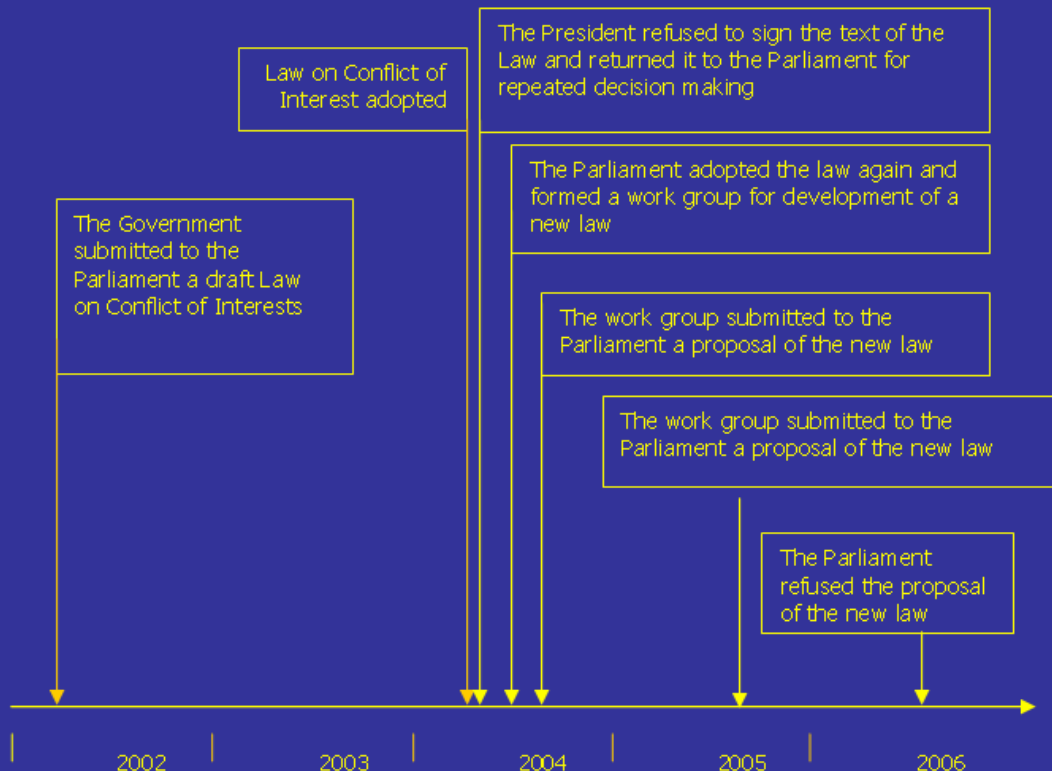


# 1. CHRONOLOGY OF EVENTS THAT PRECEDED THE ADOPTION OF THE LAW



**"Montenegrin Parliament failed to amend the Law on Conflict of Interest. The existing law contains problematic provisions and needs to be substantially reviewed."**

*European Commission, Montenegro 2006 Progress Report*

**"The valid Law on Conflict of Interest should be substantially changed."**

*European Commission, Montenegro 2007 Progress Report*

### 1.1. The lost law

As early as at the beginning of 2002 the Government submitted to the Parliament a Draft Law on Conflict of Interest for consideration.

According to the statements from the Parliament, in June of the same year the Government withdrew the Draft Law in order to amend it and 20 months later, in April 2004 submitted again the same text to the Parliament.

However, according to the statements from the Government, the law was never withdrawn from the Parliamentary proceedings. Therefore, two years passed during which time neither the Government nor the Parliament was able to determine where the lost law was.

In April 2004 MANS conducted research of the companies record to determine directorships held by members of the Government in order to bring to public's attention the blatant conflict of interest of public officers in carrying out their functions in the interest of citizen. The results have shown that all three Vice-Presidents of the Government and seven Ministers were members of the management boards of 18 companies<sup>1</sup>.

The report generated such significant media response that ministers felt obliged to defend themselves publicly, but more significantly, after hiatus of almost two years, the law was „magically“ reintroduced into the Parliament, in the same month.

