

Nominators: Government of Macedonia

REPRESENTATIVES Zoran Zaev, president of the Government of
Republic of Macedonia,

Dr. Bujar Osmani, Deputy Prime Minister of the Republic of
Macedonia in charge of European Affairs

Nikola Dimitrov, Minister of Foreign Affairs

trustees: Viktor Dimovski State Secretary
Ministry of Foreign Affairs and

Bojan Maricic and Dane Taleski from
Office of the President of the Government

TEXT OF DRAFT - AMENDMENT XXXIII, XXXIV, XXXV and XXXVI
The Constitution



Република Македонија
ВЛАДА НА РЕПУБЛИКА МАКЕДОНИЈА
Бр. 44-9905/1
2.11.2018 година
Скопје

ДО ПРЕТСЕДАТЕЛОТ НА СОБРАНИЕТО НА РЕПУБЛИКА МАКЕДОНИЈА

СКОПЈЕ

Врз основа на член 129 и 131 став 2 од Уставот на Република Македонија и член 197 од Деловникот на Собранието на Република Македонија, Владата на Република Македонија Ви поднесува Текст на Нацрт - амандманите XXXIII, XXXIV, XXXV и XXXVI на Уставот на Република Македонија, што го утврди на седницата, одржана на 2.11.2018 година.

За претставници на Владата на Република Македонија во Собранието се определени Зоран Заев, претседател на Владата на Република Македонија, д-р Бујар Османи, заменик на претседателот на Владата на Република Македонија, задолжен за европски прашања и м-р Никола Димитров, министер за надворешни работи, а за повереници Виктор Димовски, државен секретар во Министерството за надворешни работи и Бојан Маричиќ и Дане Талески од Канцеларијата на претседателот на Владата на Република Македонија.

ПРЕТСЕДАТЕЛ НА ВЛАДАТА НА
РЕПУБЛИКА МАКЕДОНИЈА

Зоран Заев



TEXT OF DRAFT - AMENDMENT XXXIII, XXXIV, XXXV and XXXVI
The Constitution

These amendments are part of the Constitution of the Republic and shall take effect on the date of entry into force of the final agreement to resolve the differences described in resolutions 817 (1993) and 845 (1993) of the Security Council of the United Nations for the cessation of the importance of the Interim Accord of 1995 and the establishment of strategic partnership between the parties and the ratification of the Protocol on NATO membership by Greece

AMENDMENT XXXIII

In the Constitution the words "Republic of Macedonia" shall be replaced with the words "Republic of Northern Macedonia" and the word "Macedonia" is replaced by the words "Northern Macedonia", except in article 36.

AMENDMENT XXXIV

The preamble of the Constitution the words "ASNOM decisions" shall be replaced with the words "Proclamation of ASNOM the Macedonian people for the held meeting of the Anti" after the word "year" the words "and the Ohrid Framework Agreement" and deleted the words "decided".

AMENDMENT XXXV

1. The Republic's sovereignty, territorial integrity and political independence of neighboring countries.
2. Item 1 of this amendment complements Article 3.

AMENDMENT XXXVI

1. The Republic safeguards, guarantees and cherish the historical and cultural heritage of the Macedonian people.
2. The Republic protects the rights and interests of its citizens living or staying abroad and promotes their links with their homeland.
3. The Republic cares for the Macedonian people living abroad.
4. Republic will not interfere in the sovereign rights of other states or in their internal affairs.
5. This amendment replaces Article 49 of the Constitution.

EXPLANATION
THE TEXT OF THE DRAFT - AMENDMENT XXXIII, XXXIV, XXXV and XXXVI
The Constitution

Justification Amendment XXXIII

The purpose of these amendments to the Constitution is the implementation of the Agreement with Greece to allow the accession of Macedonia into the European Union and NATO.

In accordance final agreement with Greece, it provides entry into force of amendments to the date of ratification of the Convention and the Protocol of Accession to NATO by the Parliament of Greece. Consequently, in the case of nevlugvanje into force of these two documents, you will not enter into force nor anticipated amendments.

Furthermore, in accordance with the agreement, a constitutional law will be determined application of the provision on the importance of existing documents and materials issued by the authorities of the Republic of Macedonia.

Justification Amendment XXXIV

The purpose of these amendments to the Constitution is the implementation of the Agreement with Greece to allow the accession of Macedonia into the European Union and NATO.

In order to harmonize the text of the Preamble to the Agreement with Greece, in the Preamble appropriate changes are made. The preamble to the Constitution in the indication of state and legal traditions, named specific documents of ASNOM, ie states Declaration of ASNOM the Macedonian people for sustained ASNOM. Also, in the Preamble mentions the Ohrid Framework Agreement, which is already built with the constitutional amendments of 2001.

Justification Amendment XXXV

The purpose of these amendments to the Constitution is the implementation of the Agreement with Greece to allow the accession of Macedonia into the European Union and NATO.

The agreement confirms the existing mutual border between Macedonia and Greece as an enduring and inviolable international border, thus undertakes neither of the two states no, or support any claim to any part of the territory of the other country, nor claims to change their existing mutual border. In addition, the Republic of Macedonia and Greece pledged not to support any claims that may bring third parties.

Macedonia and Greece have pledged to respect the sovereignty, territorial integrity and political independence of another state and do not support any actions of third parties directed against the sovereignty, territorial integrity or political independence of another state.

Also, the two countries made a commitment in accordance with the purposes and principles of the Charter of the United Nations to refrain from the threat or use of force, including the threat or use of force with the intent to disrupt their existing mutual border.

Article 3 of the Constitution stipulates that the Republic of Macedonia is indivisible and inalienable. The existing borders of the Republic of Macedonia are inviolable. Macedonia has no territorial claims against neighboring countries. Border 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.

This article has been amended in 1992 by Amendment I, when it was added to the principle of voluntary changing borders and compliance with generally accepted international norms. Also, this amendment was declared that Macedonia has no territorial claims against neighboring countries.

The new constitutional amendment that proposes to declare respect for sovereignty, territorial integrity and political independence of neighboring countries.

Justification Amendment XXXVI

The purpose of these amendments to the Constitution is the implementation of the Agreement with Greece to allow the accession of Macedonia into the European Union and NATO.

Under the agreement, Macedonia and Greece undertook no provision of the Constitution, can not or should not be interpreted in a manner that is or ever will be the basis for interference in the internal affairs of another country, in any form or for any any reason, including for the protection of the status and rights of any persons who are not its citizens.

Article 49 of the Constitution stipulates that the state 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. Republic will not interfere in the sovereign rights of other states or in their internal affairs.

And this article was amended by Amendment II in 1992 which stipulated that the state will not interfere in the sovereign rights of other states or in their internal affairs.

The constitutional amendment which proposes to highlight the commitment of the Republic of Macedonia for protection, guaranteeing and fostering of historical and cultural heritage of the Macedonian people. Also, the amendment guarantees protection of rights and interests of citizens living or staying abroad and improving their links with their homeland. The amendment stipulates that the state takes care of the Macedonian people living abroad, without means interference in the sovereign rights of other states or in their internal affairs.