

**TASKS OF THE SERBIAN PARLIAMENT IN THE PROCESS OF
HARMONIZATION OF LEGISLATION WITH THE
*ACQUIS COMMUNITAIRE***

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The European Integration process in Serbia and Montenegro and thereby a systemic process of harmonization of legislation with the *acquis communautaire* commenced after the publication of the positive Feasibility Report by the European Commission, which proposed the opening of negotiations for the signing of the Stabilization and Association Agreement. Given the specific constitutional structure of the state union Serbia and Montenegro, as well as the concept of the “twin track approach” in the process of negotiations, the adoption of approximately 90 per cent of relevant legislation lies within the competences of the Serbian Parliament. Consequently, the main task of the Parliament is to develop and improve its two main functions – the process of legislation and the power of control over the work of the Government.

The legislative power of the Parliament has been developed within the relatively short history of parliamentary democracy in Serbia. Notwithstanding the fact that the vast majority of draft laws still originates from the respective ministries, the work of the standing committees has significantly improved. The Committee of European Integration has established a role of the body which actively participates in the European Integration process by reviewing drafts from the aspect of their compatibility with the *acquis communautaire*. The efficiency of the legislative procedure is expected to increase with the recently adopted amendments to the Rules of Procedure, with the purpose of meeting a demand of speedier and more effective harmonization as well as faster implementation of adopted laws. On the other hand, the major objection to exercising the legislative power remains in the lacking of special procedures for adopting the laws which are to be treated as priorities in the process of harmonization. There is a consideration that certain solutions in that respect may be envisaged by the new Serbian Constitution.

In contrast to the legislative power, the control powers of the Parliament are still weakly developed and a conspicuous discrepancy can be observed between the political authority of the Parliament and the Government, it being in favor of the latter. Although numerous mechanisms of parliamentary control of the executive are envisaged by the Constitution and respective laws, they are seldom used and generally comprehended as not sufficiently effective. Following the constitutionally accepted concept of parliamentary based democracy, the Serbian Parliament has developed two instruments of control, which concrete results are to be observed and analyzed by their authority and relevance. According to the Resolution on European Integration, adopted in October 2004, the Government is obliged to report quarterly to the Committee of European Integrations on the progress in fulfilling its obligations under the Stabilization and Association Process.

Two such reports have been reviewed and adopted by the Committee. The second instrument was introduced by the amendments to the Rules of Procedure and it stipulates the obligation of the Government to report on its activities at a plenary session of the Parliament not less than monthly. The effects of that stipulation are yet to be observed; its main objective, however, is to contribute to the overall strengthening of the Parliament.

In conclusion, it can be commented that the Serbian Parliament has not fully succeeded in assuming all of the powers presupposed in a functioning democracy of the European model. On the other hand, the reform of the Parliament has significantly progressed in line with the objectives set in the European Partnership. In regard to tasks and obligations to be assumed by the Stabilization and Association Agreement, the institution-building process in Serbia, with an emphasis on the Parliament, will not only have to continue but also to become more essential, in order to bring the country closer to the membership in the European Union.