vuksanovic, made the biggest leap in his position compared to the list from the previous elections, as he was ranked 161, although he never once asked for the floor during his entire mandate. The MP from this list, Rajko Kapelan, experienced the greatest drop of 194 ranks, and he asked the floor in plenary only once. As for the MPs who did not make it to the list in the upcoming elections, four of them had taken the floor in the parliamentary hall more than 25 times - Natasa Mihailovic Vacic, Danijela Veljovic, Viktor Jevtovic and Ljubisa Stojmirovic. The most speeches among the MPs from this list were given by Milija Miletic - 137, while 27 MPs of this list never asked for the floor, and 18 out of 27 of them made it to the list for the upcoming elections. Out of 18 of them, six have been awarded higher ranking compared to previous elections.

The list Ivica Dacic – Socialist Party of Serbia (SPS), United Serbia (JS) – Dragan Markovic Palma won 32 seats in the last legislature. Of this number, 23 MPs have been included in the list for the upcoming elections, while 9 lost their seats. Dunja Simonovic Bratic had the greatest leap, compared to the position in the previous elections - 22 ranks, while the major drop happened to Justina Pupin Koscal – 45 ranks. Out of all the MPs in this legislature, the most speeches were given by an MP from this list – Djordje Milicevic, who took the floor 214 times during 131 session days. In the list for the upcoming elections, he took the same position as the last time. Three MPs from this list never asked for the floor.

Out of 11 MPs from the list Aleksandar Sapic – Victory for Serbia, six MPs from the list never asked for the floor. The Serbian Patriotic Alliance that was behind this list does not exist anymore, and three of their MPs are now on the Serbian Progressive Party list for the upcoming

elections. Out of the MPs from this list, Vladan Glisic had the most activity, as he asked for the floor 114 times, whilst he had left the Serbian Patriotic Alliance before it merged with SNS, ahead of the constitution of the last legislature, and then he acted as an independent MP.

The Alliance of Vojvodina Hungarians - Istvan Pastor is the only list that included all of its MPs, nine of them, in the list for the upcoming elections. All MPs from this list spoke in the plenary more than ten times. The greatest leap in the list was made by Rozalija Ekres - 5 ranks, and the biggest drop happened to Zoltan Pek - 11 ranks.

Out of four MPs from the list Academician Muamer Zukorlic – Straight Ahead – Justice and Reconciliation Party (SPP) – Democratic Party of Macedonians (DPM), half of them are on the list for the upcoming elections. Apart from Amela Lukac Zoranic, Samir Tandir also lost an opportunity to win a seat in the forthcoming legislature, though he had been ranked second, with 139 times addressing the plenary, compared to all the MPs in the Assembly. All MPs from this list had asked for the floor.

The list Albanian Democratic Alternative – United Valley had 3 parliamentary seats in the last legislature. This coalition will not participate in the upcoming elections in the same composition, as the parties of the MPs from the previous legislature now have turned into two lists. Shaip Kamberi, who was in fact the most active MP from this list behind the parliamentary rostrum, taking the floor 41 times, is the only one on the list for the next elections and he kept the first rank. All MPs from this list had asked for the floor.

In most cases, the MPs' engagement in the plenary sittings in the last parliamentary legislature did not directly impact their position in the ranking on the list for the upcoming elections. This sends a message to future MPs that some other qualities are more important than participation in the plenary debates. There are expectations that there will be more pluralism in the forthcoming legislature, which should contribute to a higher quality of the National Assembly's work.

The table with data that allow data processing can be downloaded [here](#).

Authors of the analysis: Open Parliament Team

Representative function of the National Assembly in 2021

The representative function of the National Assembly is the basis of modern democracies and implies that MPs act for and on behalf of citizens who are the bearers of sovereignty. Depending on the electoral system, MPs are sometimes tied to a specific constituency that elected them and that they represent. In the case of the National Assembly, 250 MPs represent all citizens of Serbia. Therefore, in order to maintain a constant connection with the citizens, which is the basis of legitimacy, it is important to consider citizens' proposals and hold meetings throughout the country. An MP must be available and the creation of laws and public policies must be a transparent process that is focused on the needs and requirements of the very citizens.

Unfortunately, the 12th convocation did not bring progress in this area either, so the long-standing (perhaps even decades-long) "self-isolation" of the Assembly and MPs from the citizens they represent continued. Although the offices of MPs for communication with citizens officially exist, there are no indicators that would show that the practice of continuous communication and accessibility to citizens has come to life. Even when such communication exists, it is sporadic and not systemic, and conditioned by the choice and sensibility of the MP and not by institutional practices nurtured by the Assembly itself. Similar conclusions can be reached when analysing the possibilities for direct, online communication with MPs.

