



**INTER-PARLIAMENTARY UNION AND
THE NATIONAL ASSEMBLY OF THE REPUBLIC OF SERBIA
– 125 YEARS OF COOPERATION –**



National Assembly of the Republic of Serbia

Introduction by the Speaker of the National Assembly

This year we are marking the 125th anniversary of Serbia's membership in the Inter-Parliamentary Union. Generations of outstanding Serbian and Yugoslav MP's worked hard and advocated the proclaimed principles and goals of the Inter-Parliamentary Union, including peace, cooperation among nations, building representative institutions, all of this through the broadest and most comprehensive parliamentary dialogue. These goals have, through the efforts of the Parliament and MP's, been integrated into the political being of our country. With equal commitment, we continue to defend and promote these goals in our daily work.

The highly set goals, such as peace, cooperation, dialogue, the law and security have been built into the foundations of the existence and work of the Inter-Parliamentary Union since its establishment in 1889. The Union enjoys full international legality, credibility and political capacity, with 170 full members through their respective parliaments and 11 associated members, different international parliamentary bodies, who are active actors of contemporary international relations. With such a world-wide coverage, character and political capacity in the international parliamentary dimension, the Inter-Parliamentary Union can rightly be seen as the Parliamentary United Nations.

The Republic of Serbia is, by its constitutional and legal structure, a parliamentary democracy with division of power, with the leading role of the legislative power and Parliament. The National Assembly is the foundation and the guarantor of the democratic and legal structure and functioning of the state. Our country is undergoing pre-accession negotiations with the European Union in order to become a member thereof. This implies building of democratic institutions, legal state, and a political system based on rule of law and respect of human rights. The EU integration process implies the acceptance, integration, and implementation of the EU *acquis communautaire*, which can be achieved in terms of quality and quantity only through achieving standards of democratic societies, rule of law and democratic institutions. All of these are also the strategic goals of the Republic of Serbia for the forthcoming period.



The National Assembly Speaker, Maja Gojković

In achieving these strategic goals the Inter-Parliamentary Union, with its principles and instruments, can and should have an important role and function in line with its strategic goals and activities. This is exactly what the Republic of Serbia and its Parliament recognize as the relevant and unavoidable part of their future cooperation with the Union. The future role of the Inter-Parliamentary Union in terms of its cooperation with the Republic of Serbia and its National Assembly should be defined in three key aspects: **preservation of peace, stability and constructive cooperation generally at all levels; promotion, integration and application of the democratic principles and standards and building of democratic institutions and state based on rule of law in Serbia; full and meaningful implementation of parliamentary diplomacy and affirmation of the Parliament in international relations.** I wish especially to emphasize the relevance of parliamentary diplomacy, the key actor of which is the Inter-Parliamentary Union, since it is at present very much in focus not only as a legal discipline and practice, but also as an institutionally accepted, standardized and integrated mechanism for communication and action in international law and international relations as a whole.

The National Assembly shall continue in the forthcoming period to invest great commitment towards the common goals promoted by the Inter-Parliamentary Union and towards enhanced cooperation with the organization itself and its members.

Inter-Parliamentary Union and the history of cooperation with the Republic of Serbia

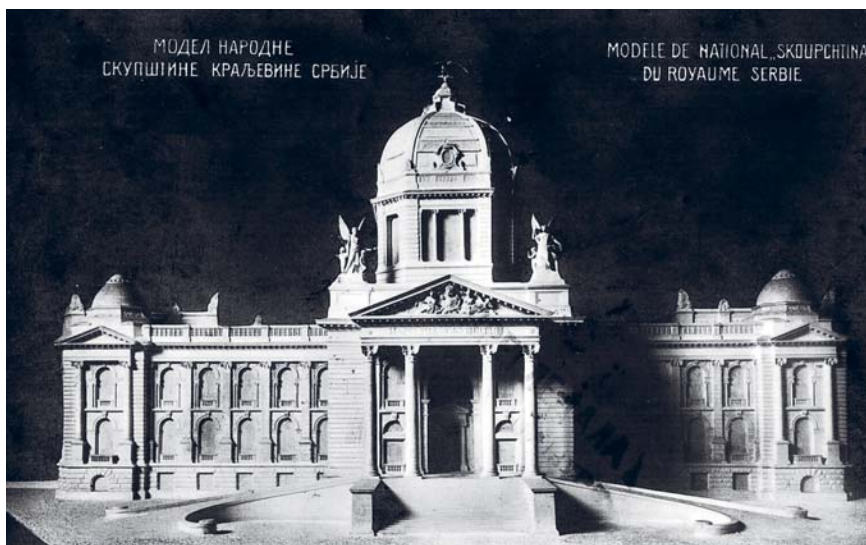
1. The history of relations between the Inter-Parliamentary Union and the Republic of Serbia

