# PARLIAMENTARY QUESTIONS IN MONTENEGRO



institut alternativa

Publication title:

#### **Parliamentary Questions in Montenegro**

Published by:

### institut alternativa

Institute Alternative, Ul. Đoka Miraševića (Kroling 3/3), Podgorica, Montenegro Tel/fax: + 382 (0) 20 268 686

e-mail: info@institut-alternativa.org web site: www.institut-alternativa.org

For the publisher:

Stevo Muk, President of the Managing Board

Editor: Stevo Muk

Author:

Dr. Jovana Marović

Project associates: Aleksandra Vavić and Milica Milonjić

Design and layout: Ana Crnić



The making of this analysis was supported by the Open Society Institute – Think Tank Fund from Budapest.

TTF assumes no responsibility for the opinions presented in this analysis. This analysis contains opinions and thoughts of its author(s) who assume full responsibility for its content.

### **ABSTRACT**

The proceedings of the Parliamentary Questions to the Prime Minister and the ministers are being kept as a record of the MPs' activities and the responses of the state institutions, the sessions dedicated to these questions are open to the public, and therefore they offer the MPs an opportunity to raise greater awareness on a question/issue they consider important and receive feedback on current activities in the ministries. However, regardless of the opportunity it provides and the growing use, the MPs questions still have limited scope and impact. In addition to the problematic practice of the ministries sometimes submitting written responses with six months delay, in most cases the responses just give a general overview of the state of affairs in an area instead of concrete answers to the parliamentary questions. When it comes to regulating this mechanism, the MPs generally consider that it would be desirable to hold parliamentary questions on a monthly basis, just like the Premier's Hour, in order for the MPs to have the possibility to comment on the responses to additional questions, as well as in order to have the opportunity to rebuke the state authorities for not providing required information. With the view to ensuring greater transparency, it is necessary to find a more visually accommodating way of presenting parliamentary questions and authorities' responses on the Parliament's website.

### **INTRODUCTORY REMARKS**

Questions to the PM and the ministers are a significant instrument of parliamentary control and an important channel for informing the public about the most relevant topics for the whole of society. An added benefit of the control mechanism of asking questions of the executive branch is that it is being broadcast live on TV and on the Parliament's YouTube channel, allowing MPs to attract the broader public's attention to important topics.

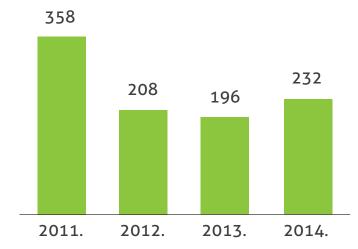
Owing to the fact that the questions are published at the Parliament's website, it is possible to analyse which areas of control the MPs/political parties are interested in and to what extent, to what degree the MPs deal with citizens' problems and interests, as well as whether the questions are used solely for political promotion of the MPs and parties. The MPs communicate directly with the executive, and they 'test' the ability of the state authorities to respond with good arguments and facts to the questions they are being asked.

The impact analysis of the parliamentary quesitons and the Premier's Hour as control mechanisms available to MPs was conducted on the basis of a detailed overview of all the questions publicly available for 2013 and 2014 and the ministries' responses.

The qualitative assessment of the impact of the control mechanisms in practice was done through conducting in-depth interviews with eight MPs in December 2014, the Secretary General of the Parliament, and the Secretaries at the Ministry of Justice and Ministry of the Interior. In choosing our interlocutors we ensured the representation of all MPs' clubs as well as gender balance, and we took into consideration the previous practices in using this mechanism by the MPs.