#### Ministers' reaction to MANS research

Vice-president of the Government for Economic Policy, Branimir Gvozdenović, member of the Management board of the Power Supply Company of Montenegro (EPCG) and the President of the Tender Commission for privatization of the Aluminium Plant Podgorica (KAP), the biggest consumer of power in the state, in relation to the research conducted by MANS stated that the Government members are on the Management Board of the companies in order to „involve them even more actively into the programs of optimization, privatization and all the activities related to the economic recovery“.

Gvozdenović claims that „he is sure it is owing to his engagement in EPCG that significant results have been achieved“.

The Contract on Privatization of KAP, which Gvozdenovic negotiated as a member of the Tender Commission for Privatization, guaranteed a lower electricity price for KAP than the market one, and in the privatization procedure he accepted that price on behalf of EPCG, as the President of the Board of Directors<sup>2</sup>.



The Minister of Economy, Darko Uskoković:

„I think there is absolutely no conflict of interests if a minister or a Government member represents its interests where the Government has the majority or any kind of ownership. The issue of compensation obtained for that engagement might be a disputable issue. That amount is very clear, public, transparent, everyone knows how much it is“. Still the minister does not state what this amount which „everyone knows“ is. The Minister thinks that „this represents a much smaller conflict of interest than to secure possible compensation for that work in some other manner“, but not saying in what other ways ministers can obtain compensation.

*Vijesti, 9 April 2004*

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<sup>1</sup> The list of members of the government and companies of which they were directors can be found in Appendix 1

Members of the Parliament<sup>3</sup> first tried to avoid debating the Draft Law, claiming that, after being „lost“ for two years, the Law should be again withdrawn from the procedure and revised<sup>4</sup>. Still, due to intense media pressure, the Law was finally discussed in the Parliament.

#### **Comments on delays in bringing the law to the Parliament<sup>5</sup>**

**Veselin Šuković, Director of the Anti-Corruption Agency:** ...Draft Law has been in the Parliament proceedings for almost two years. The Government never formally withdrew it from the Parliament proceedings so that all the parliamentary parties had a possibility to give amendments in a timely manner and in writing in order to give a possibility to the proposer to react adequately to them...

**Ranko Krivokapić, President of the Parliament and an MP of the ruling Social-Democratic Party (SDP):** ...since I am the third President who has inherited this law in the Parliament, I have asked for an explanation. The Government confirmed by an official letter that it remains with the Draft Law on Conflict of Interest, the law was re-activated in the Parliament on 31 March again and it was immediately included into the Parliament agenda of the first possible session so in that the space between three presidents is located the time, and when the confirmation arrived the Law was already at the first Parliament session...

During the discussion, some members of the Parliament have underlined the basic need for the law and essential concerns related to so far practice of public officials holding numerous public functions.

#### **Comments of Parliamentarians regarding conflict of interest of public officers<sup>6</sup>**

**Ervin Spahić, MP of SDP:** ...In 90s for example, we had cases of people who were on nine management boards or six – seven management boards, usually so different that it was really ingenious how those people managed to put that together..We had management boards that were in opposition with each other, one was, for example that of the Power Supply Company and the other of the Aluminium Plant, where there was a direct conflict of interest, in one they strived for the electricity price to be as high as possible, and in the other as low as possible. This was a conflict of a man with himself, and not a conflict of interest of, let's say, those two companies he was to represent. And if we start from such assumptions, it is logical that we have reached such a legal solution because in this way we are abolishing a kind of masochism those people were exposed to...

**Borislav Banović, MP of SDP:** ...Now, an MP should be an MP, and s/he should learn to do that well, s/he should learn well how laws are made and how executive authorities are controlled, and s/he who wishes to manage companies and something else should learn how this is done, let him/her be paid for that and let them control each other in that performance of jobs....

... With regard to this I say once again, I do not agree with the requests to maintain and have public officials in the management boards of executive authorities.

<sup>2</sup> Contract on Privatization of KAP was published only in 2007 [www.vlada.cg.yu/biblioteka/1175255441.zip](http://www.vlada.cg.yu/biblioteka/1175255441.zip)

<sup>3</sup> During that period the opposition parties boycotted the work of the Parliament, so they did not participate in the debate on the Draft Law on Conflict of Interests.