Official cooperation between the Union and Serbia as a sovereign state and an entity having international legal capacity started exactly **125 years ago** and has persisted uninterrupted until the present time under different international circumstances, which did not influence or question either the form or the content of this cooperation.

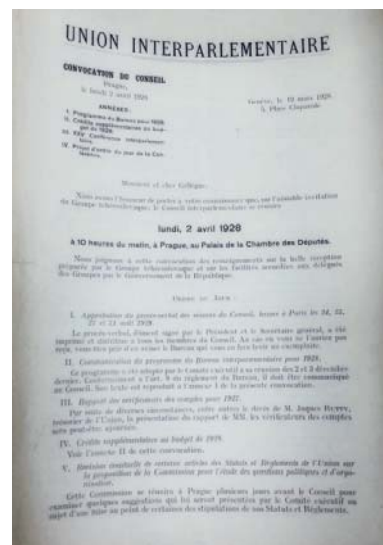
Already at the Third Regular Conference of the newly

founded Inter-Parliamentary Union, held in Rome in 1891, the Kingdom of Serbia (at the time led by the Obrenović Dynasty) officially participated in the work of IPU as a young state still not affirmed internationally. This gave rise to the interest of Serbia to become involved in international activities, which was compounded by the need for international affirmation and dispersion of foreign policy relations after the Berlin Congress and recognition. The Kingdom of Serbia at that time recognized the Inter-Parliamentary Union as an opportunity to achieve its statehood and national foreign policy goals and decided to get actively involved in the work of the Inter-Parliamentary Union and thus formalize cooperation with it.

After the Great War, the Kingdom of Serbs, Croats, and Slovenes in 1928 formalized its cooperation with the Inter-Parliamentary Union based on continuity of relations that the Kingdom of Serbia established with the IPU



The National Assembly of the Kingdom of Serbia



The Program of the IPU Conference in Prague, 1928

since 1891. The decision was made on the basis of assessment of the Royal Government and the Karađorđević Dynasty of the need for the state to play a more active role at the international level, due to the situation of relations with its neighbors and the danger of these relations to change to the detriment of the Kingdom.

Besides joining the Inter-Parliamentary Union, the very same year the Kingdom of SCS acceded to the famous Kellogg–Briand Pact, which put an end to using war and guaranteed borders, and which was also supported by the Inter-Parliamentary Union as it was working along its proclaimed goals. By this approach, the Kingdom SCS joined the Inter-Parliamentary Union in a manner which involved also the strategy of support to the idea of European Union which was promoted by certain political circles in Europe, headed by the French Minister of Foreign Affairs, Aristide Briand. In this context, the Inter-Parliamentary Union at the Conference in London in 1930 opened the debate on the European Union and proposed a scheme which was supported by the Kingdom of Yugoslavia, but was not supported by the majority, so the idea was not institutionalized. In this case, the Kingdom of Yugoslavia already at that time supported the idea of the European Union and acted along the same lines in this respect as the Inter-Parliamentary Union.

In the period until the World War Two the Kingdom of Yugoslavia regularly took part in the work of the Inter-Parliamentary Union and supported the majority efforts for peace and disarmament, having in mind the overall negative development of international relations on the one side and the proclaimed goals of the Union on the other.

