

# THE POSITION OF PARLIAMENT IN STATE OF EMERGENCY AND STATE OF WAR WITHIN CONSTITUTIONAL SYSTEM OF THE REPUBLIC OF SERBIA

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**Summary:** State of emergency is a specific form of state of emergency in which there is a state due to the occurrence of unexpected and difficult circumstances for the survival of the property and citizens.

This state requires the introduction of the regime of emergency measures that aim to keep legal and political activities of state bodies. Author of the paper studies the powers and duties of the parliament as the bearer of the sovereignty of the emergency legal regime. At the first part analyzes the normative solutions in Serbia and surrounding countries. Author analyzes solutions of the Constitution of Republic of Serbia and solutions of legislative. Special emphasis is placed on the existence of unjustified legal dualism between emergency and situations of emergency. The second part studied the action of public authorities because of extraordinary circumstances where specifically analyzing the authority of Parliament and the declaration of the state of emergency, parliamentary work, attitude toward executive power and restriction of human and minority rights.

**Keywords:** parliament, state of emergency, constitution, law, human and minority rights.

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