<sup>4</sup> This was also a recommendation of the Parliament bodies. Committee for Economy and Finance decided to give a proposal to the Parliament to postpone the debate, and the meeting of the Legislative Committee, after Miško Vuković, an MP of DPS left, was interrupted due to a lack of quorum, so it was claimed that the Draft Law would be withdrawn from the Parliamentary procedure.

<sup>5</sup> Excerpts from the notes from the Second Session of the First Regular Sitting of the Parliament of the Republic of Montenegro held on 21 April 2004

### **Comments of Parliamentarians regarding conflict of interest of public officers<sup>7</sup>**

**Ljubica (Beba) Džaković, MP of the ruling Democratic Party of Socialists (DPS):** ... You cannot create a good Government with a man earning 350 Euros and you cannot have a responsible committee with 350 Euros. You have to understand that. No one is mad enough to be a member, some of us are mad to say the truth, but most people should not be mad to do such a responsible job as that of a minister is, and I assume if Milo works 17 hours a day, that a minister must work at least eight or ten hours for 350 Euros... For example, Minister Šturanović, I believe he cannot, I would give my head for that, he cannot buy, if the Government does not buy it for him, a third suit. And now imagine, a minister who does not have three suits...

Rules of Procedure of the Parliament prescribe that amendments are to be submitted prior to the session and that the Parliamentary committees must give their opinion on any amendments, but only three amendments to the Draft law were submitted in the foreseen time limit.

However, at the parliamentary session during which the law was discussed parliamentarians had a sudden attack of zeal, submitting a total of 27 last minute amendments. The amendments were then accepted by the Agency for Fight against Corruption, on behalf of the Government, as part of the proposed legal text. In doing so, they substantially weakened the initial law.

Amongst the changes adopted, was deletion of the article relating to the obligation to publish data on property of public officials on the web site, as the MPs claimed that thus their right to privacy was violated. Also, the officials were allowed to remain in one management board of a company owned by the state. The article obliging persons to report their property based on their relationship with the official was narrowed, so public officers' children who did not live in the same household did not have this obligation<sup>8</sup>. Finally, the submitting of anonymous reports on conflict of interest was also abolished.

### **Some of the amendments submitted at the session of the Parliament<sup>9</sup>**

**Daliborka Pejović, MP of DPS:** ... Although as MPs we are the proponents of public functions, still the right to privacy is an inviolable right of every individual anywhere in the world, or more precisely in those states that really accept that as universal rights and a universal standard. In relation to this I really think that daily publishing of the Commission reports, dealing with the conflict of interests in Montenegro, to be the subject of web pages or of the Internet, is really unnecessary...  
...I propose to put here: as an exception, a public official can be a member of the body of one company owned by the state or the local self-government...

**Predrag Bošković, MP of DPS:** ...I think I can be in a bigger conflict of interest with somebody who is in my house, who need not even be an adopted child, or a spouse, or a child, but simply someone I let live with me for some reason and I can be in a bigger conflict of interest than with my own child who lives abroad and has turned 18, because the notion of a child implies also someone who is 65 and has a parent who is 85.

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<sup>6</sup> See footnote 5

<sup>7</sup> See footnote 5

<sup>8</sup> It is interesting that the same proposal was also put forward by SPS in Serbia, so the son of the then President of that party, Marko Milošević, was not obliged to report his property since he did not live in the same household with his father.

<sup>9</sup> See footnote 5

All the MPs who spoke on that issue claimed they would vote in favor of law adoption, because of the public pressure, although they were aware that after all changes made during the parliamentary session itself, the implementation of the law will not be possible<sup>10</sup>.

#### **Members of the Parliament voting because of public pressure<sup>11</sup>**

**Miodrag Iličković, MP of SDP:** ...I will immediately make known my view, I will vote in favor of this law, fearing that I would be misunderstood, that by voting against I would prevent the idea the law embodies. I personally think that the law does not resolve sufficiently well or does not elaborate precisely enough the three basic institutes: the public function, the public interest and the conflict of interests...

**Ivan Brajović, MP of SDP:** ...I wish to say that I am sure that almost all of us will vote in favor of it and support this proposed law. Now see which level we have reached if, in this story, when we speak about the Law on Conflict of Interest, we think that such is the media pressure on the MPs that we must adopt this law...

