

Pursuant to Article 443 of the Constitution, the Parliament session held on November 17, 1991, brought

DECISION

DECLARING THE Constitution proclaims the Constitution, which was adopted by the Parliament session held on 17 November 1991.

Macedonian Parliament

Number 08-4642 / 1 President

November 17, 1991 THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA, C kopj Stojan Andov

Considering the historical, spiritual and statehood heritage of the Macedonian people and their struggle over centuries for national and social freedom and creation of their own state, especially the state and legal traditions of the Krusevo Republic and the historic decisions of the Anti constitutional and legal continuity of the Macedonian state as a sovereign republic within Federal Yugoslavia and the freely expressed will of the citizens of the Republic of Macedonia in the referendum of September 8, 1991, as well as the historical fact that Macedonia is constituted Ana as the national state of the Macedonian people, in which full equality as citizens and permanent coexistence with the Macedonian people with the Albanians, Turks, Vlachs, Roma and other nationalities living in the country, in order:

- Republic of Macedonia as a sovereign and independent and as a civil and democratic state;
- to establish and build the rule of law as a fundamental system of government;
- guaranteeing human rights, civil liberties and national equality;
- to secure peace and coexistence of the Macedonian people with the nationalities living in the country and
- to ensure social justice, economic prosperity and progress of individual and community life.

Parliament adopts

CONSTITUTION

**THE REPUBLIC OF MACEDONIA**

I. GENERAL Article 1

Macedonia is a sovereign, independent, democratic and social state. Macedonian sovereignty is indivisible, inalienable and non-transferable. Article 2

Macedonian sovereignty derives from the citizens and belongs to citizens. Citizens of the Republic of Macedonia exercise their authority through democratically elected representatives, through referendum and other forms of direct expression.

Article 3

Republic of Macedonia is indivisible and inalienable. The existing borders of the Republic of Macedonia are inviolable.

Border of the Republic of Macedonia may be changed only in accordance with the Constitution.

Article 4

The citizens of Macedonia have citizenship of the Republic of Macedonia. The Macedonian citizen can not be deprived of citizenship, nor expelled or extradited to another state. Citizenship of the Republic of Macedonia is regulated by law.

Article 5

State symbols of the Republic of Macedonia coat of arms, flag and anthem. Coat of arms, flag and anthem of the Republic of Macedonia are regulated by a law adopted by a majority vote of all the MPs.

Article 6

The capital of Macedonia is Skopje.

Article 7

Macedonian official language is Macedonian and its Cyrillic alphabet.

In the local government where the majority of inhabitants belonging to minorities in official use, in addition to the Macedonian language and Cyrillic alphabet, language and alphabet in a manner prescribed by law. In units of local self-government where a significant number of inhabitants belonging to minorities in official use, in addition to the Macedonian language and the Cyrillic alphabet, the language and alphabet, under conditions and manner specified by law.

Article 8

The fundamental values of the constitutional order of the Republic of Macedonia are:

- fundamental rights and freedoms of man and citizen recognized in international law and set down in the Constitution;
- free expression of nationality;
- rule of law;
- division of state powers into legislative, executive and judicial;
- political pluralism and free, direct and democratic elections;

- legal protection of property;
- free market and entrepreneurship;
- humanism, social justice and solidarity;
- local government;
- arranging and humanization of space and protection and improvement of the environment and nature
- respect for the generally accepted norms of international law. The Republic of Macedonia is free

by the Constitution and the law is not prohibited.

## II. BASIC FREEDOMS AND RIGHTS OF MAN AND CITIZEN

### 1. Civil and political freedoms and rights

#### Article 9

Macedonian citizens are equal in rights and freedoms regardless of sex, race, color, national and social origin, political or religious beliefs; wealth and social position. Citizens before the Constitution and the laws are equal. Article 10

Human life is inviolable. In the Republic of Macedonia can not impose the death penalty on any grounds.

#### Article 11

The physical and moral integrity of man are inviolable. Any form of torture, inhuman or degrading treatment and punishment. Forced labor is prohibited. Article 12

Freedom of man is inviolable.

No one may be restricted except by a court decision or in cases and procedures determined by law.

Persons summoned, apprehended or detained shall immediately be informed of the reasons for the summons, apprehension or detention and on their rights established by law and it can not make a statement. A person has a right to an attorney in police and court procedures.

The arrested person must immediately or within 24 hours after the arrest, be brought before a court, which will decide without delay on the lawfulness of their detention.

Detention may last, by court decision, the longest 90 days of detention. The detained person under conditions prescribed by law, be released on bail. Article 13

The person accused of an offense shall be presumed innocent until his guilt is established by a final court decision. A person unlawfully detained,

detained or convicted is entitled to compensation and other rights established by law. Article 14

No one may be punished for an act committed before it was not established by law or other regulation as an offense and for which no punishment had been prescribed. No person may be tried for a crime that has been tried and for which a final court decision. Article 15

The right to appeal against individual legal acts issued in a first instance court, administrative body, organization or other institution carrying out public mandates. Article 16

The freedom of belief, conscience, thought and public expression of thought.

The freedom of speech, public address, public information and the establishment of institutions for public information.

Ensure free access to information, freedom to receive and impart information.

The right to reply in the media. The right to correction in the mass media. The right to protect a source of information in the media. Censorship is prohibited. Article 17

The freedom and confidentiality of correspondence and all other forms of communication. Only on the basis of a court decision may deviate from the principle of inviolability of the confidentiality of correspondence, if it is necessary for criminal proceedings or the interests of the defense of the Republic. Article 18

Guaranteeing the security and confidentiality of personal data. Citizens are guaranteed protection from any violation of their personal integrity deriving from the registration of personal information through data processing. Article 19

The freedom of religion. They are freely and publicly, individually or in community with others, expression of faith. Macedonian Orthodox Church and other religious communities and groups are separate from the state and equal before the law. Macedonian Orthodox Church and other religious communities and groups are free to establish religious schools and social and charitable institutions, due process of law.

Article 20

Citizens are guaranteed freedom of association to exercise and protect their political, economic, social, cultural and other rights and beliefs. Citizens may freely establish associations of citizens and political parties, join them or resign from them.

The programs and activities of associations of citizens and political parties can not be directed at the violent overthrow of the constitutional order of the Republic and encouragement or incitement to military aggression or ethnic, racial or religious hatred or intolerance.

Military or paramilitary associations which do not belong to the Armed Forces of the Republic of Macedonia. Article 21

Citizens have the right to assemble peacefully and to express public protest without prior announcement or a special license. The exercise of this right may be restricted only in case of war and emergency. Article 22

Every citizen 18 years of age the right to vote. The right to vote is equal, universal and direct, and is exercised at free elections by secret ballot. Right to vote no persons who have been deprived of their legal capacity. Article 23

Every citizen has the right to participate in the performance of public functions. Article 24

Every citizen has the right to petition state and other public services and to receive an answer.

A citizen can not be held accountable or suffer adverse consequences for attitudes expressed in petitions, unless they committed no crime. Article 25

Every citizen is guaranteed the respect and protection of the privacy of personal and family life, dignity and reputation. Article 26

Guarantee the inviolability of the home. The right to inviolability of the home may be restricted only by a court decision in the detection or prevention of criminal offenses or the protection of human health. Article 27

Every citizen of the Republic of Macedonia has the right to move freely within the territory of the Republic and freely to choose their place of residence.

