

**The Conclusion on Guidance and Coordination of the Activities of the State Administration  
Bodies in the Process of Implementation of Analytical Review and Assessment of  
Harmonisation of the Regulations of the Republic of Serbia with *Acquis Communautaire* of  
the European Union and their Implementation (Screening)**

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**September 2013**

Pursuant to Article 61 of the Law on State Administration (*Official Gazette of RS*, 79/05, 101/07 and 95/10) and Article 43 paragraph 3 of the Law on Government (*Official Gazette of RS*, 55/05, 71/05 – corrigendum, 101/07, 65/08, 16/11, 68/12 – CC and 72/12), under proposal of the Serbian European Integration Office,

The Government has adopted

## CONCLUSION

1. On guidance and coordination of the activities of the state administration bodies in the process of implementation of an analytical review and assessment of harmonisation of the regulations of the Republic of Serbia with *acquis communautaire* of the European Union and their implementation (hereinafter referred to as: „the Screening“).

2. In accordance with the act of the Government on establishment of the Coordinating Body for the process of accession of the Republic of Serbia to the European Union and the act of the Government on the establishment of the Negotiating Team for accession of the Republic of Serbia to the European Union, the following are to participate in the process of preparing the negotiating positions:

1) Ministries, special organizations and agencies of the Government and other authorities and organizations in accordance with their competences;

2) Negotiating groups for preparation and negotiations on the accession (hereinafter referred to as: “the negotiating groups”);

3) Negotiating Team for accession of the Republic of Serbia to the European Union (hereinafter referred as: “the Negotiating Team”).

3. The negotiating groups shall start the preparation of the documentation for the screening immediately after the Negotiating Team and the Serbian European Integration Office (hereinafter referred to as: „the Office“) provide them with available documents and instructions.

4. The ministries, special organizations and Government services, as well as other authorities or organizations participating in the procedure of preparing the negotiating position within the negotiating group shall submit to the secretary of the negotiating group and to the Office the information on their permanent representatives in the negotiating group.

In accordance with the act of the Government on establishment of the Coordinating Body for the process of accession to the European Union, the president of the negotiating group may invite the representatives of other authorities and organizations who are not members of the

negotiating group to participate in the activities of the negotiating group, depending on the subject examined by the negotiating group.

In addition to their permanent representatives, the ministry, special organization and Government services, namely other authority or organization shall also include other representatives in the activities of the negotiating group, depending on the subject examined by the negotiating group, and under a proposal of the negotiating group other expert organizations and distinguished experts may also be engaged.

The president of the negotiating group shall organize the activities of the negotiating group in consultations with the members of the Negotiating Team in charge of the subject for which the negotiating group had been formed.

The members of the Negotiating Team shall also participate in the activities of the negotiating group related to the process of negotiations on the accession of the Republic of Serbia to the European Union, who are in charge of the subject for which the negotiating group had been formed.

The president of the negotiating group may organize the activities of the negotiating group according to the sub-chapters making an integral part of the chapter subject to the negotiations for which the negotiating group had been formed. The president of the negotiating group may entrust a member of the negotiating group to manage the jobs concerning a certain sub-chapter within the framework of the negotiating group.

The negotiating group shall prepare minutes of each meeting held, including conclusions, terms and assignments for their implementation. The president of the negotiating group shall forward the minutes of the meeting of the negotiating group to all members of the negotiating group, to the Negotiating Team and the European Integration Office within 2 working days from the date of the meeting.

The member of the negotiating group managing the jobs related to a certain sub-chapter shall forward to the president of the negotiating group the minutes of the meeting of the part of the negotiating group in charge of the sub-chapter concerned within 2 working days from the date of the meeting and the president of the negotiating group shall forward the minutes of the meeting of the negotiating group to all members of the negotiating group, to the Negotiating Team and the Office without delay.

The competence to monitor the regulations of the European Union within the framework of the negotiating group shall be established in accordance with the law, using the data on division of responsibilities entered into the electronic data base monitoring the National Programme for the Adoption of the *Acquis Communautaire* of the European Union (NPAA).

The negotiating groups shall submit the entire documentation concerning the screening to all members.

5. The Ministry of Foreign Affairs – the Permanent Mission of the Republic of Serbia to the European Union (hereinafter referred to as: “the Mission“) shall forward the documentation (screening lists, questions, additional questions, etc.) to the Office immediately upon receipt.

The Office shall submit to the Negotiating Team and to the president of the negotiating group in charge of the concrete subject the documentation received from the European Commission in its original form.

6. Upon the receipt of the documentation regarding the session of explanatory screening, the president of the negotiating group shall without delay convene a preparatory meeting of the negotiating group and forward the documentation to all members of the negotiating group. Depending on the scope of activities related to a certain chapter, and if there are open issues after the preparatory meeting, the president of the negotiating group may convene additional meetings of the negotiating group.

In cooperation with the Negotiating Team the negotiating group shall define all issues concerning the participation of the delegation of the Republic of Serbia at the meeting of explanatory screening and define questions related to *acquis communautaire* of the European Union requiring explanations at the meeting of explanatory screening.

If there are open issues after the preparatory meeting of the negotiating group concerning the participation of the delegation of the Republic of Serbia at the screening meeting, the president of the negotiating group shall immediately inform about it the member of the Government in charge of the European integration, the member of the Government responsible for the concrete issue and the Head of the Negotiating Team, with the aim to define solutions.