**Ljubica (Beba) Džaković, MP of DPS:** ...I say I will vote this law out of party discipline, otherwise I would not personally vote for it because I do not see in it any possibility for implementation. I would not even call it like this, I would call it – needs must when the devil drives...

... That is why I say, this is needs must when the devil drives. I propose to you to understand this law as this, and I am sure you will not implement it, for it is impossible to be as moral as that. I ask myself the question, believe me that I am exactly as a sheep considering the extent to which I am moral, and frequently I ask myself – now what is this, am I normal or am I mad, why do I work this much.

**The Law was adopted on 21 April 2004 and 38 MPs voted in favor of it, one abstained from voting, and none of the MPs voted against adoption of the Law.**

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<sup>10</sup> More detailed information is given in the box

<sup>11</sup> See footnote 5

## 1.2. President returns the law

The President of Montenegro, Filip Vujanović refused to sign the law, which is the Constitutional condition for its coming into force, and returned it to the Parliament for repeated consideration.

He assessed that making it possible for public officials to be members of the management board of a company, owned by the state or the local government, is contrary to the provision which defines the conflict of a private and the public interest.

This is the seventh law, which the President refused to sign after the introduction of the multi-party system into Montenegro and the only not related to electoral system.

President	Year	Law	Note
Momir Bulatović	1997	1. Law on Electoral Register	The mandate of President Bulatović was expiring in 1997
		2. Law on Public Informing	
		3. Amendments to the Law on the Election of the President of the Republic	
Milo Đukanović	2002	4. Law on Election of Councilmen and Representatives	Ruling parties do not have majority in Parliament
		5. Law on Public Informing	
		6. Law on Presentation of Submitters of Electoral Lists	
Filip Vujanović	2004	7. Law on Conflict of Interest	Ruling parties have absolute majority in Parliament

### Letter of the President of Montenegro, Filip Vujanović to the President of the Parliament

Based on Article 89 paragraph 2 of the Constitution of the Republic of Montenegro, I forward to the Parliament for repeated decision making the Law on Conflict of Interest which was adopted at the second session of the first regular sitting of the Parliament of the Republic of Montenegro on 21 April 2004.

The following are the reasons for which I deem that a repeated considering of the law is necessary:

Provision of Art. 15 paragraph 1 of this law prescribes that a public official cannot be a member of a company, except for a shareholders assembly. Provision of paragraph 2 of the same Article prescribes that a public official can exceptionally be a member of the body of one company owned by the state or the local government. I deem that provision of paragraph 2 of Article 15 of this law is in direct conflict with the provision of Art. 18 of the same law which prescribes that a public official can be a member of non-government organizations and other legal entities which perform scientific, humanitarian, cultural sport and similar activities, with the condition that they receive compensation only for travel and other similar expenses.

I believe that this condition is in compliance with the essence of the institute of avoidance of conflict, of public and private interest which is prescribed by provision from Art. 1 of this Law. By not prescribing the same condition in the provision of paragraph 2 Art. 15 of the same law these two legal provisions come into conflict with each other. The disputed provision is in conflict with the provision of Art. 1 of the law for the quoted reason.

Therefore I deem a repeated decision making on the law is necessary.

### 1.3. Better to have a bad law...

Since the President refused to sign the Law on Conflict of Interest - based on an internal contradiction between articles of the Law - the Parliament was obliged by the Constitution to re-consider the law, and if it was adopted again, the President would be obliged to sign and promulgate the law.

There existed two different interpretations regarding the returned law. One opinion stated that it was possible to amend the legal text to remove the internal contradictions described by the President. A second explanation was that due to Constitutional procedures, the Parliament was not able to amend the law, but simply to vote again on entire text of the previously adopted law.

When the law was returned to the Parliament, based on the first opinion, 25 new amendments to the Law were accepted, but then the Parliament took the view that a decision was to be made on the entire law and the amendments could not be submitted.

#### **Confusion in the Parliament regarding the correct procedure<sup>12</sup>**

**Ranko Krivokapić, President of the Parliament and an MP of the ruling Social-Democratic Party (SDP):** In accordance with his constitutional authorities the President of the Republic did not promulgate this law, but in compliance with the authorization from Article 89 paragraph 2 of the Constitution of the Republic, he requested the Parliament to make a new decision on the Law, indicating reasons for this...