Every citizen has the right to leave the territory of the Republic and to return to the country. The exercise of these rights may be restricted by law only in cases where it is necessary to protect the security of the state, criminal proceedings or protection of health. Article 28

The defense of the Republic of Macedonia is the right and duty of every citizen. The exercise of this right and duty of citizens is regulated by law. Article 29

Foreigners in the Republic of Macedonia enjoy freedoms and rights guaranteed by the Constitution, under conditions specified by law and international treaties. The Republic guarantees the right of asylum to foreigners and stateless persons expelled because of democratic political convictions and activities. Extradition of a foreigner may only be made on the basis of a ratified international agreement and on the principle of reciprocity. A foreigner can not be extradited for a political offense. Acts of terrorism are not considered political crimes.

## **2. Economic, Social and Cultural Rights**

Article 30

The right to property and inheritance rights. Ownership creates rights and duties and should serve the wellbeing of the individual and the community. No person may be deprived of property or of the rights deriving from it, except in cases of public interest determined by law. In the case of expropriated or restricted, the property is guaranteed just compensation not lower than its market value. Article 31

Aliens in the Republic of Macedonia may acquire the right to property under conditions determined by law. Article 32

Everyone has the right to work, to free choice of employment, protection at work and material assistance during temporary unemployment. Everyone under equal conditions, is open to any job. Every employee has the right to appropriate remuneration. Each employee is entitled to paid daily, weekly and annual leave. Employees can not give up. The exercise of the rights of employees and their position are regulated by law and collective agreements. Article 33

Everyone is obliged to pay tax and other public duties and to take part in the discharge of public expenditure in a manner prescribed by law. Article 34

Citizens have the right to social security and social insurance, determined by law and collective agreement. Article 35

Republic provides for the social protection and social security of citizens in accordance with the principle of social justice. The Republic guarantees the right to assistance to infirm or unfit for work. The Republic provides special protection of disabled persons and their inclusion in social life. Article 36

The Republic guarantees particular social security rights to veterans of the Anti-Fascist War and of all Macedonian national liberation wars, war invalids, to those expelled and imprisoned for the ideas of the separate identity of the Macedonian nation and statehood, as well as members of their families without means of material and social existence. Special rights are regulated by law. Article 37

In order to exercise their economic and social rights, citizens have the right to establish unions. Trade unions can constitute confederations and become members of international trade union organizations. The law may restrict the conditions for exercising the right to trade union organization in the armed forces, the police and administrative bodies. Article 38

The right to strike. The law may restrict the conditions for exercising the right to strike in the armed forces, the police and administrative bodies. Article 39

Every citizen is guaranteed the right to health care. The citizen has the right and duty to protect and promote their own health and that of others. Article 40

The Republic provides special care and protection of the family. The legal relations in marriage, the family and cohabitation are regulated by law. Parents have the right and duty to take care of and raise their children. Children are obliged to care for the elderly and infirm parents. The Republic provides special protection for orphans and children without parental care. Article 41

Human right to freely decide on having children. Republic, for coordinated economic and social development, conducts a humane population policy.

Article 42

The Republic particularly protects mothers, children and minors. A person under 15 years of age can not be employed. Minors and mothers have the right to special protection at work. Minors may not be employed in jobs that are detrimental to their health or morality. Article 43

Everyone has the right to a healthy environment. Everyone is obliged to protect and improve the environment and nature.

The Republic provides conditions for exercising the right to a healthy environment. Article 44

Everyone has the right to education. Education is accessible to everyone under equal conditions.

Primary education is compulsory and free. Article 45

Citizens have the right, under the terms established by law to establish private schools at all levels of education other than elementary education. Article 46

The university is granted autonomy. The conditions for the establishment, operation and termination of activities of a university are regulated by law. Article 47

The freedom of scientific, artistic and other forms of creative work. They guarantee the rights deriving from scholarly, artistic and other intellectual works. The Republic stimulates, assists and protects the development of science, art and culture. The Republic stimulates and assists scientific and technological development. The Republic encourages and assists technical education and sport. Article 48

Persons belonging to minorities have the right freely to express, foster and develop their identity and national osobenosti. Republikata guarantees the protection of the ethnic, cultural, linguistic and religious identity of nacionalnostite. Pripadnicite the minorities have the right to establish cultural and artistic institutions, scientific and other associations for the expression, fostering and development of their identitet. Pripadnicite the minorities have the right to instruction in their language in primary and secondary education on Home n determined by law. In schools where education is carried out in the language of nationality and language studies.



Article 49

The Republic cares for the status and rights of the Macedonian people in neighboring countries and for the Macedonian expatriates, assists their cultural development and promotes links with them.

The Republic cares for the cultural, economic and social rights of citizens of the Republic abroad.

### **3. Guarantees of basic freedoms and rights**

Article 50

Every citizen may invoke the protection of freedoms and rights determined by the Constitution before the courts and before the Constitutional Court of Macedonia, through a procedure based upon the principles of priority and urgency.

Judicial protection of the legality of individual acts of state administration and other bodies exercising public powers.

A citizen has the right to be informed on human rights and fundamental freedoms and to contribute actively, individually or together with others, to their promotion and protection. Article 51

In the Republic of Macedonia laws must be in accordance with the Constitution and all other regulations with the Constitution and law.

Everyone is obliged to observe the Constitution and laws. Article 52

Laws and other regulations are published before they come into force. Laws and other regulations are published in the "Official Gazette" within seven days of their adoption. Laws come into force as early as the eighth day of publication in exceptional cases determined by the Parliament, the date of publication.

Laws and other regulations may not have retroactive effect, except in cases when this is more favorable for the citizens. Article 53

The bar shall be autonomous and independent public service, providing legal assistance and carrying out public mandates in accordance with the law. Article 54

The freedoms and rights of man and citizen can be restricted only in cases determined by the Constitution.

The freedoms and rights of man and citizen can be restricted during states of war or a state of emergency under the provisions of the Constitution.

The restriction of freedoms and rights can not discriminate on grounds of sex, race, color, language, religion, national or social origin, property or social status.

The restriction of freedoms and rights can not apply to the right to life, prohibition of torture, inhuman and degrading treatment and punishment, legal determination of punishable offenses and sentences, as well as the freedom of belief, conscience, thought, public expression of thought and religion.

#### **4. Foundations for economic relations**

Article 55

The freedom of the market and entrepreneurship. Republic ensures an equal legal position to all market participants. The Republic takes measures against monopolistic behavior in the market. Free market and entrepreneurship may be restricted by law solely for the defense of the Republic, protection of nature, environment or health. Article 56

All the natural resources of the country, the flora and fauna, amenities in common use, as well as the objects and buildings of particular cultural and historical value determined by law are amenities of common interest for the Republic and enjoy particular protection.

The Republic guarantees the protection, promotion and enhancement of the historical and artistic heritage of the Macedonian people and the nationalities and the treasures that make up regardless of their legal status.

The law regulates the manner and conditions under which specific items of general interest for the Republic can be ceded for use. Article 57

The Republic stimulates economic progress and provides for a more balanced spatial and regional development and the rapid development of economically underdeveloped areas Article 58

Ownership and labor management foundation and participation in decision-making. Participation in management and decision-making in public institutions and services is regulated by law and the principles of professionalism and competence. Article 59

Foreign investors are guaranteed the right to freedom of invested capital and profits.