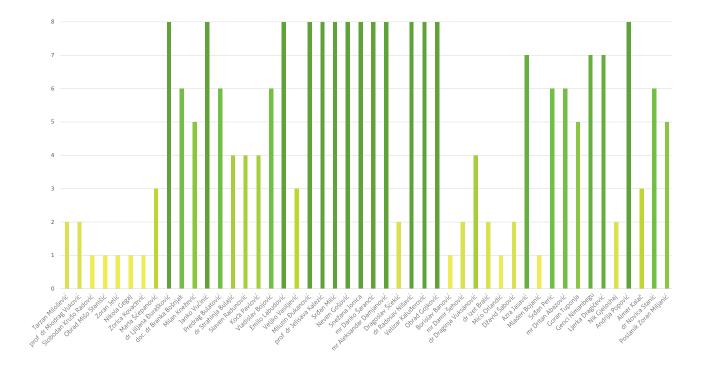
## THE PREMIER'S HOUR AND PARLIAMENTARY QUESTIONS IN 2014 – KEY NUMBERS

In 2014, the Prime Minister received 50 questions in eight separate Parliament sittings, which was similar to 2013 when he received 49 questions.<sup>1</sup>



In 2014, the MPs asked 232 questions and 33 additional questions, whereas in 2013 they asked 196 plus three.<sup>2</sup> Four sittings were devoted to MPs' questions last year.<sup>3</sup> Even though the plan for the December 26<sup>th</sup> 2014 sitting was to have MPs questions as well, it was taken up entirely by the Premier's Hour.

Chart 1: Overview of the MPs clubs' questions posed to the ministers by MPs



The MPs posed the largest number of questions to the Minister of Justice (32), and the Minister of Interior (29).

<sup>&</sup>lt;sup>1</sup> The 4th, 5th, 7th, 9th, and 11th sitting of the Spring Session, held, respectively, on: March 27th 2014, April 25th 2014, May 28th 2014, June 25th 2014, as well as 3rd, 6th, and 8th special sitting of the Autumn Session, held, respectively, on: October 28th 2014, November 26th 2014. and December 26th 2014.

<sup>&</sup>lt;sup>2</sup> See: Report on the work of the Parliament of Montenegro 2013, available at http://www.skupstina.me/images/documents/performance-report/2013\_ Performance\_Report.pdf

<sup>&</sup>lt;sup>3</sup> 4th, 7th, and 11th sitting of the Spring session, and third sitting of the 2nd regular session.

## REGULATING THE PREMIER'S HOUR AND THE PARLIAMENTARY QUESTIONS CONTROL MECHANISM

"Clearly formulated parliamentary questions shall be put orally at the sitting, and may not have the nature of a debate."<sup>4</sup> The Parliament's Rules of Procedure state that the questions to the Prime Minister must be submitted at least 72 hours prior to the sitting, and to the ministries at least 48 hours prior. During a single sitting, an MP is allowed to ask two questions. The Secretary of the Ministry of Interior Dragan

Pejanović claims that MPs often abuse this mechanism and ask more questions disguised as one.<sup>6</sup>

An effect of the questions to the Prime Minister and the ministers could be greater were it not compulsory to ask the questions in advance of the Parliament sittings devoted to these control mechanisms. Such practice can be found elsewhere, for instance in the UK Parliament. The mechanism also exists at the National Assembly of Serbia, where the so-called "oral questions" are posed by the MPs without prior notice. In some countries, however, the deadline for submission is even longer than in Montenegro. For instance, in Spain, a question can be put on the agenda only if it has been submitted seven days prior to the sitting.

The Rules of Procedure further allow the MPs the possibility to comment on the response they receive from the Prime Minister or a Minister and to ask an additional question, however they are not allowed to comment on the response to the additional question. The MPs agree that they need to have the opportunity to close this "loop." <sup>9</sup>

### QUESTIONS ON THE SPOT – GOOD FOR CONTROL OR JUST FOR SHOW?

The key question and dilemma in deciding the manner of posing the questions is whether the effect is greater if questions are asked directly, which could highlight potential ignorance of the Prime Minister and the Ministers, or whether it would be more useful for an MP to receive a written and elaborate answer, regardless of how long this might take. Would it be possible perhaps to combine the two models in practice?