... I wish to remind that after that some MPs, the MP Krsto Pavicevic, put forward 23 amendments and MPs Predrag Sekulić and Rajko Kovačević one amendment...

...Repeated decision making of the Parliament means that the Parliament must make a decision on the entire Law, with the MPs either accepting it and making it sustainable and valid, or refusing it on the whole. The amendment procedure was not possible for this would create a new text of the law, which would make it impossible to the President of the Republic to return the Law which would actually be a changed Law with the acceptance of the amendments procedure...

**Krsto Pavićević, MP of the Civic Party:** ...Then we should not have put forward amendments, i.e. we should not have been allowed even to put forward amendments ...

**Ranko Krivokapić:** The mistake is that we are encountering such a case for the first time. We had to find a criteria...

**On 16 June 2004 MPs confirmed the adoption of the Law on Conflict of Interest, which made it possible to the public officials to remain in one management board, with the explanation that it is better to have a bad law, than no law at all<sup>13</sup>.**

**The Law on Conflict of Interest came into force on 30 June 2004.**

<sup>12</sup> Excerpts from the notes of the Third session of the first regular sitting of the Parliament of RoM, from 16 June 2004.

<sup>13</sup> 38 MPs voted, 28 for, 4 against and 6 abstentions

#### 1.4. Obstructing a better law

Ironically, at very same the session of the Parliament on 16 June 2004, at which the Law on Conflict of Interest was adopted, the Parliament formed a working group to make a better law.

##### **Members of the Parliament on establishment of the working group**

**Miodrag Vuković MP of the ruling Democratic Party of Socialist:** We will immediately form a working group of the Parliament of the Republic of Montenegro, which will consult all the international and domestic experts who are interested in making this law as good as possible and certainly of better quality than as it was adopted and as we propose it to be confirmed in this parliament, in order to obtain a good quality law through the procedure of amendments to the existing law... It is better for us to have the Law and for that Law to last as long as we are organized and organized well to make as soon as possible good quality amendments to that law or to make a new law which will replace this law, and this means I shall not say in the following few days, but I must not say nor dare say in the following few months, we must not allow ourselves this."

**Krsto Pavićević MP of the Civic Party:** ...Regarding the proposal to establish a commission to work on this law i.e. amendments to this law, with one suggestion, and that is to set a time limit for the work of that commission, i.e. to know the deadline by which that commission must finish work, in order to avoid the situation in which the commission works too long, and the law again stays in the Parliamentary procedure for a long time...

The working group held the first meeting in October 2004, and during eight months work the President of the working group, Krsto Pavićević complained publicly several times of obstructions he faced. The problems culminated in refusal of the legal service of the Parliament to provide the obligatory expert assistance to the working group in the development of the final version of the law.

In October 2005 the working group submitted the Draft Law to the Parliament which waited for eight months after that to be included into the Parliament agenda, so at the beginning of July 2005 MANS sent an open letter to the President of the Parliament.

##### **Excerpt from MANS open letter to the President of the Parliament on July 4th 2006**

We are surprised that, as the President of the Parliament and the President of the party which after proclamation of independence of Montenegro proclaimed the fight against corruption its priority, you are still refusing to include the new Law on Conflict of Interest into the Parliament agenda...

...Deeming that the valid Law is so bad that it cannot be harmonized with the European standards through amendments, despite numerous obstructions, the working group developed an entirely new Draft Law on Conflict of Interest in performance of public functions as early as in October 2005.

Since October 2005 the new Law on Conflict of Interest has been gathering dust in your drawer.

Your persistent refusal to include the new Law into the Parliament agenda makes it possible to public officials to put their private interest before the public one, while the functions of the State and its institutions thus lose sense...

...Apart from mere rhetoric, we expect concrete actions and ask you as the President of the Parliament to include through an urgent procedure the Law into the Parliamentary proceedings.



After the publishing of our open letter the President of the Parliament included the Draft Law on Conflict of Interest into the agenda of the first following session.