The rights acquired on the basis of invested capital can not be reduced by law or other regulation. Article 60

National Bank of Macedonia's issuing bank.

National Bank is autonomous and responsible for the stability of the currency, monetary policy and general liquidity of payments in the country and abroad.

Organization and operations of the National Bank are regulated by law.

### **III. ORGANIZATION OF STATE AUTHORITY**

#### **1. Assembly of the Republic of Macedonia**

Article 61

Parliament is a representative body of citizens and the legislative power of the Republic.

Organization and functioning of the Assembly are regulated by the Constitution and Rules of Procedure. Article 62

The Assembly consists of 120 to 140 MPs. MPs are elected in general, direct and free elections by secret ballot. Representative represents the citizens and Parliament decide according to their persuasion.

Representative can not be otpovikan. Nachinot and conditions of election of Representatives are regulated by a law adopted by majority vote of MPs. Article 63

Members of Parliament are elected for four years. The mandate of Representatives is verified Assembly. Mandate is reckoned from the constitutive session of the Assembly. The newly elected Assembly must hold a constitutive meeting no later than 20 days after the election. Inaugural session was convened by the President of the previous term.

Unless a constitutive session before the deadline, lawmakers themselves assemble and constitute the Assembly of the twenty-first day of the election.

Elections for Members of Parliament are held in the last 90 days of the term of the current Assembly, or within 60 days of the dissolution of Parliament.

The mandate of the members of the Assembly may be extended only in case of war or emergency.

The law establishes the incompatibility between the office of Member of Parliament and other public functions or professions. Assembly is dissolved if a majority of the total number of MPs. Article 64

MPs enjoy immunity. Representative can not be held criminally liable or be detained for an opinion or for voting Sobranieto. Pratenikot can not be detained without the approval of the Assembly unless found committing a criminal offense that entails a prison sentence of at least five years.

Parliament may decide to apply immunity for a Representative who has not relied on it, if it is necessary for performance of the Representative. During the mandate MPs are not subject to duty in the armed forces. MP is entitled to remuneration determined by law.

Article 65

Representative may submit ostavka. Pratenikot resignation submitted in person at a session of the Assembly.

The Parliament expires they are convicted of an offense that entails a prison sentence of at least five years. MP can be taken away when the mandate was convicted of committing a criminal offense which makes it unsuitable to function as an MP, as well as unjustified absence from the Assembly for more than six months. Revocation of the mandate established by the Assembly by a majority vote of all the MPs. Article 66

The Assembly is in permanent session. The Assembly. Assembly sessions are convened by the President. Parliament adopted rules by a majority vote of MPs.

Article 67

Assembly from among the elected president and one or more vice-presidents, by majority vote of MPs. President of the Assembly represents the Assembly, ensures the application of the Rules of Procedure and carries out other duties prescribed by the Constitution and Rules of Procedure. President of the Assembly is incompatible with any other public office, profession or political party.

Parliament calls the election of Representatives and of the President of the Republic. Article 68

Parliament:

- adopts and amends the Constitution;
- adopts laws and gives authentic interpretation of laws;
- determines public duties;
- adopts the budget and final account of the budget;
- adopts the spatial plan of the Republic;
- ratified international agreements;
- decides on war and peace;
- makes a decision to change the borders of the Republic;
- makes decisions on association and dissociation from a union or community with other states;
- announces a referendum;
- decisions concerning the reserves of the Republic;
- up councils;
- elected Government of the Republic of Macedonia;
- elects judges to the Constitutional Court of the Republic of Macedonia;
- electing and dismissal of judges;
- selects, appoints and dismisses other holders of public and other offices determined by the Constitution and law;
- exercises political control and supervision over the Government and other public

office responsible to the Assembly;

- gives amnesty
- performs other duties determined by the Constitution.

In carrying out the activities within its jurisdiction adopts decisions, declarations, resolutions, recommendations and conclusions. Article 69

Assembly can work if the session is attended by a majority of the total number of MPs. Parliament decides by a majority vote of the MPs, and at least one third of the total number of Representatives, the Constitution does not provide for a majority. Article 70

Assembly sessions are public. Parliament may decide to work in private by a majority vote of all the MPs. Article 71

The right to propose adoption of a law is any member of the Parliament, the Government and at least 10,000 voters. Initiative to introduce legislation to the authorized may be given by any citizen, group of citizens, institutions and associations. Article 72

An interpellation may be made concerning the work of any public official, the Government and each of its members individually, as well as on issues of work of state bodies. Interpellations may be submitted at least five deputies. Parliamentary question to ask a messenger. The method and procedure for submitting and debating on an interpellation and Representative's question are regulated by the Rules. Article 73

Assembly decides to call a referendum on specific matters within its competence by a majority vote of MPs. The decision of the referendum is adopted on condition the majority of the voters who voted, provided more than half of the total number of voters. The Assembly is obliged to call a referendum if one is proposed by at least 150,000 voters. The decision made in the referendum is binding. Article 74

Parliament adopted a decision to change the borders of the Republic by a two-thirds majority of the total number of MPs. The decision to change the borders of the Republic is adopted by referendum, if for it the majority of the total number of voters.

Article 75

Laws are declared by promulgation. The promulgation declaring a law is signed by the President of the Republic and President of the Assembly. The President may decide not to sign the decree for promulgation of the law. Assembly reconsiders the law and if it is adopted by a majority vote of all the MPs, the President of the Republic shall sign the decree.

The President is obliged to sign a promulgation if the constitution, law is adopted by a two-thirds majority of the total number of MPs. Article 76

Assembly sets up permanent and temporary working bodies. The Assembly may establish inquiry commissions for any domain or any matter of public interest. Proposal hoc committee may be submitted by at least 20 MPs. Assembly establishes permanent survey commission for the protection of freedoms and rights of citizens. The findings of the inquiry shall be the basis for initiating a procedure for accountability of public office-holders. Article 77

Parliament elects the Public Attorney. Ombudsman protects the constitutional and legal rights of citizens when violated by bodies of state administration and by other bodies and organizations with public mandates. The Ombudsman is elected for a term of eight years, eligible for re-election.

The conditions of appointment and dismissal, powers and manner of work of the Ombudsman shall be regulated by law. Article 78

Assembly establishes a Council for Inter-Ethnic Relations. The Council consists of the President of the Assembly and two members Macedonians, Albanians, Turks, Vlachs, Roma and two members of other nationalities in Macedonia. Parliament's council president. Assembly elects the members of the Council.

Council considers issues of inter-ethnic relations in the Republic and makes appraisals and proposals for their solution. The Assembly is obliged to consider the opinions and proposals of the Council and make a decision about them.

## **2. The President of the Republic of Macedonia**

Article 79

President of the Republic represents the Republic. The President is the supreme commander of the Armed Forces of Macedonia. President of the Republic their rights and duties on the basis and within the Constitution and laws.

Article 80

The President is elected in general and direct elections by secret ballot for a period of five years. President of the Republic the same person can be elected more than twice. President of the Republic shall be a citizen of the Republic of Macedonia. President of the Republic can be elected person on election day has reached at least 40 years of age. President of the Republic can not be elected person to election day was not a resident of the Republic of Macedonia for at least ten years in the last 15 years. Article 81

Candidate for President of the Republic can be nominated by at least 10,000 voters or at least 30 MPs.