Liberal Party MP Andrija Popović believes that the mechanism of direct questions can be useful from both the political and expert standpoints, given that, in his view, the Ministers must be ready at any given moment to respond to any question from their domain. Borislav Banović of the SDP believes that the optimal solution for the impromptu questions would be to inform the ministries of the areas the questions will relate to, so that the ministers could come together with expert associates. A similar mechanisms exists in the UK, where the Prime Minister first responds to the socalled 'open questions,' followed by MPs' asking the questions that were not prepared in advance. In theory, this means that the Prime Minister has not previously seen the questions he is supposed to answer. However, the standard practice is for the ministries to inform the Prime Minister on the possible questions that might turn up.<sup>10</sup>

<sup>4</sup> Article 188 of the Rules of Procedure of the Parliament of Montenegro, no 00-63-2/13-44, November 28th 2013, available at http://www.skupstina.me/images/documents/rules\_of\_procedure\_00-63-2.pdf

<sup>5</sup> Ibidem

<sup>&</sup>lt;sup>6</sup> Interview with Dragan Pejanović, Secretary at the Ministry of the Interior, April 17th 2015.

<sup>7</sup> Article 205 of the Rules of Procedure of the National Assembly of the Republic of Serbia, available at http://www.parlament.gov.rs/national-assembly/important-documents/rules-of-procedure-(consolidated-text)/introductory-provision.1351.html

<sup>8</sup> Article 189, Standing orders of the Congress of Deputies, Madrid, 2004, available at: http://www.congreso.es/portal/page/portal/Congreso/Congreso/Hist\_Normas/Norm/standing\_orders\_02.pdf

<sup>&</sup>lt;sup>9</sup> "The time for putting one parliamentary question to the Prime Minister shall not exceed five minutes, and the Prime Minister shall be entitled to a reply lasting up to five minutes."..."The time for putting one parliamentary question shall not exceed three minutes. An MP may not speak with regard to the parliamentary question, the answer to the parliamentary question or the comment to the answer of another MP."

<sup>&</sup>lt;sup>10</sup> See the UK Parliament's website: http://www.parliament.uk/about/how/business/questions/

"48 hours gives ministers enough time to prepare a presentation of a washed up façade of a problem."- Srđan Perić. PCG MP.<sup>11</sup>

Branka Bošnjak, from DF, believes that it is problematic that the Prime Minister receives questions before the ministers do, since the questions to the PM are usually on strategic plans or require just descriptive answers rather than in-depth statistics.<sup>12</sup>

### THE DYNAMICS OF HOSTING SESSIONS DEVOTED TO MPs' QUESTIONS AND PRIME MINISTER'S QUESTIONS

The Rules of Procedure define that the sittings devoted to the Premier's Hour take place on a monthly basis, and the parliamentary questions take place on a two-month basis.

"A question to the Prime Minister shall be put at the beginning of the sitting referred to in paragraph 3 of this Article, and in the month when such sitting is not held, at a special sitting dedicated to the Prime Minister's Hour – Premier's Hour."

The MPs we spoke to for the purposes of this research generally agree that there are still no optimal conditions that would allow MPs to pose questions weekly, but that question time should be held at least once a month, just like in the case of Premier's Hour. PCG MP Srđan Perić believes that the weekly questions can only be effective if they are not posed in advance, and if that

cannot be ensured he believes once a month would be optimal. However, Nataša Pešić, the Secretary at the Ministry of Justice, stresses that in her view the current set-up of bi-monthly parliamentary questions is optimal.

The dynamics of holding sittings devoted to parliamentary questions are much better in the countries of the EU and the region. In the Netherlands, parliamentary questions take place each Tuesday at the beginning of the sitting,<sup>13</sup> and the French parliament has a similar practice, where questions are asked orally.<sup>14</sup>

The Rules of Procedure of the National Assembly of the Republic of Serbia define that parliamentary questions are posed every last Thursday of the month.<sup>15</sup> Croatia's Parliament hosts the "Morning Question Time" at the beginning of each sitting, before the first topic on the agenda is opened.<sup>16</sup>

### TIME FOR POSING OUESTIONS

Montenegrin MPs have a five-minute slot to pose a question to the Prime Minister, and a three-minute one to ask the ministers. In the Belgian Chamber of Representatives, MPs have two minutes to ask questions, and the ministers have as much to respond.<sup>17</sup> A French MP has up to three minutes to pose a question.

These limits are set with an intention of discouraging discussions and broader debates. However, in practice this sometimes cannot be avoided.