The President of the Parliament used his discretionary powers to actively obstruct discussion on the Law. Firstly, in the middle of the regular session at which the the Draft law was to be discussed the President scheduled a new extraordinary session of the Parliament to start on 27th of July. Secondly, just before the scheduled debate of the Law, on Thursday 26th, the President changed the agenda of the ongoing, regular session, demoting the law to the last item of the agenda.

According to the Rules of Procedure, the regular sessions have to be completed by July 31<sup>st</sup>, only two working days remained for a new, extraordinary session.

Since the President of the Parliament did not determine when the interrupted regular session was to be continued, whether and when the debate of the Draft Law on Conflict of Interest would be held, he effectively reduced to a minimum the possibility of the Parliament deciding on the law.

On July 27<sup>th</sup> 2006, MANS again addressed the President of the Parliament by an open letter, asking him to provide adequate time for the MPs to declare themselves on the new Draft Law.

#### **Excerpt from the open letter to the President of the Parliament from July 27<sup>th</sup> 2006**

Hereby we are expressing a strong protest because of the obvious intention to avoid the adoption of the new Law on Conflict of Interest in performance of public functions.

We are addressing you as the President of the Parliament who used his discretionary right by scheduling during one regular session a second, also regular session of the Parliament, and did so precisely before the debate on the new Law on Conflict of Interest in performance of public functions.

By a unilateral decision you interrupted the current regular session with another "regular" session, without fulfilling the obligation to determine whether and when the first one was to be continued, knowing that according to the Rules of Procedure, the Parliament ends the sessions at the end of July.

After that, you used again the discretionary authorization and by a unilateral decision changed the agenda of the current session, so that the MPs discussed elections and appointments, as the last item of the agenda, while the debate on the Law was left for the very end of the session.

As the regular sessions of the Parliament have to end by the end of the month, and it is not known how long the second "regular" session will last, everything obviously points to the intention to avoid the declaring of MPs on the new Law and to postpone its adoption by several months....

...Indisputably, the new Draft Law represents an incomparably better base for struggle against corruption, than the existing one. It abolishes numerous benefits the public officials currently enjoy, which can lead to putting of the private interest before the public one, while the new structure of the Commission for Determining the Conflict of Interest should provide bigger independence in decision making, and the penal provisions finally bring mechanisms to provide for implementation of the law.

As such, the new Law obtained a very positive assessment from the Council of Europe, and the importance of its adoption was stressed also in the documents of the European Commission.

It is impossible not to notice the drastic difference between your rethoric and practice, for while you are stressing the struggle against corruption as a priority, at the same time by using discretionary authorizations you actively sabotage the adoption of one of the main anti-corruption laws.

The least we expect you to do according to the obligations you have by the Rules of Procedure, is to schedule the continuation of the meeting and to make sure that the MPs give their opinion on the new Draft Law on Prevention of Conflict of Interest in the performance of public functions.

On the last working day, July 31<sup>st</sup> 2006, having failed to obstruct the discussion on the new and substantially improved Law, the Parliament voted. After eight months of redrafting the law and eight more months waiting to be discussed, parliamentarians claimed that the Law was not in compliance with the Constitution and both the MPs from the ruling and from the opposition parties refused to adopt the law.

#### **Obstructions and excuses<sup>14</sup>**

**Krsto Pavićević, MP from Civic Party and president of the Working Group drafting the new Law:** ...A multi-party working group was formed which worked for quite a long time, had obstructions in its work and in the end finished this draft law. It entered the proceedings in November last year. Here it is being debated today... I will try during these ten minutes to quote a few novelties this draft law offers, which apart from me were submitted to the Parliament also by Predrag Sekulić on behalf of Democratic Party of Socialists, Mr Džavid Šabović on behalf of Social-Democratic Party and Mr Ferhat Dinoša on behalf of the Club of Albanian Parties...

By this law the notion of a public official is defined more widely than before. According to this law a public official cannot perform two public functions. Also, a public official cannot be engaged in a state or a private company, any part of it, if that company does work with the public authorities, whether at the level of the republic or the local level, which is a new thing...Regarding the public officials, they cannot enter any kind of contract, not even as advisors of public or private companies, nor can they conclude any contracts on personal services with the public companies and those companies that do business with the public authorities...

... As for the other measures those are penal measures pronounced by the Commission – warning, fine, the proposal for acquittal and the ban of nomination for a public function for a period of 4 years.