President of the Republic is elected the candidate who wins the majority of votes of voters.

If in the first round, no presidential candidate wins the required majority in the second round vote for two candidates in the first round received the most votes. The second round of voting shall take place within 14 days after the first round of voting. Presidential candidate who wins a majority of votes of those who voted, provided more than half of voters.

If in the second round of voting no candidate wins the required majority, repeat the entire procedure.

If the President of the Republic proposed only one candidate in the first round of voting fails to win the required majority, repeat the entire procedure.

The election of President of the Republic in the last 60 days of the term of the previous president. In the event of termination of the mandate of the President of which is reason the election of a new President takes place within 40 days of termination.

Before taking office, the President of the Republic makes a solemn declaration before the Assembly of his commitment to respect the Constitution and laws. Article 82

In case of death, resignation, permanent inability to perform the function or termination of the mandate by virtue of the Constitution, the election of a new President of the Republic, the office of President of the Republic performs Parliament. The conditions for termination of the office of President of the Republic, the Constitutional Court of the Republic of Macedonia officially. In case of inability to perform the function, the president of the republic replaces the president of the Assembly.

When Parliament serving as president of the Republic, he took part in the work of the Assembly without the right to vote. Article 83

Duty of the President of the Republic is incompatible with any other public office, profession or political party. The President

enjoys immunity. To lift the immunity of the President decided by the Constitutional Court of the Republic by a majority vote of all judges. Article 84

President of the Republic:

- it determines the mandate to form the Government;
- appoints and dismisses by decree ambassadors and representatives of the Republic of Macedonia abroad;
- accepts the credentials and letters of recall of foreign diplomatic representatives;
  
- proposes two judges of the Constitutional Court of the Republic of Macedonia;
- It proposes two members of the Judicial Council;
- appoints three members of the Security Council of the Republic of Macedonia;
- proposes the members of the Council for International Relations;
- appoints and dismisses other holders of state and public office determined by the Constitution and law;
  
- grants decorations and honors in accordance with law;
- grants pardons in accordance with the law and
- performs other duties determined by the Constitution. Article 85

The President addresses the Assembly on issues within his jurisdiction at least once a year. Parliament may request the President of the Republic opinion on issues within his jurisdiction. Article 86

The President is the President of the Security Council of the Republic of Macedonia.

Security Council of the Republic is composed of the President of the Republic, the Speaker, the Prime Minister, the Ministers heading the bodies of state administration in the fields of security, defense and foreign affairs and three members appointed by the President of the Republic. Council considers issues relating to the security and defense of the Republic and makes proposals to Parliament and the Government. Article 87

The President is responsible for violating the Constitution and laws in exercising their rights and duties.

The procedure for determining the responsibility of the President of the Republic initiated by the Assembly by a majority vote of all the MPs. The responsibility of the President The Constitutional Court decides by a majority vote of all judges.

If the Constitutional Court determines responsibility of the President of the Republic ceases by virtue of the Constitution.

### **3. The Government of the Republic of Macedonia**



Article 88

Government is the holder of executive power. Their rights and duties Government on the basis and in the framework of the Constitution and laws. Article 89

The government consists of a president and ministers. President and Ministers may not be Members of Parliament. President and ministers enjoy immunity. Decides on their immunity Government. President and ministers are not subject to duty in the armed forces. The office of Prime Minister is incompatible with any other public office or profession. The organization and work of the Government shall be regulated by law.

Article 90

President of the Republic shall, within ten days of the constitution of the Assembly mandate for constituting the Government to entrust the candidate of the party or parties that have a majority in Parliament. Designate within 20 days of giving the mandate, the Parliament submits a program and proposes composition of the Government.

Upon the proposal of the prime minister on the basis of the program, elected by the Assembly by a majority vote of MPs. Article 91

Government:

- determines the policy of implementation of laws and other regulations of the Assembly and is responsible for their execution;
- proposes laws, the budget and other regulations adopted by the Assembly;
- proposes spatial plan of the Republic;
- proposes decisions concerning the reserves of the country and ensure their execution;
- issue decrees and other regulations for enforcement of laws;
- lays down principles on the internal organization and work of ministries and other administrative bodies, directing and supervising their work;
- gives opinion on draft laws and other regulations to the Assembly submitted by other authorized bodies;
- decides on recognition of states and governments;
- establishes diplomatic and consular relations with other countries;
- decisions on opening diplomatic and consular missions abroad;
  
- proposes the appointment of ambassadors and envoys of the Republic of Macedonia abroad and appoints chiefs of consular offices;
- offers public prosecutor;
- appoints and dismisses holders of public and other offices determined by the Constitution and laws; and
  
- performs other duties prescribed by the Constitution and law. Article 92

Government and each of its members are accountable to the Assembly. The Assembly may vote no confidence. A vote of confidence in the Government may be raised by at least 20 MPs. The vote of confidence is done after three days of the vote of confidence. Another vote of confidence can not be set earlier than 90 days after the last vote, unless the vote of confidence set majority of MPs.

A vote of no confidence is adopted by a majority vote of MPs. If the Government's confidence vote, the government is obliged to resign. Article 93

Government has the right to raise the question of confidence before Parliament. Government has the right to resign.

Resignation of the Prime Minister, his death or permanent inability to perform duties entail the resignation of the government. The Government terminated when the Assembly is dissolved. Government has a confidence vote that resigned or the term of office has ceased owing to the dissolution of Parliament, remains on duty until the election of a new Government. Article 94

Member of the Government may submit ostavka. Pretdatelot Minister may propose the dismissal of a member of the Government. Proposal for the dismissal of a member of the Assembly Government decides at its next session.

If the Prime Minister dismisses more than one third of the government's initial composition, the Assembly decides how to elect a new government. Article 95

State administration consists of ministries and other administrative bodies and organizations determined by law. Any political organization and activity in the state administration. The organization and work of state administration are regulated by a law adopted by a majority vote of all the MPs. Article 96

The bodies of state administration perform its duties autonomously on the basis and within the framework of the Constitution and for their work to the Government. Article 97

The bodies of state administration in the field of defense and police headed by civilians who before their election to these offices were civilians for at least three years.

#### **4. Judiciary**

Article 98

Judicial power is exercised by the courts. The courts are independent. Courts judge on the basis of the Constitution and laws and international agreements ratified in accordance with the Constitution. The organization of the judiciary. Emergency courts are prohibited.

The types, jurisdiction, establishment, abrogation, organization and composition of the courts and the procedure they follow are regulated by a law adopted by a two-thirds majority of the total number of MPs. Article 99

A judge is elected without restriction of term of office. A judge can not be transferred against his will.