<sup>&</sup>lt;sup>11</sup> Interview with Srđan Perić, PCG MP, December 5th 2014.

<sup>12</sup> Interview with Branka Bošnjak, DF MP, December 19th 2014.

<sup>&</sup>lt;sup>13</sup> House of Representatives of the Netherlands - Rules of Procedure, 1994, available at: http://www.houseofrepresentatives.nl/sites/www.houseofrepresentatives.nl/files/content/141120-rules\_of\_procedure.pdf

<sup>&</sup>lt;sup>14</sup> Standing orders of the Senate, France, 2014, available at: http://www.senat.fr/fileadmin/Fichiers/Images/lng/Standing\_orders\_of\_the\_Senate.pdf

<sup>&</sup>lt;sup>15</sup> Article 205 Rules of Procedure of the National Assembly of the Republic of Serbia.

<sup>&</sup>lt;sup>16</sup> Rules of Procedure of the Croatian Sabor, NN, 81/13, available at: http://www.sabor.hr/january-2002-nn-62002

<sup>&</sup>lt;sup>17</sup> The Rules of Procedure of the Belgian House of Representatives, June 2010, available at: http://www.parliament.am/library/kanonakarger/BELGIA.pdf

"I would say also that the way in which the opposition uses this institute of parliamentary questions is not in line with Article 188 of the Parliamentary Rules of Procedure, which stipulates that an MPs question cannot turn into a debate." - Obrad Stanišić, DPS MP. 18

Additionally, SNP MP Aleksandar Damjanović believes that it is not good practice to hold parliamentary questions in the morning because the media attention is low early in the day.

### THE DYNAMICS AND MANNER OF MINISTRIES' RESPONSE DELIVERY

"...the Prime Minister shall provide a written response, no later than the following sitting at which parliamentary questions shall be put." 19

The Rules of Procedure define that the written responses of the line ministries are to be submitted after the sitting devoted to this control mechanism. The time-span in which the ministries submit their responses is anywhere between one to six months.<sup>20</sup> The MPs are loudly protesting the inability to have

written responses during the sittings and they believe that the Rules of Procedure should define the obligation to submit responses in advance. The Secretary at the Ministry of Interior Dragan Pejanović notes however that even though the responses are always ready before the sittings, they are not submitted to the Parliament in advance because they are later expanded to include the ministers' statements given to the Parliament.<sup>21</sup> Another issue is that responses are not submitted directly to the MPs who asked the questions but to the Parliament, and the MPs often need to search for the answers at the Parliament's website.<sup>22</sup> This is made additionally dificult by the fact that not all of the answers and the additional questions are available on the website. By visiting the website one may notice that not all additional questions have been uploaded, and answers for some questions are entirely missing. There are 28 missing responses for a total of 282 (232 + 50) parliamentary questions, or 9.9%. When we contacted the Parliamentary Service of the Secretary-General we were told that all the responses that have been submited to them have been uploaded, and they noted that MPs sometimes do not require written responses to their questions. However, a look at the parliamentary questions tells us that there were 20 questions to which MPs required written responses, which were not submitted. The Secretaries at the Ministries of Justice and Interior stressed that there was never an instance in which they failed to respond to MPs' questions, and the Secretary at the Justice Ministry's Nataša Pešić told us that it sometimes takes them longer to prepare responses as they need to wait for statistics and other data to be sent to them from other institutions.23

In many other countries rules of procedure set out an obligation to explain why answers are not submitted. If a minister in the Netherlands is unable to respond within three weeks, he/she must inform the Speaker of the Parliament and state his/her reasons. In France, when a question is submitted in writing it is published in the Official Gazette and the ministry must also respond through the Gazette no later than one month after the question has been published. Line ministers in Luxembourg must respond to written questions within one month, and they respond to urgent questions either at the public meeting or in writing within seven days. In Italy, the deadline for ministries' responses is 15 days, and in Greece it is five days.<sup>24</sup>

<sup>&</sup>lt;sup>18</sup> Interview with Obrad Stanišić, DPS MP, December 23rd 2014.

 $<sup>^{19}\,</sup>$  Article 187 of the Rules of Procedure of the Parliament of Montenegro.