It is very probable that this legal text has not been polished, here I agree with you, for the legal service of the Parliament in some way refused to consider this legal text to the last, although it was obliged to do so. Even the person who was delegated by the President of the Parliament to help us, who worked in this working group, in the end did not want to help us with the formulation of particular Articles.

**Dragan Šoć, MP of the opposition party, the People's Party:** We cannot support this law because it so obviously violates the Constitution of Montenegro that we simply cannot overlook that...Article 24 constitutes immunity for Commission members. I remind you that immunity is constituted by the Constitution and that it cannot be extended beyond the Constitution. Even the Court cannot ban to anyone to be nominated for an MP, not even the Court. It is a right constituted by the Constitution, and you want to give the right to a Commission to say – you cannot be a candidate.

**Miodrag Vuković, MP of ruling Democratic Party of Socialists (DPS):** When we voted for this Draft Law to enter the agenda, we in the club of DPS were aware of the fact that it was not possible to implement the law. In the meantime, the public reacted, the non-government organizations reacted, criticizing without reason the allegedly speculative policy of DPS to postpone the debate on this law. No, we were delaying the debate on this law in order to possibly eliminate its legal deficiencies or to eliminate what was contrary to the legal order, and which prevents one good idea - to come out of an insufficiently good law, which we now have, and to reach a better law.

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<sup>14</sup> Excerpt from the notes of the Third session of the first regular sitting of the Parliament from June 16th 2006

## **Media reporting on cross-party consensus to obstruct the law**

Excerpt from an Article from the weekly "Monitor", from 4 August 2006

The need for as rapid as possible inclusion of Montenegro into the processes of European-Atlantic integrations is one, if not the only, issue on which the local political elite could reach a wide consensus. When the time comes for this. This is something the party leaders and their spokespersons are every day convincing us to believe.

In real life things are different: when they are to defend their own privileges Montenegrin politicians do not have a problem to overcome the ideological differences and personal animosities.

This has been shown also by this week's debate on the Draft Law on Conflict of Interest in performance of public functions, conducted in the Parliament of Montenegro. Through a synchronized and efficient action of the parliamentary majority consisting of the MPs of the ruling and the opposition parties the offered proposal was rejected. Ones were against, the second ones abstained, the third ones were not in the hall when one of the most important anti-corruption laws was voted on. Anyway, only 12 MPs voted in favor and the existing Law on Conflict of Interest remains in force.

\* \* \*

The Draft Law is bad and it is contrary to the Constitution, claimed Miodrag Vuković and Dragan Šoć. The opposition and the authorities, united, state – it is unconstitutional to punish the state officials who do not respect the law; members of the Commission for Prevention of Conflict of Interest cannot have immunity and the salary equal to that of MPs (not a word of the fact that MPs on the Boards of Directors earn several salaries, and that the representatives of Montenegrin legislative and executive authorities practically cannot lose immunity, MP Šoć and Minister Pavličić<sup>15</sup> being witnesses to this); the state officials cannot be limited the possibility to receive presents and formal questioning of the propriety registered to the members of their immediate and extended family.

Excerpt from an Article from daily "Vijesti", August 3<sup>rd</sup> 2006

Still, no matter whether the objections of MPs to particular allegedly unconstitutional provisions are in place, the question remains why MPs, in particular those from DPS, whose representative worked on the law, waited for two years to say at the plenary why the law was not good.

Šoć responded as follows to the question why he did not earlier react to such a text, with regard to the fact that it had been worked on it for two years: "I received the text just as I receive all the other materials, but I do not know that someone of ours worked on that text. If it were not for that provision, I would have supported everything else."

Vuković designated Krsto Pavićević as the direct culprit for „such a state“ of the draft law, for he did not want to accept any suggestions. "During ten days I suggested to Krsto that we should change something and I told him that the law was disastrous....I talked to him in the hallways. I told him he had to review the suggestions and correct something. But he stuck to the motto that the Council of Europe supports and gives its consent to the law" Vuković said.

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<sup>15</sup> The Supreme State Prosecutor submitted to the Parliament a request to remove immunity to the MP Šoć and Minister Pavličić because of doubts that they have committed criminal acts of abuse of the official position, but the Parliament did not remove their immunity.