The judge dismissed:

- if they so request;
- permanent loss of the ability to exercise the judicial function, the Republican Judicial Council;
  
- if you meet the conditions for retirement;
- if convicted of a criminal offense to a prison term of at least six months;
- because of a serious disciplinary offense defined by law, which makes it unsuitable to perform judicial functions, which the Republican Judicial Council and
- for unprofessional and unethical performance of the judicial function in a procedure established by

law, the Republican Judicial Council. Article 100

Judges enjoy immunity. The immunity of judges decides the Assembly. The judicial function is incompatible with any other public office, profession or membership in a political party. Any political organization and activity in the judiciary. Article 101

Supreme Court of the Republic of Macedonia is the highest court in the Republic, providing uniformity in the application of laws by the courts. Article 102

Court hearings and sentencing are public. The public may be excluded in cases specified by law. Article 103

The court tries cases in council. The law establishes that an individual judge. Participate in the trial jurors cases determined by law. Jurors can not be held accountable for their opinions and decisions of judicial decisions. Article 104

Republican Judicial Council is composed of seven members. Assembly elects the members of the Council. Council members are elected from among prominent

Lawyers for six years, eligible for re-election. Members of the Republican Judicial Council are granted immunity. Decides on their immunity Parliament. Office of a member of the Judicial Council is incompatible with other public offices, professions or membership in political parties. Article 105

Republican Judicial Council

- the Assembly the election and discharge of judges and determines proposals for the discharge of a judge in cases stipulated by the Constitution;
- decide on disciplinary responsibility of judges;
- assesses the competence and ethics of judges in the performance of their functions and
- proposes two judges of the Constitutional Court of the Republic of Macedonia.

## **5. public prosecutor**

Article 106

Public Prosecutor's Office is an independent state body that prosecutes perpetrators of crimes and others with criminal acts and performs other duties prescribed by law. Public Prosecutor's Office performs its functions on the basis and framework of the Constitution and the law. The Public Prosecutor is appointed by the Assembly for a period of six years. Article 107

Attorney General enjoys immunity. For his immunity Assembly decides. Public prosecutor is incompatible with any other public office, profession or membership in a political party.

IV. CONSTITUTIONAL COURT OF THE REPUBLIC OF MACEDONIA Article 108

Constitutional Court of the Republic of Macedonia is an organ of the Republic protecting constitutionality and legality. Article 109

The Constitutional Court consists of nine judges.

The Assembly elects the judges of the Constitutional Court by a majority vote of MPs. The mandate of the judges is nine years without the right to re-election. The Constitutional Court elects a president from its own ranks for a term of three years without the right to re-election.

Judges of the Constitutional Court are elected from among prominent lawyers. Article 110

Constitutional Court of the Republic of Macedonia:

- on the conformity of laws with the Constitution;
- on the conformity of other regulations and collective agreements with the Constitution and laws;
- protects the freedoms and rights of man and citizen relating to freedom

of belief, conscience, thought and public expression of thought, political association and action and the prohibition of discrimination on the grounds of sex, race, religion or national, social or political affiliation;

- decides on conflicts of competency among holders of legislative, executive and judicial powers;
- decides on conflicts of competency among Republic bodies and units of local government;
- decide on the responsibility of the President of the Republic;
- decides on the constitutionality of the programs and statutes of political parties and associations of citizens
- decides on other issues determined by the Constitution. Article 111

The office of judge of the Constitutional Court is incompatible with any other public office, profession or membership in a political party.

Judges of the Constitutional Court are granted immunity. For their immunity decided by the Constitutional Court.

Judges of the Constitutional Court are not subject to duty in the armed forces. The judge of the Constitutional Court ceases when the incumbent resigns. The judge of the Constitutional Court shall be dismissed from office if convicted of a criminal offense to a prison term of at least six months or when permanently lost the ability to perform its function, as determined by the Constitutional Court. Article 112

The Constitutional Court shall repeal or invalidate a law if it determines it is not in accordance with the Constitution.

The Constitutional Court shall repeal or annul any other regulation or enactment, collective agreement, statute or program of a political party or association, if it determines that they are not inconsistent with the Constitution or law.

Decisions of the Constitutional Court are final and enforceable. Article 113

The manner of operation and procedure of the Constitutional Court are regulated by an act of the Court.

#### V. LOCAL SELF-GOVERNMENT Article

114

Citizens are guaranteed the right to local self-government. Units of local government municipalities.

Municipalities may be established forms of local government.

Municipalities are financed from their own sources of income determined by law and by funds from the Republic.

Local government is regulated by a law adopted by a majority vote of all the MPs. Article 115

In local government, citizens directly and through representatives participate in decision-making on issues of local relevance particularly in the fields of

urbanism, communal activities, culture, sports, social and child care, preschool education, primary education, basic health care and other fields determined by law.

The municipality is autonomous in the exercise of powers established by the Constitution and law, supervision of the legality of its work is carried Republic. Republic, the law may entrust performance of certain activities of the municipality. Article 116

The territorial division of the country and areas of the municipality are defined by law. Article 117

The City is a separate unit of local self-government organization shall be regulated by law.

In the city of Skopje, citizens directly and through representatives participate in decision-making on issues of importance for the City of Skopje particularly in the areas of urban planning, communal activities, culture, sports, social and child care, preschool education, primary education, basic health care and other areas defined by law.

Skopje is financed from its own sources of income determined by law and by funds from the Republic.

The City is autonomous in the exercise of powers established by the Constitution and law, supervision of the legality of its work is carried Republic. Republic by law can entrust performance of certain activities of the City.

#### VI. INTERNATIONAL RELATIONS Article

118

International agreements ratified in accordance with the Constitution are part of the internal legal order and can not be changed by law. Article 119

International agreements on behalf of the Republic of Macedonia by the President of the Republic of Macedonia.

International agreements can be concluded by the Government when it is stipulated by law. Article 120

A proposal for association in a union or community with other states or for dissociation from a union or community with other states may be submitted by the President of the Republic, the Government or at least 40 MPs.

The decision for or dissociation from a union or community with other states is accepted by the Assembly by a two-thirds majority of the total number of MPs. The decision for or dissociation from a union or community with other states is adopted if a referendum by the majority of the total number of voters. Article 121

Decision on joining or resigning from membership in international organizations adopted by the Assembly by a majority vote of all the MPs proposed by the President of the Republic, the Government or at least 40 MPs.

#### VII. DEFENSE OF THE REPUBLIC OF WAR AND EMERGENCY Article 122

Armed Forces of the Republic of Macedonia protect the territorial integrity and independence of the Republic.

The defense of the Republic is regulated by a law adopted by a majority vote of all the MPs. Article 123

Nobody has the right to recognize occupation of the Republic of Macedonia or of part thereof. Article 124

State of war exists when direct danger of military attack on the Republic or when the Republic is attacked or war is declared. Martial law declared by the Assembly by a majority vote of all the MPs proposed by the President of the Republic, the Government or at least 30 MPs.

If the Assembly can not meet, the decision for declaring martial law made by the President of the Republic who submits it to the Assembly for confirmation as soon as it is able to meet. Article 125

Emergency exists when major natural disasters or epidemics. A state of emergency in the Republic of Macedonia or on part determined by the Assembly on a proposal of the President, the Government or at least 30 MPs.

The decision to establish the existence of an emergency shall be adopted by a majority vote of all the MPs and is valid up to 30 days. If the Assembly can not meet, the decision on the existence of a state of emergency made by the President of the Republic who submits it to the Assembly for confirmation as soon as it is able to meet. Article 126

During a state of war or emergency, the Government in accordance with the Constitution and law, issues decrees with the force.

Authorizing the government to issue decrees with the force of law lasts until the end of war or emergency, decided by Parliament. Article 127

During the war, if the Assembly can not meet, the President of the Republic may appoint and dismiss the government and appoint or dismiss officials whose election is within the jurisdiction of Parliament.

Article 128

The mandate of the President of the Republic, Government, Constitutional Court judges and members of the State Judicial Council is extended for the duration of the war or emergency.