<sup>&</sup>lt;sup>20</sup> Interview with Andrija Popović, LP MP, December 2nd 2014.

<sup>&</sup>lt;sup>21</sup> Information obtained from the interview.

<sup>&</sup>lt;sup>22</sup> Information obtained from the interview.

<sup>&</sup>lt;sup>23</sup> Interview with Nataša Pešić, Secretary at the Justice Ministry, April 3rd 2015.

<sup>&</sup>lt;sup>24</sup> Standing orders of the Hellenic Parliament, Athens, 1987, available at: http://www.hellenicparliament.gr/en/Vouli-ton-Ellinon/Kanonismos-tis-Voulis/

DF's MPs believe that ministers should be obliged to respond to parliamentary questions during the discussion, noting that this would be possible only if a Law on the Parliament prescribing sanctions was to be adopted.<sup>25</sup>

Just how adequate the information received by MPs in writing varies from one ministry to the other. Our interlocutors are unanimous that all the answers they get are filled with statistics data and chronologically listed information about the issue, but that they do not necessarily include a concrete answer to the question.

### HOW TO POSE A QUESTION IN TERMS OF CONTENT – POLITICAL VS CONCRETE?

Parliamentary questions should be used as a mean for obtaining those information that are otherwise impossible to come by.

Such position was confirmed by LP's Andrija Popović, who believes that the written responses by ministries are a powerful control mechanism with great significance, given that an MP has the possibility to cite the unfulifled promises and commitments listed in the responses of the authorities.<sup>26</sup>

The MPs agree that the questions to the Prime Minister are more political compared to those posed to the ministers, and they believe it is not an issue that the questions are sometimes used to send a political message, given that the Parliament is the principal political body in the country.

However, the MPs believe that the mechanism of posing questions to the Prime Minister and the ministers is important as it offers a possibility to solve citizens' problems, i.e. obtain a concrete piece of information.

"What is lacking when parliamentary questions are concerned is a greater link to the citizens. The citizens are left with the Law on the Free Access to Information as an institute that is very passive, and for this reason the parliamentary questions may serve as this link." – Srāan Perić, PCG<sup>27</sup>

The MPs largely agree that there have been very few questions leading to substantial change. As a way to improve on this, the MPs believe that the Rules of Procedure ought to contain a bounding clause that would allow for regular reporting by ministries on their achievements in the cases where they have taken on certain commitments while delivering their responses to MPs.

## BOYCOTTING THE PRIME MINISTER'S QUESTIONS AND PARLIAMENTARY QUESTIONS SESSIONS

In 2014, DF MPs boycotted the Premier's Hour in an attempt to deny legitimacy to the Prime Minister due to "numerous manipulations and election abuses."

MPs Aleksandar Damjanović (SNP), Draginja Vuksanović (SDP), Srđan Perić (PCG), and Andrija Popović (LP) believe that selective boycotting of just the Premier's Hour cannot add any value.

<sup>25</sup> Information obtained from the interview

<sup>&</sup>lt;sup>26</sup> Information obtained from the interview

<sup>&</sup>lt;sup>27</sup> Information obtained from the interview

"I do not at all believe that boycotting the Parliament's sitting itself and boycotting the parliamentary questions is legitimate, even though the majority believe this has legitimacy. I believe that all of us who have been elected by the people must fight for their wellbeing through the Parliament." – Draginja Vuksanović (SDP).<sup>28</sup>

### THE WAY QUESTIONS ARE PRESENTED AT THE PARLIAMENT'S WEBPAGE

The parliamentary questions for 2014 are only available in the .PDF format at the Parliament's website, and each question file contains the line ministry's response as well. However, such presentation of data is not the most adequate, as the documents cannot be searched. The search option is available for the questions from the year before, but the answers are still all in .PDF format. This is the case due to the way responses are submitted, given that it is not always necessary to submit a response in electronic form. By prescribing the need to submit responses electronically would enable to visualise and search this data. The Secretary at the Ministry of Interior Dragan Pejanović agrees with this point of view, noting that this would improve transparency and reduce costs of delivery.<sup>29</sup>

The questions at the website are listed by names of those who submitted them, instead of the topic or the recipient, and they can only be viewed in chronological order. There are also minutes and audio recordings of the Prime Minister's Hour and parliamentary questions sessions, but they are often uploaded months later.