7. The minutes of the meeting of explanatory screening shall be prepared by the president of the negotiating group, the member of the Negotiating Team in charge of the chapter concerned, the secretary of the negotiating group, and by the representatives of the Office and the Mission, not later than 2 working days upon the end of the meeting. The minutes shall be signed by the president of the negotiating group and the member of the Negotiating Team responsible for the chapter concerned.

The secretary of the negotiating group shall forward the signed minutes referred to in paragraph 1 of this point to all members of the negotiating group and the Office. The Office shall forward the minutes to all members of the Negotiating Team, the members of the Government and to the Secretariat for Legislation of the Republic of Serbia.

8. The negotiating groups shall prepare addenda to be submitted to the European Union for the requirements of bilateral screening, in accordance with the instructions of the Negotiating Team. The addenda shall contain an analytical review of harmonisation level of the regulations of the Republic of Serbia with *acquis communautaire* of the European Union presented by the European Commission at the meeting of explanatory screening, with a special review of the state

of implementation and application of regulations, plans for follow-up steps in taking over *acquis communautaire* of the European Union, information on institutional framework and foreseen activities in respect of its strengthening, framework deadlines for the implementation of foreseen activities as well as an assessment of required financial resources.

The addenda may separately contain an announcement of the possibility to request a transitional period, as well as other open issues and problems.

The Negotiating Team shall grant approval for all addenda submitted to the European Union within the screening.

The addenda for bilateral screening that was approved, translation and expert and language revision of the translation of the addenda into English shall be prepared by the negotiating groups, in accordance with the terminology prescribed in special acts of the Government and *Evronim* terminology database.

If necessary, the negotiating group and the Negotiating Team shall inform the line minister, the member of the Government in charge of European integrations or the Coordinating Body for the process of accession to the European Union about open issues during the screening.

The negotiating groups shall prepare the addenda for bilateral screening before the commencement of explanatory screening, based on the available documents and instructions. The addenda shall be supplemented if some new knowledge is gained during explanatory screening or if the European Union made new requirements, until the time of submission of the addenda to the European Union.

9. The ministry, special organization or Government service whose representative manages the activities of the negotiating group, under the approval of the Negotiating Team, shall propose an act to the Government containing the positions to be represented by the delegation of the Republic of Serbia at the screening, as well as a review of information to be presented at the meeting of bilateral screening, before the addenda are submitted to the European Union.

A proposal of the act referred to in paragraph 1 of this point shall contain:

- 1) Basic elements of a chapter to be negotiated;
- 2) Achieved level of harmonisation with *acquis communautaire* of the European Union;
- 3) Data on implementation and application of regulations;
- 4) Institutional framework;
- 5) Plan in respect of further harmonisation and implementation and application of regulations;
- 6) Possible difficulties in entry (taking over) and application of regulations;
- 7) Possible requests for transitional periods.

10. The secretary of the negotiating group shall forward the final versions of the addenda to the Office not later than 2 working days before the deadline fixed for the submission of the addenda concerned to the European Union.

The Office shall forward the addenda to the Mission without delay, which shall further send them to the European Union.

11. The ministry, special organization or Government service whose representative manages the activities of the negotiating group shall propose the members of the delegation to the Government for the meetings to be organized during the screening accordingly informing the Negotiating Team, the Office and the competent state administration bodies, professional services and other competent authorities and organizations.

The delegation shall consist of: the president of the negotiating group, the deputy president of the negotiating group, the secretary of the negotiating group, the members of the Negotiating Team proposed by the Head of the Negotiating Team, the representatives of the Office, the representatives of the Mission, the representatives of the competent state administration bodies and Government services, as well as of other competent authorities and organizations.

The delegation of the Republic of Serbia shall be headed by the president of the negotiating group at any screening meeting.

The secretary of the intergovernmental conference shall be a member of all delegations participating at the meetings within the framework of the screening.

Any proposal of the members of the delegation shall be established in consultations with the Negotiating Team. After the delegation had been formed, any change of a member of the delegation may only be made in the procedure prescribed for the appointment of the members of the delegation.

The secretary of the negotiating group shall submit to the Office the final list of the members of the delegation not later than 7 days before the commencement of the meeting within the screening, which is to be forwarded to the European Union. A list of the members of the delegation to have presentations at bilateral screening shall be determined at the meeting of the negotiating group and submitted to the European Union.

12. In cooperation with the Mission the Office shall render assistance in respect of organization of trips of the delegation members. The funds for trips and accommodation of the delegation members shall be provided in accordance with the regulation of the Government governing business trips.

13. The minutes of bilateral screening meeting shall be prepared by the president of the negotiating group, the member of the Negotiating Team in charge of the chapter concerned, the secretary of the negotiating group, and by the representatives of the Office and the Mission, not later than 2 working days after the end of the meeting.

The minutes shall be signed and submitted in compliance with the procedure defined in point 7 of this Conclusion.

14. In cooperation with the president of the negotiating group, the members of the Negotiating Team and the representatives of the Office, the secretary of the intergovernmental conference shall coordinate the joint minutes of bilateral screening meeting between the European Union and the Republic of Serbia.

15. If during the screening with the European Union, the delegation of the Republic of Serbia shall undertake an obligation to submit some additional addenda these addenda are to be prepared in accordance with item 8 of this Conclusion.

16. This Conclusion is to be published in the Official Gazette of the Republic of Serbia.

05 Number

Belgrade,

Prime Minister,