#### VIII. AMENDMENT OF THE CONSTITUTION

Article 129

Constitution be amended by constitutional amendments. Article 130

A proposal to amend the Constitution may be made by the President of the Republic, the Government, at least 30 deputies or 150,000 citizens. Article 131

The decision to amend the Constitution by the Assembly by a two-thirds majority of the total number of MPs.

The draft amendment of the Constitution establishes the Assembly by a majority vote of Representatives and then submitted to public debate.

Decision to amend the Constitution by the Assembly by a two-thirds majority of the total number of MPs.

The amendment of the Constitution declares the Parliament.

#### IX. FINAL PROVISIONS Article 132

At the time provided in paragraph 5 of Article 80 of this Constitution shall be considered and time of residence in other republics in the Socialist Federal Republic of Yugoslavia. Article 133

For the implementation of the Constitution will bring constitutional law. Constitutional law adopted by a two-thirds majority of the total number of MPs. Constitutional law declared by the Assembly and shall enter into force simultaneously with the declaration of the Constitution. Article 134

This Constitution shall enter into force on the day of the proclamation of Parliament.

Pursuant to Article 131, paragraph 4 of the Constitution, Parliament, at the meeting held on January 6, 1992, brought

#### **A DECISION FOR Pronouncement of the Amendments I and II CONSTITUTION OF REPUBLIC OF MACEDONIA**

Declared the amendments I and II of the Constitution, adopted by the Parliament of the Republic of Macedonia at the session held on January 6, 1992.



ASSEMBLY OF THE REPUBLIC OF MACEDONIA No.

08-44 / 1 PRESIDENT

January 6, 1992 THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA, C kopj Stojan Andov

AMENDMENTS I and II

The Constitution

These amendments are part of the Constitution and entering into force on the day of their prolasuvanje.

Amendment I

1. The Republic of Macedonia has no territorial claims against neighboring countries.
2. The boundaries of the Republic of Macedonia may be changed only in accordance with the Constitution and the principle of voluntary and in accordance with generally accepted international norms.
3. Item 1 of this amendment complements Article 3 and Item 2 replaces paragraph 3 of Article 3 of the Constitution. AMENDMENT II

1. Republic will not interfere in the sovereign rights of other states or in their internal affairs.
2. This Amendment is added to paragraph 1 of Article 49 of the Constitution.

Pursuant to Article 131, paragraph 4 of the Constitution, Parliament, at its session held on 1 July 1998, bring

**A DECISION FOR PROCLAMATION amending CONSTITUTION OF THE III  
REPUBLIC OF MACEDONIA**

Declaring Amendment III of the Constitution, adopted by the Parliament of the Republic of Macedonia at the session held on July 1, 1998.

ASSEMBLY OF THE REPUBLIC OF MACEDONIA No.

07-2717 / 1 President

July 1, 1998 THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA, C kopj Tito

Petkovski AMENDMENT III

the Constitution

This amendment is an integral part of the Constitution and shall enter into force on the day of its proclamation. AMENDMENT III

1. Detention until the indictment, by court decision, can last more than 180 days of detention.

After the indictment, the detention is extended or determined by the competent court in cases and procedure established by law.

2. This amendment replaces paragraph 5 of Article 12 of the Constitution.

Pursuant to Article 131, paragraph 4 of the Constitution, Parliament, at its session held on November 16, 2001, brought

**A DECISION FOR Pronouncement of the Amendments IV, V, VI, VII, VIII, IX,  
X, XI, XII, XIII, XIV, XV, XVI, XVII and XVIII to the Constitution  
MACEDONIA**

Declared amendments IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII and XVIII of the Constitution that adopted Assembly, the session held on 16 November 2001. ASSEMBLY OF THE REPUBLIC OF MACEDONIA No. 07-3795 / 1 President

November 16, 2001 THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA, C kopj Stojan Andov

AMENDMENTS IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII and XVIII of the Constitution

These amendments are part of the Constitution and entering into force on the date of their promulgation.

A M A N D A N N I V

1. Citizens of the Republic of Macedonia, the Macedonian people, as well as citizens living within its borders who are part of the Albanian people, Turkish people, Vlach people, Serbian people, Roma, Bosniak people and others taking responsibility for the present and future their homeland, aware and grateful to their predecessors for their sacrifice and dedication in their endeavors and struggle to create an independent and sovereign state of Macedonia and responsible to future generations to preserve and develop everything that is valuable from the rich cultural succession and coexistence within Macedonia, equal in rights and obligations towards the common good - the Republic of Macedonia - in keeping with the tradition of the Krushevo Republic and the decisions of the Anti and the Referendum of September 8, 1991, decided to establish the Republic of Macedonia as an independent,

2. Item 1 of this amendment replaces the Preamble to the Constitution of the Republic of Macedonia.

A M A N D A N N V

1. The whole territory of the Republic of Macedonia and in its international relations official language is Macedonian and its Cyrillic alphabet.

Any other language spoken by at least 20% of the population is also an official language and its alphabet, as specified below.

Personal documents of citizens who speak an official language other than Macedonian are published in Macedonian language and its alphabet, as in that language and its alphabet in accordance with the law.

Any person living in a unit of local government in which at least 20% of the citizens speak an official language other than Macedonian, in communication with the regional offices of the ministries may use any official language and its alphabet. Regional units responsible for these local government units reply in Macedonian language and its Cyrillic alphabet, as well as the official language and alphabet used by the citizen. Each citizen in communication with the ministries may use any official language and its alphabet, and the ministries reply in Macedonian language and its Cyrillic alphabet, as well as the official language and alphabet used by the citizen. In the organs of state power in the Republic of Macedonia an official language other than Macedonian

In local government units language and alphabet used by at least 20% of the citizens is an official language, besides the Macedonian language and the Cyrillic alphabet. The use of languages and alphabets spoken by less than 20% of citizens in local government units, made by the bodies of local self-government.

2. This amendment replaces Article 7 of the Constitution. A M A N D A N N VI

1. Equitable representation of citizens belonging to all communities in the state bodies and other public institutions at all levels.

2. Item 1 of this amendment is added in line 2 of Article 8 of the Constitution. A M A N D A N M VII

1. The Macedonian Orthodox Church, the Islamic Religious Community in Macedonia, the Catholic Church, the Evangelical Methodist Church, the Jewish community and other religious communities and groups are separate from the state and equal before the law.

2. The Macedonian Orthodox Church, the Islamic Religious Community in Macedonia, the Catholic Church, the Evangelical Methodist Church, the Jewish community and other religious communities and religious groups are free to establish religious schools and social and charitable institutions, due process of law.

3. Item 1 of this amendment replaces paragraph 3 of Article 19 and Item 2 replaces paragraph 4 of Article 19 of the Constitution. A M A N D A N N VIII

1. Members of communities have a right freely to express, foster and develop their identity and their communities and to use their community symbols.

The Republic guarantees the protection of ethnic, cultural, linguistic and religious identity of all communities.

Members of communities have the right to establish cultural, artistic, educational institutions as well as scientific and other associations for the expression, fostering and developing their identity.

Members of communities have the right to instruction in their language in primary and secondary education, as determined by law. In schools where education is conducted in another language is taught and language.

2. This amendment replaces Article 48 of the Constitution. A M A N D A N N I X

1. The Republic guarantees the protection, promotion and enhancement of the historical and artistic heritage of Macedonia and all communities in Macedonia and the treasures that make up regardless of their legal status.