After World War Two the new Yugoslavia continued to participate in the work of the Inter-Parliamentary Union



The Presidency of the Inter-Parliamentary Union at Avala, October 1938 (BMS)



Count Carton De Wiart, President of the Inter-Parliamentary Union, speaking at the National Assembly in Belgrade, 1 October 1938 (BMS)

as soon as it was resumed in 1947 in Cairo. Yugoslavia was especially active in the period before and after the creation of the Non-Alignment Movement in Belgrade in 1961, as a very influential actor globally in international relations, which affected its relevance in the Union and its relations with the Union. This was best demonstrated at the 51st Conference of the Inter-Parliamentary Union, held in Brasilia in October 1962, at the time of the well-known „Cuba crisis“, when the two super-powers, the USA and the USSR, were on the brink of war. After a long debate, the Yugoslav delegate to the Union, Mladen Iveković, said:

„I will not read my prepared speech. The war can at any moment interrupt our discussion under the agenda. We must make a serious and unanimous effort to save peace“.

after which he proposed to the Conference to send an appeal to the Governments of the USA and USSR, which was actually done and which showed effects already during the Conference as Khrushchev and Kennedy in direct communication prevented the escalation of the crisis.



52nd Conference of IPU in Belgrade, the Central Hall

Having such international influence, Yugoslavia was the host of the regular 52nd Annual Conference of the Inter-Parliamentary Union, which was held in Belgrade in the spirit of the new opening up of relations between the super-powers, for which this Conference is remembered.

The adopted documents of the Belgrade Conference reaffirmed the significance of preserving peace, safeguarding nature and exploiting resources for peace purposes as well as continued efforts to contribute to disarmament, support development and fight discrimination.

After this, the relations continued to develop depending on the changes that Yugoslavia was facing at the end of 1980's and 1990's. The Inter-Parliamentary Union had an active approach to events which happened in the territory of former Yugoslavia and maintained contacts with its Assembly. In this respect it kept an eye on the developments in former Yugoslavia, which is confirmed by resolutions which it adopted attempting to influence the situation and support the processes in line with the goals of the organization.

Through such an approach and political position, the

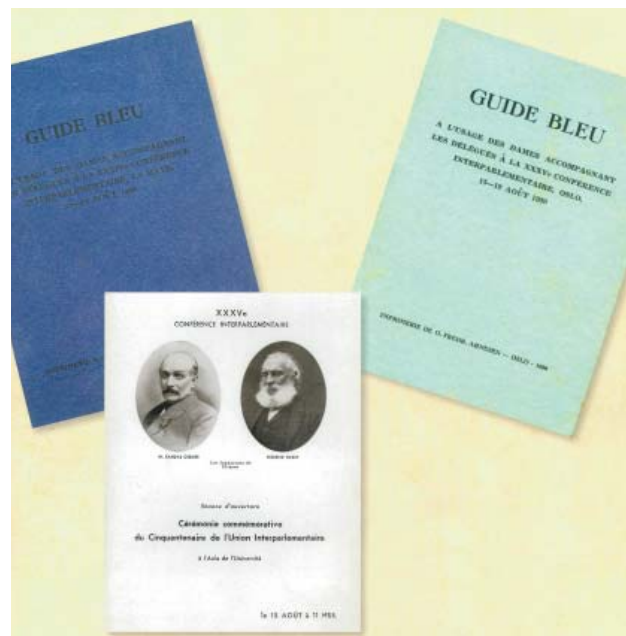


52nd Conference of IPU in Belgrade

Inter-Parliamentary Union confirmed its commitment to the principles and the rule of international law and political impartiality, which was at the bottom of its approach throughout the period of conflict in the territory of former Yugoslavia during the 1990's.

2. The current state of relations between the Inter-Parliamentary Union and the Republic of Serbia

Presently, the Republic of Serbia is a full member of the Inter-Parliamentary Union. This status results from the international statehood continuity of the Republic of Serbia with the Kingdom of Serbia, which established these relations since 1891, and afterwards with the Kingdom of Serbs, Croats, and Slovenes, which formalized this cooperation with the Inter-Parliamentary Union in 1928, followed by the Kingdom of Yugoslavia, and afterwards the DFY, FNTY, SFRY, SRY and, finally the State Union Serbia and Montenegro, which makes up the history of **125 years of cooperation and the non-contentious status of full member** in line with the above mentioned international legal state continuity. The status of full member of the Union in the context of changes of the state and developments through the years resulted in the continuity of cooperation and membership of the initial Kingdom of Serbia until the present-day Republic of Serbia, which was never interrupted nor in other way changed. The same is true of the period when international sanctions were imposed against the Federal Republic of Yugoslavia during the 1990's. Thus, the Inter-Parliamentary Union never questioned the status of the Federal Republic of Yugoslavia nor did it establish special forms of status, as was the case with the OUN and „the empty seat“.