It can therefore be argued that the representative function of the Parliament in Serbia is open and challenging in a much more thorough way – the understanding and trust of citizens in this institution is jeopardised. Hence, the topic cannot be the "distance" of MPs from citizens, but rather the citizens' recognition of MPs and the Assembly as their own representatives who adopt laws and oversee the work of the Government, taking into account their interests. Both the latest and previous public opinion polls indicate that citizens evaluate the work of the Assembly negatively, and the work of MPs even more negatively.^[3] Over two thirds think that the MPs are ruining the reputation of the Assembly, about three quarters think that they care more about the interests of their parties than the citizens, and more than half point out that the MPs are not available to the citizens.

Considering the television broadcasts, but also the general idea that citizens have about the work of the Parliament, plenary sessions and debates are the main means by which citizens in 2021 could form the stated negative attitudes about the National Assembly. As the analyses showed, the 12th convocation was marked on the one hand, **by the complete non-existence of the sanctions for violating the Rules of Procedure and the extremely selective application of the Code of Conduct for MPs**. In such a climate, which appears to ideal, **plenary sessions were used to incessantly send propaganda messages, to the detriment of discussions that were supposed to be focused on the agenda**.

[3] Crta, Attitudes of Serbian citizens on participation in democratic processes in 2021, available at: <https://crta.rs/istrazivanje-stavovi-gradjana-srbije-o-ucescu-u-demokratskim-procesima-2021-godine/>

Debateless Parliament

The 12th convocation is the “champion” of one of the longest periods until the constitutive session has been scheduled, even 28 days since the announcement of the election results and as much as 42 days after the elections. However, the election of the Speaker of the Assembly and the establishment of its working bodies took as long as 80 days, which means that approximately four months passed from the day of the elections to the actual beginning of its sittings. The fact that each regular session lasts for three months shows how much was lost from the parliamentary “life” in four months. The first (constitutive) sitting of the National Assembly in the current convocation began on August 3rd, 2020, when the mandates of the MPs were confirmed. The sitting continued and ended on October 22nd, 2020 with the election of the Speaker of the National Assembly, the Deputy Speaker of the National Assembly, the appointment of the Secretary General and the election of members of the working bodies of the National Assembly. According to the current Rules of Procedure, the National Assembly is considered constituted by confirming the mandate of two thirds of MPs, and the mandates of newly elected MPs are confirmed at the constitutive sitting of the Assembly within 30 days of announcing the final election results. In order to avoid a long period of inactivity of the Parliament, it is necessary to define the final deadline within which the procedure of constituting the National Assembly must be completed. If we add to this long period for the constitution of the Parliament the period of ninety days in which the previous convocation actually ended its work by announcing new parliamentary elections, then it can be said that the parliamentary mandate in Serbia actively lasts about 3 and a half years. If we add to this the constitutional and political reality in the past three decades, when only three convocations have achieved a full constitutional mandate, the parliamentary mandate in Serbia lasts an average of two years and seven months. This would mean that with all the above-mentioned phases of “dormancy”, MPs have been actively performing the constitutional function of people’s representatives for only two years. In this convocation, the MPs were active for a year and four months.

After its constitution, this convocation continued the long-standing practice of non-adopting the Annual Work Plan of the National Assembly. The manner prescribed by the Rules of Procedure is that the Annual Work Plan of the National Assembly is determined by the Speaker of the National Assembly, after consultations at a meeting of the Collegium, bearing in mind obligations of the National Assembly defined by the Law and the Annual Work Plan of the Government. By not respecting this obligation, the MPs and the public were deprived of the possibility of systematic monitoring of parliamentary activities and preparation for reacting on topics that are the subject of their interest. The adoption of the Annual Work Plan would additionally oblige the National Assembly to act within the existing prescribed deadlines and provide citizens with another argument for calling MPs to account. The Rules of Procedure should further regulate this issue in order to prevent neglect of this obligation, emphasise the importance of work planning and to enable all stakeholders to participate in the decision-making process.