2. Item 1 of this amendment replaces paragraph 2 of Article 56 of the Constitution. A M A N D A N

N X

1. The Assembly may decide if the meeting is attended by the majority of MPs. Parliament decides by a majority vote of the MPs, and at least one third of the total number of Representatives, the Constitution does not provide for a majority.

2. For laws that directly affect culture, use of language, education, personal documentation, and use of symbols, the Assembly makes decisions by majority vote of the MPs, with a majority of votes of the present MPs who belong to the communities not in the majority in the country. Any dispute regarding the application of this provision solves Committee on Inter-Ethnic Relations.

3. This amendment replaces Article 69 of the Constitution. A M A N D A N N X I

1. The Assembly elects the Public Attorney by a majority vote of all the MPs, with a majority of votes of MPs who belong to the communities not in the majority in the country.

2. The Public Attorney protects the constitutional and legal rights of citizens when violated by state administration bodies and other bodies and organizations with public mandates. Ombudsman pays particular attention to safeguarding the principles of non-discrimination and equitable representation of communities in state bodies, bodies of local government units and public institutions and services.

3. Item 1 of this amendment replaces paragraph 1 of Article 77 and Item 2 is added to paragraph 2 of Article 77 of the Constitution. A M A N D A N M X I I

1. The Assembly Committee on Inter-Ethnic Relations.

The Committee consists of 19 members of whom seven members from among the MPs Macedonians and Albanians and one member each from among the Turks, Vlachs, Roma, Serbs and Bosniaks. If a community does not have representatives, the Public Attorney, after consultation with relevant representatives of those

communities will propose the remaining members of the committee. Assembly elects the members of the Committee.

Committee considers issues of inter-community relations in the Republic and makes appraisals and proposals for their solution.

The Assembly is obliged to consider the opinions and proposals of the Committee and to make decisions regarding them.

In case of a dispute about the implementation of the voting procedure in Parliament, laid down in Article 69, paragraph 2 The Committee shall decide by majority vote on whether the procedure applies.

2. Item 1 of this amendment replaces Article 78 of the Constitution of the Republic of Macedonia and deletes line 7 of Article 84 of the Constitution. A M A N D A N N XIII

1. In appointing the three members, the President shall ensure that the composition of the Council as a whole equitably reflects the composition of the population in Macedonia.

2. Item 1 of this amendment is added to paragraph 2 of Article 86 of the Constitution. A M A N D A N N XIV

1. Three of the members are elected by a majority vote of all the MPs, with a majority of votes of MPs who belong to the communities not in the majority in the country.

2. This Amendment is added to paragraph 2 of Article 104 of the Constitution.

A M A N D A N N XV

1. The Assembly elects the judges of the Constitutional Court. Assembly elects six judges of the Constitutional Court by a majority vote of MPs. Assembly elects three judges with majority votes of MPs as well as a majority of votes of MPs who belong to the communities not in the majority in the country. The mandate of the judges is nine years without the right to re-election.

2. This amendment replaces paragraph 2 of Article 109 of the Constitution.

A M A N D A N N XVI

1. Local government is regulated by a law adopted by a majority vote of all the MPs, with a majority of votes of MPs who belong to the communities not in the majority in the country. The laws on local finances, local elections, municipal boundaries and the City of Skopje shall be adopted by a majority vote of the MPs, with a majority of votes of the present MPs who belong to the communities not in the majority in the country.

2. This amendment replaces paragraph 5 of Article 114 of the Constitution.

## M A M A N D A N XVII

1. Local self-government, citizens directly and through representatives participate in decision-making on issues of local relevance particularly in the areas of public services, urban and rural planning, environmental protection, local economic development, local finances, communal activities, culture, sports, social and child protection, education, health care and other fields determined by law.

2. In the city of Skopje, citizens directly and through representatives participate in decision-making on issues of importance for the city of Skopje particularly in the areas of public services, urban and rural planning, environmental protection, local economic development, local finances, communal activities, culture, sports, social and child protection, education, health care and other fields determined by law.

3. Item 1 of this amendment replaces paragraph 1 of Article 115 of the Constitution and Item 2 replaces paragraph 2 of Article 117 of the Constitution. A M A N D A N H XVIII

1. A decision to amend the Preamble, the articles on local self-government, Article 131, any provision relating to the rights of members of communities, including in particular Articles 7, 8, 9, 19, 48, 56, 69, 77, 78, 86, 104 and 109, as well as a decision to add any new provision relating to the scope of those provisions and articles will require a two-thirds majority of the total number of MPs in which a majority of votes of MPs They belong to communities not in the majority in the country.

2. This amendment adds a new paragraph 4 of Article 131 of the Constitution.

Pursuant to Article 131, paragraph 5 of the Constitution, Parliament, at its session held on December 26, 2003, brought

### **A DECISION ON PROCLAMATION OF Amendment XIX to the Constitution**

Declaring amandmanot XIX of the Constitution, which Parliament adopted at the meeting held on 26 December 2003. ASSEMBLY OF THE REPUBLIC OF MACEDONIA No. 07-6601 / 1 President

December 26, 2003 the Parliament of Republic of Macedonia S kopje Dr. Ljupco Jordanovski sr

Amendment XIX to the Constitution This amendment is an integral part of the Constitution and shall enter into force on the day of its proclamation. A M A N D A N N XIX

1. The freedom and inviolability of correspondence and other forms of communication.

Only on the basis of a court decision, under conditions and procedures determined by law, may deviate from the right to the inviolability of correspondence and other forms of communication, if it is necessary to prevent or detect criminal acts, conduct criminal proceedings or when the interests of security and defense of the Republic. The law adopted by a two-thirds majority of the total number of MPs.

2. This amendment replaces Article 17 of the Constitution.

Pursuant to Article 131, paragraph 5 of the Constitution, Parliament, at its session held on December 7, 2005, brought

**A DECISION FOR Pronouncement of the Amendments XX, XXI, XXII, XXIII,  
XXIV, XXV, XXVI, XXVII, XXVIII, XXIX and XXX to the Constitution  
MACEDONIA**

They declared the amendments XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX and XXXna Constitution, which Parliament adopted at the meeting held on December 7,

2005. ASSEMBLY OF THE REPUBLIC OF MACEDONIA No. 07- 4542/1 PRESIDENT

December 7, 2005 THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA S kopje Dr. Ljupco  
Jordanovski sr That copy is identical to the original, states:

DEPUTY SECRETARY GENERAL OF THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA  
Feleki Kasami

AMENDMENTS XX, XXI, XXII, XXIII, XXIV, XXV, XXVI, XXVII, XXVIII, XXIX and XXX of the  
Constitution

These amendments are part of the Constitution and entering into force on the date of their promulgation.

AMENDMENT XX

1. For offenses determined by law, sanction may be imposed by a state body or other body exercising public powers. Against the final decision on the infringement ensure legal protection under the terms and procedure provided by law.

2. This amendment supplements Article 13 of the Constitution. AMENDMENT XXI

1. The right to appeal against decisions made in proceedings at first instance court.

The right to appeal or other legal protection against individual legal acts issued in first instance by a state body or other body exercising public powers are regulated by law.

2. This amendment replaces Article 15 of the Constitution. AMENDMENT XXII

1. Proposes two members of the Judicial Council of the Republic of Macedonia.
2. This amendment replaces line 5 of Article 84 of the Constitution.