3. Participation of the Republic of Serbia in the work of the Inter-Parliamentary Union

The National Assembly of the Republic of Serbia regularly participates in the work of the Inter-Parliamentary

Union and its working bodies. The Secretary General of the National Assembly participates in the work of IPU Association of Secretaries General of Parliaments. The National Assembly participates in the work of the IPU through its standing delegation registered with the Union.



128th session of IPU, Ecuador, 2013

The composition of the delegation of the National Assembly of the Republic of Serbia in its current convocation consists of:



Maja Gojković
head Delegate, National Assembly Speaker



Jelena Mijatović
member of delegation



Dr Snežana Bogosavljević Bošković, Ph.D.
member of delegation,



Milorad Mijatović
member of delegation



Mira Petrović
member of delegation



Mladen Grujić
member of delegation



Bojan Pajić
member of delegation



Dr Sanda Rašković Ivić
member of delegation

The current composition of the delegation of the National Assembly fully reflects the intentions and norms of the Inter-Parliamentary Union which include, among others, gender equality and equal gender representation, and the Serbian delegation of eight members has as many as five women MP's.

The National Assembly is fully committed to the goals of the Inter-Parliamentary Union as defined in its Statute and other documents and in this context plans and

coordinates its participation in its work. This implies primarily the promotion of peace and active international cooperation, promotion of democracy and democratic institutions, rule of law and state based on rule of law. In this respect, the efforts of the Inter-Parliamentary Union, its resolutions and other activities, norms and principles of international law and their respect play a key role in the efforts of the delegation of the National Assembly of the Republic of Serbia.

The Inter-Parliamentary Union and its significance

1. What is the Inter-Parliamentary Union

The Inter-Parliamentary Union, as an international organization, is the first ever multilateral inter-parliamentary political-diplomatic mechanism, established already in the 19th century under specific international circumstances and, as such, has been a political-legal and functional international response to the challenges of that time as well as the times that were to come, until the present. Thus, the first definition after its establishment in 1889 presented the Inter-Parliamentary Union as the „**Inter-Parliamentary Conference for International Arbitration**”, starting at that time from the key goal and motivation of its foundation which resulted from the need for **peace and stability** in international relations with the implementation of law and diplomatic cooperation mechanisms.

Currently the Inter-Parliamentary Union can most generally be defined as **international organization of par-**

liaments of sovereign states which act along generally accepted legal-organizational rules and principles of international legal order with the objectives to: protect and promote peace; develop broad inter-parliamentary cooperation; discuss relevant international current and strategically important issues; protect and promote human rights; promote and enable the development of democratic institutions and parliamentary democracy; develop dialogue and parliamentary diplomacy as a function of achieving particular and common generally accepted goals; enable closer contacts, exchange of experiences and coordination among parliamentarians and parliaments of different countries to achieve global and individual strategic objectives, all of this on the basis of principles of rule of law, democracy and democratic institutions.

Currently, in its official documents and at international gatherings, the Union is defined in a more simple and functional manner as the „first permanent inter-parliamentary forum for political multilateral negotiations and a center of dialogue and parliamentary diplomacy among legislators representing different political systems and all political options present world-wide, thus forming a platform representing globally present political positions”.



Inter-Parliamentary Union

For democracy. For everyone.

2. The creation of the Inter-Parliamentary Union

The Inter-Parliamentary Union was created under specific international circumstances which required the establishment of a legal-political and diplomatic mechanism in order to preserve peace and cooperation as the basis for overall international relations. Namely, already in the 18th century state interests caused frequent wars aimed at preventing one dominant power and the renewal of a European empire, resulting in a policy of balance of power until the end of the 19th century.