The twelfth convocation did not achieve a satisfactory level of transparency. Although the sessions of the Assembly could be watched on national television and on the Assembly’s YouTube channel in real time, where broadcasts from committee meetings and public hearings could be found, the announcements of the agenda and bills were published on the Assembly’s website a week before the sitting, the current convocation continued with the practice of not publishing amendments to the bills. This significantly impedes the monitoring of the legislative function of the Parliament. The current Rules of Procedure state which documents are published on the website of the National Assembly, however, in that article it says: “The National Assembly shall publish the following on its Internet site...”, which means that the article has been formulated in such a way that there is no obligation to publish all the aforementioned documents. Further-

more, there should be an obligation to publish documents in an open and searchable format, in order to avoid the current practice of publishing regulations in a scanned or non-searchable format. What is also not the current practice and should however be found on the website of the National Assembly are data on the presence of MPs at sittings, shorthand notes from committee sittings, opinions of other bodies regarding draft acts and amendments, and especially the opinion of the Anti-Corruption Agency on the corruption risk of the law.

Considering that the sittings of the Assembly were broadcast on national television, and that the first and basic association of citizens when they think of the Parliament are plenary sessions, it can be concluded that the quality of the debate is extremely important for creating an image of the Assembly. That image in Serbia is not good, and the 12th convocation, in this respect, could only contribute to further damage to the reputation of the Assembly. The MPs' focus on the agenda was often lacking. On 10 occasions in the 12th convocation, the sittings were convened for the next day. On average, in 2021, MPs had 7.4 days to prepare between the date of convening and holding the sitting.

The agenda itself often included a large number of items, sometimes thematically incompatible. Some MPs sometimes even remarked: *"Today we are discussing the Law on the Rights of Users of Temporary Accommodation in Social Protection, we are discussing the Law on the Ruma-Sabac-Loznica Road Construction Project, as well as the Law on Ratification of the Agreement between the Government of the Republic of Serbia and the Government of the Republic of India on granting permits to family members of the staff of diplomatic and consular missions to engage in paid activities. Seemingly three completely different laws, which do not have much in common, one in the field of social protection, the other in the field of infrastructure development and the third in the field of bilateral relations between Serbia and India."* Nevertheless, this observation was not followed by criticism, but by an explanation of what connects these laws: *"All three laws are important for improving the quality of people's lives."* It must be noted that such a criterion would be met by an even more creative joint discussion, but the impact on the coherence and efficiency of the discussion was unquestionable. Consequently, debates often seemed confusing, allowing MPs to focus on the topic in just a few sentences, and to use their address arbitrarily, most often for the purpose of spreading propaganda messages.

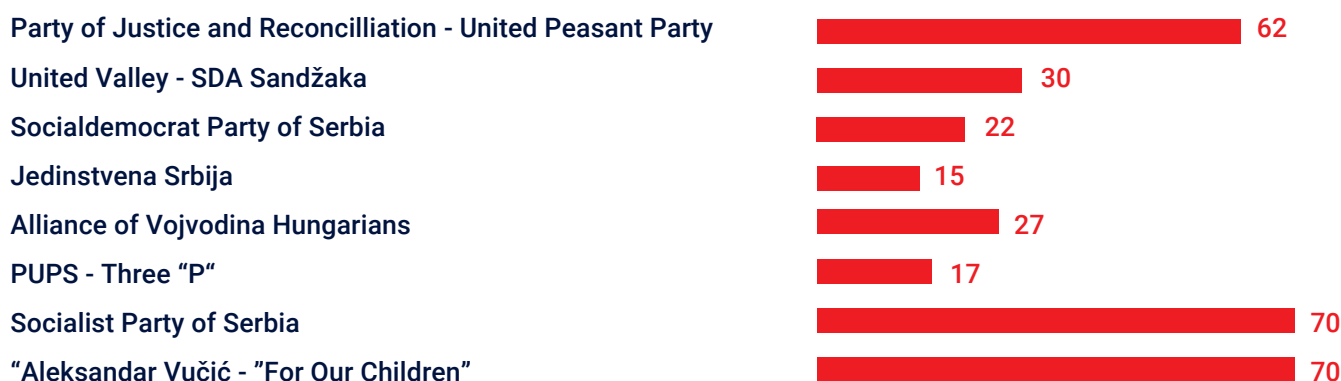
During the 12th convocation, a similar method of abuse befell the institute of seeking information and explanations. The Rules of Procedure provide for the right of an MP to request information and explanations from the Speaker of the National Assembly, the Speaker of the National Assembly Committee, Ministers and officials in other state bodies and organisations on issues within the rights and duties of these officials from the competencies of the body they lead, so that they could discharge their duties. Exceptionally, the authorised representative of the parliamentary group may exercise this right orally, at a sitting of the National Assembly in one address lasting up to five minutes, on Tuesdays and Thursdays immediately after the opening of the sitting.