AMENDMENT XXIII

1. The President enjoys immunity. For his immunity Assembly decides.
2. This amendment replaces paragraph 3 of Article 89 of the Constitution.

AMENDMENT XXIV

1. Proposes Public Prosecutor of the Republic of Macedonia upon prior opinion of the Council of Public Prosecutors.
2. This amendment replaces line 12 of Article 91 of the Constitution.

AMENDMENT XXV

1. Judicial power is exercised by the courts.

The courts are independent. Courts judge on the basis of the Constitution and laws and international agreements ratified in accordance with the Constitution. Emergency courts are prohibited.

The types, jurisdiction, establishment, abrogation, organization and composition of the courts and the procedure they follow are regulated by a law adopted by a two-thirds majority of the total number of MPs.

2. Item 1 of this amendment replaces Article 98 of the Constitution.

AMENDMENT XXVI

1. The referee stops the judicial function: if they so request;

permanent loss of the ability to exercise the judicial function, which is determined by the Judicial Council of the Republic of Macedonia; if you meet the conditions for retirement;

she is convicted by a court for a criminal offense to a prison term of at least six months;

if elected or appointed to another public office, except when the judicial function rests under conditions determined by law. The judge dismissed:

serious disciplinary offense which makes him unworthy of performing judicial and law propishanaso

unprofessional and unethical performance of the judicial function under conditions utvrdeniso law.

2. Item 1 of this amendment replaces paragraph 3 of Article 99 of the Constitution.



## AMENDMENT XXVII

1. A judge may not be held criminally liable for an opinion and decisions of judicial decisions. A judge can not be detained without the approval of the Judicial Council of the Republic of Macedonia, except when caught committing a criminal offense that entails a prison sentence of at least five years.

2. The judicial function is incompatible with membership in a political party or with another public function or profession determined by law.

3. Item 1 of this amendment replaces paragraph 2 of Article 100 of the Constitution and Item 2 of this amendment replaces paragraph 3 of Article 100 of the Constitution. AMENDMENT XXVIII

1. The Judicial Council of the Republic of Macedonia is an independent judicial body. The Council provides and guarantees the independence of the judiciary.

The Council consists of fifteen members.

Ex officio members of the Council are the President of the Supreme Court of the Republic and Minister of Justice.

Eight members of the Council are elected by the judges from their ranks. Three of them are members of communities that are not majority in the Republic of Macedonia, which will be equitable representation of citizens belonging to all communities.

Three members of the Council elected by the Assembly by a majority vote of all the MPs, with a majority of votes of MPs who belong to the communities not in the majority in the country.

Two members of the Council proposed by the President of the Republic of Macedonia, elected by the Parliament, one of whom belong to the communities not in the majority in the country.

Council members elected by Parliament, on a proposal of the President of the Republic of Macedonia from the ranks of university professors of law, lawyers and other prominent lawyers. The mandate of the elected members of the Council lasts for six years, eligible for re-election.

Conditions and procedure for selection as the basis and procedure for termination of office and dismissal of a member of the Council shall be regulated by law. The office of a member of the Council is incompatible with membership in a political party or other public functions and professions stipulated by law.

2. This amendment replaces Article 104 of the Constitution. AMENDMENT XXIX

1. The Judicial Council of the Republic of Macedonia elects and dismisses judges and lay judges; establish that the judicial function; elect and dismiss presidents of courts;

monitor and evaluate the work of judges;  
decide on disciplinary responsibility of judges; to revoke the immunity of judges;  
proposes two judges of the Constitutional Court of the Republic of judges and perform other duties prescribed by law.  
In the selection of judges, lay judges and court presidents will equitable representation of citizens belonging to all communities. Council for its work submit an annual report to Parliament, the form, content and manner determined by law.

2. This amendment replaces Article 105 of the Constitution of the Republic of Macedonia and deletes line 15 of paragraph 1 of Article 68 of the Constitution. AMENDMENT XXX

1. Public Prosecutor's Office performs its functions based on the Constitution and laws and international agreements ratified in accordance with the Constitution. The public prosecution office performed Attorney General of the Republic and prosecutors.

Competence, establishment, abrogation, organization and functioning of the Public Prosecutor shall be regulated by a law adopted by a majority vote of all the MPs.

Attorney General of the Republic of Macedonia is appointed and dismissed by the Assembly for a period of six years to be reappointed. Public prosecutors are elected by the Council of Public Prosecutors without limiting the term of office.

When selecting public prosecutors will be equitable representation of citizens belonging to all communities.

To dismiss the public prosecutor decides Council.

The jurisdiction, composition and structure of the Council, the mandate of its members, and the grounds and procedure for termination and dismissal of a member of the Council shall be regulated by law.

The grounds and procedure for termination and dismissal of the Public Prosecutor of the Republic and public prosecutors are regulated by law.

The function of the Public Prosecutor of the Republic and the public prosecutor is incompatible with membership in a political party or other public functions and professions stipulated by law.

Any political organization and action in the prosecution.

2. This amendment replaces paragraphs 2 and 3 of Article 106 of the Constitution of the Republic of Macedonia and deletes Article 107 of the Constitution. Pursuant to Article 131, paragraph 5 of the Constitution, Parliament, at the meeting held on January 9, 2009, bring

**A DECISION FOR PROCLAMATION amending CONSTITUTION OF THE XXXI  
REPUBLIC OF MACEDONIA**

Declaring Amendment XXXI of the Constitution that the Parliament at its session held on 9 January 2009.

Macedonian Parliament

Number \_\_\_\_\_ PRESIDENT OF THE ASSEMBLY OF THE REPUBLIC OF MACEDONIA January 9,  
2009 Veljanoski

In kopj is

That copy is identical to the original claims: DEPUTY  
SECRETARY GENERAL OF THE ASSEMBLY OF  
THE REPUBLIC OF MACEDONIA Vjekoslav  
Angelovski

AMENDMENT OF XXXI Constitution This amendment is an integral part of the Constitution and shall enter  
into force on the day of its proclamation AMENDMENT XXXI

1. President candidate who wins the majority of votes of those who voted, provided more than 40% of voters.
2. This amendment replaces paragraph 5 of Article 81 of the Constitution.

heretakis.gr

Pursuant to Article 131, paragraph 5 of the Constitution, Parliament, at its session held on 12 April 2011, adopted

**A DECISION A  
DECLARING THE AMENDMENT OF THE CONSTITUTION OF THE XXXII  
REPUBLIC OF MACEDONIA**

Declaring Amendment XXXII of the Constitution the Parliament at its session held on April 12, 2011

Macedonian Parliament

Number 07 - 2055/1  
April 12, 2011  
In kopj is

PRESIDENT  
Of Parliament  
Trajko Veljanoski

That copy is identical to the original claims:

DEPUTY SECRETARY GENERAL OF THE  
ASSEMBLY OF THE REPUBLIC  
MACEDONIA

Vjekoslav Angelovski

AMENDMENT XXXII of the Constitution

This amendment is an integral part of the Constitution and shall enter into force on the day of its proclamation

AMENDMENT XXXII

1. The Macedonian citizen can not be deprived of citizenship, nor can it be expelled from the country. Macedonian citizen can not be extradited to another state, except by virtue of a ratified international agreement, a decision of the court.

2. This amendment replaces paragraph 2 of Article 4 of the Constitution.