A part of intellectual and political establishment of that time strived to act and become engaged in this direction recognizing the importance of peace and understanding the need to preserve it and continually support and maintain it by relevant instruments. Such a situation during the years 1887 and 1888 preceded the establishment of the Inter-Parliamentary Union in 1889, on the occasion of 100 years of the French revolution. Especially active

among these structures and intellectuals were the French MP **Frédéric Passy** and the British MP **William Randal Cremer**. In France, Passy led the French Society for Arbitration among Nations, which he merged with the society "Peace through Law" and contributed significantly to establishing the Institute of International Law in France at the time. Cremer was an active union leader, advocating especially resolution of international disputes by peaceful means and by means of law.

Thus, under such circumstances and thanks to the enthusiasm of MP's Passy and Cremer, **at the Conference held on 29 June 1889 in the Paris hotel „Continental“, the Inter-Parliamentary Union was established**, with the participation of 95 MP's from France, United Kingdom, Italy, Belgium, Spain, Hungary, Denmark, the USA, and Liberia, ensuring the international foundations of the conference and its legal-political character in line with international law. The Inter-Parliamentary Union was officially named by the Conference the „Parliamentary Arbitration Conference“.



William Randal Cremer
(1828 - 1908)

As a sign of contribution to peace, founders of the Inter-Parliamentary Union, Frédéric Passy (1901) and William Randal Cremer (1903) were awarded the Nobel Prize.



Frédéric Passy
(1822 - 1912)



3. The role and significance of the Inter-Parliamentary Union

The key goals of the Inter-Parliamentary Union include peace, cooperation among nations and building of representative institutions, through the most comprehensive parliamentary dialogue (Article 2 of the Statute).

The role and significance of the Inter-Parliamentary Union in contemporary international relations reflect its

proclaimed goals, the numerous membership, cooperation with the most significant actors globally, contribution to international law and international relations through promotion and building of democratic and legal principles and standards. This is specifically demonstrated, in line with the Statute of the IPU, in the goals and objectives of its activities: **representative democracy, international peace and security, sustainable development, human rights and human rights law, women in politics, education, science and culture.**

4. Contribution of the Inter-Parliamentary Union to international law

Starting from the fact that the Inter-Parliamentary Union is an organization of parliaments in charge of legislative power and that its purpose is the promotion of law, the contribution of the IPU to international law is self-explanatory. Below we will mention the crucial contributions of the Inter-Parliamentary Union to the international legal order.

a) The International Court of Justice

Founded as an Arbitration Conference, the Inter-Parliamentary Union already at the Hague Conference in 1894, continued its efforts to affirm and institutionalize arbitration as a mechanisms for dispute resolution by peaceful means by activities which led to the First Arbitration Conference in the Hague in 1899, attended by 26 countries, and the founding of the Permanent Court of Arbitration. The Second Arbitration Conference was held in the Hague in 1908, at which time the Permanent Court of International Justice was founded, to which the IPU made a significant contribution. The statement by the Dutch representative Samuel van Houten at the Conference was very illustrative:

„Arbitration, arbitration, and again arbitration must now be our slogan. No need to add peace. Increase the use of arbitration in decision-making on disputes and you will win the space against the use of force“ (from the documents of IPU, Conference 1894).

b) Declaration on criteria for free and fair elections

Unanimously adopted by the IP Council at its 154th session in Paris on 26 March 1994, this Declaration is the key document which is the basis of the overall strategy of the Inter-Parliamentary Union in promoting the principles of democracy and democratic institutions, and the key principle is:

„In any State the authority of the government can only derive from the will of the people as expressed in genuine, free and fair elections held at regular intervals on the basis of universal, equal and secret suffrage.“



The International Court of Justice in the Hague



This principle continues to this day to be the universal legal-political criterion for the legality and legitimacy of any democratic government and the underlying criterion for the functioning of democracy and democratic institutions. Thus the Declaration mandates states by recalling international law and ordering them:

„States should take the necessary legislative steps and other measures, in accordance with their constitutional processes, to guarantee the rights and institutional framework for periodic and genuine, free and fair elections, in accordance with their obligations under international law.“