The MPs believe it necessary to improve the presentation of question and answers, and also agree it would be useful to have a special visual representation of "open questions" and questions that have not been answered. Aleksandar Damjanović (SNP) believes that transpency would be improved by introducing an annual bulletin of parliamentary questions.<sup>30</sup>

### TOPICS WITH NOTABLE RECURRENCE AMONG THE PARLIA-MENTARY QUESTIONS

Browsing through the parliamentary questions available at the Parliament's website tells us that in 2013 MPs posed the most questions to the Minister of Interior (27), followed closely by Minister of Labor and social welfare (26). In 2014 this trend continued – the Ministry of Interior was among the most quizzed institutions (29), and there was a notable surge in the questions posed to the Ministry of Justice (32). The reason behind is likely the fact that this ministry is in charge of coordinating the EU accession negotiations for Chapter 23, dealing among other things with anti-corruption efforts.

### THEMATIC OVERIEW OF PARLIAMENTARY QUESTIONS

Given that organised crime and corruption are the biggest obstacle to a faster integration of Montenegro into the European Union, this paper will show a visual representation of questions posed to the ministers of justice and interior.

<sup>&</sup>lt;sup>28</sup> Interview with Draginja Vuksanović, SDP MP, December 8th 2014.

<sup>&</sup>lt;sup>29</sup> Information obtained from the interview.

<sup>&</sup>lt;sup>30</sup> Interview with Aleksandar Damjanović, SNP MP, December 12th 2014.

Table 1: Thematic overview of questions posed to the Ministry of Interior in 2014

4

questions related to:

 investigations on political corruption for election purposes; 2

questions per topic on the following topics:

- Introducing e-identification of voters;
- number of registered state-owned vehicles;
- requests for granting Montenegrin citizenship;
- · attacks on journalists.

1

#### question per topic on the following topics:

- the act defining the 24-month residence in Montenegro;
- the date of launching the Plav-Čakor-Peć road;
- information on the false bomb tip in Ulcinj prior to the session of the Municipal Assembly;
- equal representation of minority ethnicities at the Ministry of Interior, and especially in the Police;
- probe into the recurring wreckages and malfunctions in the remaining active facilities of the "Bajo Sekulić" salt factory in Ulcinj;
- information on the alleged existence of a media mafia in Montenegro;
- data on the administrative and inspection control in Podgorica;
- information on six special vehicles for forest firefighting and rescue in Pljevlja;
- police misconduct during a dawn raid at the Maximus night club in Kotor;
- public administration reform activities;
- implementation of the Law on the Electoral Roll;
- the time-frame of submitting the Law on Local Government for the parliamentary procedure;
- unsolved crime cases in Montenegro;
- the indicators leading the Police to publish a statement that the level of security in Montenegro is on par with the US;
- · unsolved murders in Montenegro;
- the Ministry's opinion on establishing the Municipality of Sutomore;
- Analysis of the effects of the Law on Traffic Safety.

Table 2: Thematic overview of questions posed to the Ministry of Justice in 2014

3

questions per topic on the following topics:

- the activities of Montenegrin authorities in relation to the **Darko Šarić case**
- · The Telekom Affair.

2

questions per topic on the following topics:

 budgetary spending for compensation to unjustly incarcerated individuals

1

question per topic on the following topics:

- information on the prison mobing practices at the ZIKS penitentiary;
- · activity on supressing loan sharks, and other ways of illegal lending;
- the cost of holding the open Cabinet session in Kolašin;
- measures undertaken by the court to ensure that AD Gorica company would receive work-related claims;
- activities of the Constitutional Court;
- control practices in the ZIKS penitentiary;
- the number of monuments listed in the register of cultural heritage;
- activities of the State Prosecutor regarding the abuse of office in five local administrations;
- whether the Government would propose a Law on the use of the official languages and languages in official use;
- whether there were any **Russian agents** in state authorities;
- failure of the electoral committee in Kolašin to ascertain the election results;
- failure to meet the set deadines for implementing the Action Plans measures for EU negotiation Chapters 23 and 24;
- cooperation with Serbia in investigating war crimes in Srebrenica and Štrpci;
- removal from office of any servicemen and women with connections to organised crime;
- the potential activation of the EU negotiation balance clause;
- the official assessment of the national security levels in Montenegro;
- the non-existence of meaningful political will to undertake decisive reforms;
- which municipalities were subject to financial inquiry by the State Prosecution;
- criminal charges against the former Secretary-General of the Union of Trade Unions of Montenegro;
- criminal liability of Government officials pursuant to the State Audit Institution's findings in relation to state guarantees given by the Government for the Aluminium Plant Podgorica (KAP), Nikišić Steelworks, and Pobjeda AD Podgorica news company;
- time-frame of delivering on the promise of drafting the Law on annulling court adjudications, decisions, acts, and other state authorities' activities of the Republic of Montenegro and the Federal People's Republic of Yugoslavia towards individuals suspected of supporting the "Cominform Resolution" of 28 June 1948;
- the progress of drafting the Law on the special state prosecution;
- criminal proceedings in the cases of buying votes in Pljevlja in 2012, when state money was allegedly misused for providing social aid in exchange for votes.

The analysis of the content of the questions addressed to the ministries of Justice and the Interior led us to a conclusion that the MPs have shown only slightly more interest in the cases of alleged election corruption and corruption in the privatisation of Telekom (four and three questions, respectively) and the activities of state authorities as regards the criminal activity of the alleged drug lord Darko Šarić (three).

#### CONCLUSIONS

The possibility to pose questions to the executive is a channel of direct communication between branches of government and a powerful control mechanism for the MPs. In spite of the fact that MPs submit a considerable number of questions annually, and the fact that there has been a notable increase compared to 2013 (232 vs 196), this control mechanism has failed to achieve the expected impact and results in practice. The reasons for this are often to be found in the poor answers offered by the authorities, which are usually descriptive and do not offer a concrete insight into the issue. An additional problem is that the ministries do not submit answers in advance of the question time sessions and they very often do not provide answers in writing at all. The Rules of Procedure require that the questions to the Prime Minister must be submitted no later than 72 hours prior to the question time, and to ministers no later than 48 hours in advance. This should lead to a better quality of responses, which sadly is not always the case.

Even though in most cases there is a practice in the EU and in the region of asking the questions without prior announcement in parallel with the mechanism of asking questions in writing, this is not the case in Montenegro. This leads to opposing views among the MPs as to whether the effect is greater if the ministers do not know what questions would be posed by the MPs, or if they are given time to prepare in advance and deliver more comprehensive answers. As regards the sessions, those devoted to questions to the ministers take place bi-monthly, and the Premier's Hour takes place monthly. Other countries' experiences vary – there are instances of weekly question time for ministers and prime ministers, or even daily question time (in Ireland). Montenegrin MPs share the view that due to huge workload and various limitations the question time cannot be held on a weekly basis, but should be held monthly, just like the Premier's Hour.

The MPs' questions and the ministries' responses are not adequately listed on the Parliament's website. A better visual representation could be ensured by adopting an obligation to deliver responses electronically.

### RECOMMENDATIONS

A Law on the Parliament should be adopted, which would envisage the following:

• Offices of the Prime Minister and the ministers are obliged to submit responses to parliamentary questions in electronic form;

Amendments to the Rules of Procedure should envisage the following:

- Introducing a general rule to host monthly sessions dedicated to parliamentary questions;
- Requiring the state institutions to submit their responses to the written parliamentary questions in advance of the sessions:
- Offering the MPs up to two minutes to comment on a response to the additional question;
- Requiring the ministries to inform the MPs periodically on the progress that is being made in specified areas;

As regards the need to improve transparency, the following is required:

- Improved reporting, by ensuring that the Parliament's website regularly publishes, in chronological order, all the steps from the submission of a question to the final outcome;
- Presenting the parliamentary questions and ministries's responses in a more visually appropriate manner, by specifying in the title the topic and the ministry it was submitted to;
- Providing the search option for topics, and enabling questions' and answers' tagging (proposed tags: addressee, topic, MP that asked the question)
- Questions and answers for each year should have an interactive dedicated page on the Parliament's website, instead of being offered only as .PDF documents;
- Publishing annual bulletins with all the questions to the Prime Minister and the ministers and their answers.