Although this mechanism was initially conceived to make available to MPs all the important information, to draw, at the sittings, public attention to some important issues, i.e. to exert additional pressure on institutions from which an explanation is required when necessary, it was massively abused. During the 12th convocation, it was reduced to 5 minutes "on the free topic" – and that meant either praising the President of the Republic and the Government, or attacking (rarely criticising) opposition representatives.

Throughout this convocation, 67 MPs orally requested 313 notifications and explanations. The opposition parliamentary group was given the opportunity to explain its demands orally 30 times, which is 10 percent of the total number of oral requests. The largest number of requests,

70 each, were sent by authorised representatives of the largest parties of the ruling majority – the Serbian Progressive Party and the Socialist Party of Serbia (chart 1).

Chart 1: Requests for notifications and explanations sent by parliamentary groups in 12th convocation



The complete arbitrariness of the manner in which this institute was used in the 12th convocation is illustrated by the fact that MPs often did not specify the name of the institution that they addressed, using colloquial and generalising terms such as “judiciary”, and sometimes listed more institutions in their requests. In as many as 34 cases, MPs did not name any specific institution to which they addressed the request, evidently and openly abusing this mechanism.

The uniformity of this convocation has led to the almost non-existence of violations of the Rules of Procedure. Although MPs often referred to the Rules of Procedure in the context of rebuttals or protests against someone’s speech, this was most often done in order to disrupt a small number of opposition MPs. This claim is supported by the fact that after referring to the Rules of Procedure, a vote on the violation of the Rules of Procedure was requested only once, although, undoubtedly there were many to be heard. During the 12th convocation, sittings were turned into the voice of political propaganda. The MPs used the rostrum without hindrance for confrontations with political dissidents and not for topics from the current agenda. Paradoxically, after more than ten years of delay, this convocation adopted the Code of Conduct for MPs, in an urgent procedure and without involving the public in the process. Unlike the Code, which provides certain basic principles and ethical values that MPs should respect, the Rules of Procedure regulate only the conduct or inappropriate behaviour of MPs at sittings of the National Assembly and its bodies and sanction such behaviour with measures that have greater effect than measures prescribed by the Code.

And the way in which the Code of Conduct for MPs was adopted at the end of 2020 did not inspire confidence that its implementation would lead to an improvement in the way that debates would take place in the National Assembly...nor that it was the goal at the first place. The Code was adopted without public involvement and by urgent procedure, making it clear that this task is being approached in order to meet the requirements of international organisations^[4]. The manner in which the Code was adopted, the solutions selected in it and the manner in which it was implemented are marked by significant shortcomings.

The same circumstances accompanied the adoption of amendments that took place as late as in September 2021 and which have finally created the conditions for full implementation of the Code.^[5] As stated in the rationale of the proposal, the main reason for the adoption of the

[4] Open Parliament, Analysis of the Code of Conduct for MPs and its implementation, available at:

<https://otvoreniparlament.rs/uploads/istrazivanje/Analiza%20Kodeksa%20pona%C5%A1anja%20narodnih%20poslanika%20i%20jegove%20primene.pdf>

[5] Open Parliament, Amendments to the Code of Conduct will not improve the climate in the Assembly, available at:

<https://otvoreniparlament.rs/aktuelno/392>

changes is the fulfilment of the recommendations of GRECO (Group of States of the Council of Europe for the Fight against Corruption), but also the initiative of the Government. In other words, the Assembly of Serbia did not independently, for the sake of protecting the public interest and restoring the trust of citizens in its work, recognised shortcomings in the previous nine-month application of the Code of Conduct, but this document was used just to get quick points in international reports.

Since the beginning of the application of the Code, 10 charges have been filed against MPs who violated it, both for using hate speech, diminishing human dignity and inciting intolerance, and for violating parliamentary procedures. All but one of the applications were rejected as unfounded. Thus, the application of the Code in the 12 convocation was marked by a lack of understanding of its essence, unwillingness of members of the parliamentary majority to change the way political dissidents are talked about in the Assembly, malicious and misinterpretation of the role of the civil sector, and continuous and intense verbal attacks on independent media and civil society organisations. Hence, as in the case of the Rules of Procedure, it can be concluded that mechanisms that would lead to a purposeful and focused debate, which would not “deviate” into inappropriate rhetoric that insults the dignity of the National Assembly were simply not used.

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