This principle, in view of its universal nature and function, can be perceived as the unavoidable principle of international law and legal order in the field of functioning of democratic institutions and verification of the existence of democratic states and rule of law. The nature and the global coverage of the Inter-Parliamentary Union, the number of its membership, and the universality of set and achieved goals in the long tradition of political work of the organization guarantee this.

v) The Universal Declaration on Democracy

Adopted by acclamation by the Inter-Parliamentary Council at its 61st session held in Cairo on 16 September 1997, this Declaration is the basis for establishment and promotion of democracy and democratic institutions and it relies on the principles which the Inter-Parliamentary Union promotes through its goals. This is underlined in the recitals to the Declaration by the IP Council, as the managing body of the Union: „Reaffirming the Inter-Parliamentary Union’s commitment to peace and development and convinced that the strengthening of the democratization process and representative institutions will greatly contribute to attaining this goal“, adopted the Declaration with all the rights and obligations resulting from it. The Declaration also states: **„Democracy is founded on the primacy of the law and the exercise of human rights.“** To make it completely clear what is the foundation of democracy, the Declaration underlines:

„The key element in the exercise of democracy is the holding of free and fair elections at regular intervals enabling the people’s will to be expressed.“

5. Contribution of the Inter-Parliamentary Union to international relations

a) The Inter-Parliamentary Union Conferences on European Cooperation and Security (1973–1991)

The Inter-Parliamentary Union has held a total of seven Conferences on European Cooperation and Security, the proceedings of which were the basis for international and political, diplomatic, procedural and other steps, best implemented in the process of CSCE/OSCE and other similar processes in contemporary international relations. Thus, the Inter-Parliamentary Union formally opened up the process which was subsequently verified at international level as CSCE, or OSCE, currently a key transatlantic forum for issues of security and stability. To illustrate this, the proceedings of all seven conferences emphasize the relevance of implementing the principles of international law:

„Principles of sovereignty, inviolability of frontiers, territorial integrity and independence, and the right to equal participation in international relations;

- **The right of all nations freely to select their social and political system, without any kind of interference;**
- **The obligation of all states not to use force and**

refrain from it, and to resolve their conflicts by peaceful means and to adequately respect obligations resulting from international law.“

The term „*détente*“ was for the first time used in the official document of the First Conference of the Inter-Parliamentary Union on Cooperation and Security in Europe, whereby this diplomatic term was verified at the international political level as a synonym for the process of easing tensions in the East-West relations.

b) The Parliamentary Assembly of the Mediterranean

Article 2, paragraph 2, of the Statute of the Parliamentary Assembly of the Mediterranean states: **„The Assembly builds on the pioneering work carried out by the Inter-Parliamentary Union (IPU) through its process of the Conference on Security and Cooperation in the Mediterranean (CSCM)“**. Namely, already at the Third Conference of the Inter-Parliamentary Union on Cooperation and Security in Europe, in the part dealing with economic issues, the Conference integrated the „Mediterranean dimension“.

The Parliamentary Assembly of the Mediterranean in organizational and functional respect acts after the model of the IPU in the fields of activities relevant to the interests and needs of the Mediterranean members states.



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6. The universal contribution of the Inter-Parliamentary Union

Among other, not less relevant contributions made by the Inter-Parliamentary Union to international law and international relations of universal significance, special note should be taken of the following:

- creating and implementing mechanisms for acting by parliaments in processes of reconciliation;
- activities of the Union in the processes of decolonization (support, specific engagement and promotion of the right to self-determination);



President of the Inter-Parliamentary Union, Saber Chowdhury

- the role of the Union in developing and promoting the Millennium Declaration of the OUN;
- contribution to the processes of transition (in South America, Africa, Asia, and Eastern Europe after the fall of the Berlin Wall).
- contribution to the theory and practice of parliamentary diplomacy;
- political-instructive contribution for parliamentary oversight of the security sector.



Secretary General of the Inter-Parliamentary Union, Martin Chungong



National Assembly of the Republic of Serbia



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*Empowered lives.
Resilient nations.*

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