### LITERATURE AND SOURCES

Action Plan for strengthening the judicial and control role of the Parliament of Montenegro 2014

Erceg Vladimir, "Poslanička pitanja kao mehanizam parlamentarne kontrole sektora bezbednosti", April 2014.

House of Representatives of the Netherlands - Rules of Procedure, 1994

European Commission's Progress Report on Montenegro 2014

European Commission's Progress Report on Montenegro 2013

Report on the work of the Parliament of Montenegro 1 January – 31 July 2014, September 2014

Performance Report of the Parliament of Montenegro 2013, Podgorica, 2014

Performance Report of the Parliament of Montenegro 2012, Podgorica, 2013

"Kontrolna funkcija parlamenta", Biro za društvena istraživanja, Birodi, January 2014

"Parliamentary oversight in the area of security and defence – 2013 Monitoring Report and Impact Assessment", Institute Alternative, August 2014

Pavlović, Vukšin, and Orlović, Slaviša, "Dileme i izazovi parlamentarizma", KAS and Faculty of Political Science Belgrade, 2007

Standing Orders of the Croatian Parliament, NN, 81/13

Rules of Procedure of the Parliament of Montenegro, no 00-63-2/13-44, 28November 2013

Rules of Procedure of the National Assembly of the Republic of Serbia

Standing orders of the Congress of Deputies, Madrid, 2004

Standing orders of the Hellenic Parliament, Athens, 1987

Standing orders of the Senate, France, 2014

The Rules of Procedure of the Belgian House of Representatives, June 2010

#### MPs and state authorities' representatives we interviewed:

#### MPs

- 1. Aleksandar Damjanović, Socialist People's Party (SNP)
- 2. Andrija Popović, Liberal Party (LP)
- 3. Borislav Banović, Social Democratic Party (SDP)
- 4. Branka Bošnjak, Democratic Front (DF)
- 5. **Draginja Vuksanović**, Social Democratic Party (SDP)
- 6. **Ljerka Dragičević**, Croatian Civic Initiative (HGI)
- 7. **Obrad Stanišić**, Democratic Party of Socialists (DPS)
- 8. **Srđan Perić**, Positive Montenegro (PCG)

#### State authorities' representatives

- 1. Dragan Pejanović, Secretary of the Ministry of the Interior
- 2. Nataša Pešić, Secretary of the Ministry of Justice
- 3. Siniša Stanković, Secretary General of the Parliament

### **ABOUT INSTITUTE ALTERNATIVE:**

Institute Alternative (IA) is a non-governmental organisation, established in September 2007 by a group of citizens with experience in civil society, public administration, and the business sector.

Our **mission** is to contribute to strengthening the democracy and good governance through research and policy analysis as well as by monitoring public institutions' performance.

Our **strategic objectives** are to increase the quality of work, accountability and transparency, efficiency of public institutions and public officials; to encourage open, public, constructive and well-argument discussions on important policy issues; raising public awareness about important policy issues, strengthening the capacities of all sectors in the state and society for the development of public policies.

The **values** we uphold in our work are dedication to our mission, independence, constant learning, networking, cooperation, and teamwork.

We function as a **think tank** or a research centre, focusing on the overarching areas of good governance, transparency and accountability. Our research and advocacy activities are structured within five main programme strands: i) public administration, ii) accountable public finance, iii) security and defence, iv) parliamentary programme and v) social policy.

On the basis of our five programmes, we monitor the process of accession negotiations with the EU, actively participating in working groups for certain chapters. Our flagship project is the Public Policy School, which is organised since 2012.

Organisation management is divided between the Assembly and the Managing Board. President of the Managing Board is **Stevo Muk**. Research Coordinator is **Dr. Jovana Marović**.

