

# Table of contents

<b>1. Introduction: main features and challenges of the political system.....</b>	<b>9</b>
1.1 Delayed development of constitutions and forms of government .....	10
1.2 Ethnocracy as an overall guiding principle .....	16
1.3 Deficiencies of power sharing and the rule of law .....	18
1.4 Summary.....	21
<b>2. The Mechanisms of ethnic power-sharing .....</b>	<b>23</b>
2.1 Historical background.....	23
2.2 Theoretical framework of ethnic power-sharing in multinational states .....	24
2.3 Ethnic conciliatory mechanisms in parliaments of the Western Balkans .....	28
2.3.1 Ethnic composition of state institutions .....	32
2.3.2 Ethnic voting (double majority) during decision-making .....	35
2.3.3 Vital national interest (VNI) procedure in Bosnia and Herzegovina...	37
2.3.4 Western European examples I.: Belgium .....	40
2.3.5 Western European examples II: Switzerland .....	44
2.4 Conclusion.....	46
<b>3. The Legislature .....</b>	<b>47</b>
3.1 Parliamentary electoral systems .....	49
3.1.1 Albania .....	49
3.1.2 Bosnia and Herzegovina.....	51
3.1.3 North Macedonia.....	59
3.1.4 Kosovo .....	60
3.1.5 Montenegro .....	61
3.1.6 Serbia.....	62
3.1.7 Summary .....	64
3.2 Organisation of parliaments .....	64
3.2.1 The speaker and the deputy speakers .....	67
3.2.2 Political groups .....	68
3.2.3 Forums of political coordination .....	70

## Table of contents

3.2.4 The committee system .....	72
3.2.5 Agenda setting.....	75
3.3 Sources of parliamentary law.....	77
3.4 Legal status of representatives.....	82
3.4.1 Free mandate.....	82
3.4.2 Conflicts of interests .....	83
3.4.3 Immunity .....	84
3.4.4 Further rights and obligations of MPs .....	85
3.4.5 Termination of the mandate of a representative .....	87
3.4.6 Disciplinary measures.....	87
3.5 Publicity of parliamentary activities .....	89
3.5.1 Publicity of sessions.....	89
3.5.2 Minutes.....	89
3.5.3 Broadcasts, media.....	90
3.5.4 Publicity of parliamentary documents .....	90
3.5.5 Internet .....	91
3.6 The Legislative Process .....	92
3.6.1 Participation of the public in the law-making process .....	92
3.6.2 The legislative proposal.....	95
3.6.3 The ordinary legislative procedure .....	107
3.6.4 Procedures for amending the constitution .....	126
3.6.5 Urgent (extraordinary) procedures.....	128
3.6.6 Authentic interpretation of laws.....	132
3.6.7 Bottlenecks of the legislative process .....	133
3.7 Parliamentary scrutiny .....	135
3.7.1 Parliamentary scrutiny in general.....	135
3.7.2 Parliamentary questions.....	137
3.7.3 Interpellations.....	142
3.7.4 Votes of confidence and motions of no confidence .....	145
3.7.5 Reports .....	147
3.7.6 Scrutiny in committees.....	148
3.7.7 Committees of inquiry .....	149
<b>4. The Executive .....</b>	<b>153</b>
4.1 The organization and operation of the government and central administration.....	154

4.1.1 Albania .....	154
4.1.2 Bosnia and Herzegovina.....	157
4.1.3 North Macedonia.....	159
4.1.4 Kosovo .....	160
4.1.5 Montenegro.....	161
4.1.6 Serbia.....	163
4.2 Territorial and local levels of public administration and local governments.....	165
4.2.1 Albania .....	165
4.2.2 Bosnia and Herzegovina.....	166
4.2.3 North Macedonia.....	167
4.2.4 Kosovo .....	169
4.2.5 Montenegro.....	170
4.2.6 Serbia.....	171
4.3 The administrative procedure .....	174
4.3.1 Albania .....	174
4.3.2 Bosnia and Herzegovina.....	175
4.3.3 North Macedonia.....	176
4.3.4 Kosovo .....	177
4.3.5 Montenegro.....	177
4.3.6 Serbia.....	178
4.4 The civil service.....	179
4.4.1 Albania .....	179
4.4.2 Bosnia and Herzegovina.....	182
4.4.3 North Macedonia.....	182
4.4.4 Kosovo .....	183
4.4.5 Montenegro.....	184
4.4.6 Serbia.....	184
4.5 The reform of public administration and the effects of European integration .....	185
4.5.1 Albania .....	185
4.5.2 Bosnia and Herzegovina.....	186
4.5.3 North Macedonia.....	187
4.5.4 Kosovo .....	187
4.5.5 Montenegro.....	188
4.5.6 Serbia.....	188

## Table of contents

<b>5. The Judiciary.....</b>	191
5.1 Constitutional adjudication.....	192
5.1.1 Albania .....	192
5.1.2 Bosnia and Herzegovina.....	193
5.1.3 Kosovo .....	194
5.1.4 North Macedonia.....	195
5.1.5 Montenegro.....	197
5.1.6 Serbia.....	197
5.1.7 Conclusions.....	198
5.2 The judicial system.....	200
5.2.1 Albania .....	200
5.2.2 Bosnia and Herzegovina.....	203
5.2.3 Kosovo .....	205
5.2.4 North Macedonia.....	206
5.2.5 Montenegro .....	207
5.2.6 Serbia.....	209
5.2.7 Summary .....	211
<b>Literature.....</b>	213