

AMENDMENTS TO THE CONSTITUTION OF THE REPUBLIC OF MACEDONIA

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

16 November 2001 (Official Gazette No. 91/ 2001)

These Amendments are integral parts of the Constitution of the Republic of Macedonia and came into force on the day they are promulgated.

AMENDMENT IV

1. The citizens of the Republic of Macedonia, the Macedonian people, as well as citizens living within its borders who are part of the Albanian people, the Turkish people, the Vlach people, the Serbian people, the Romany people, the Bosniak people and others taking responsibility for the present and future of their fatherland, aware of and grateful to their predecessors for their sacrifice and dedication in their endeavours 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 inheritance and coexistence within Macedonia, equal in rights and obligations towards the common good - the Republic of Macedonia - in accordance with the tradition of the Krushevo Republic and the decisions of the Antifascist People's Liberation Assembly of Macedonia, and the Referendum of September 8, 1991, have decided to establish the Republic of Macedonia as an independent, sovereign state, with the intention of establishing and consolidating the rule of law, guaranteeing human rights and civil liberties, providing peace and coexistence, social justice, economic well-being and prosperity in the life of the individual and the community, and, in this regard, through their representatives in the Assembly of the Republic of Macedonia, elected in free and democratic elections, adopt

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

AMENDMENT V

1. The Macedonian language, written using its Cyrillic alphabet, is the official language throughout the Republic of Macedonia and in the international relations of the Republic of Macedonia.

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

Any official personal documents of citizens speaking an official language other than Macedonian shall also be issued in that language, in addition to the Macedonian language, in accordance with the law.

Any person living in a unit of local self-government in which at least 20 percent of the population speaks an official language other than Macedonian may use that official language to communicate with the regional office of the central government with responsibility for that municipality; such an office shall reply in that language in addition to Macedonian. Any person may use any official language to communicate with a main office of the central government, which shall reply in that language in addition to Macedonian.

In the organs of the Republic of Macedonia, any official language other than Macedonian may be used in accordance with the law.

In the units of local self-government where at least 20 percent of the population speaks a particular language, that language and its alphabet shall be used as an official language in addition to the Macedonian language and the Cyrillic alphabet. With respect to languages spoken by less than 20 percent of the population of a unit of local self-government, the local authorities shall decide on their use in public bodies.

2. This amendment replaces Article 7 of the Constitution of the Republic of Macedonia.

AMENDMENT VI

1. Equitable representation of persons belonging to all communities in public bodies at all levels and in other areas of public life;

2. Item 1 of this amendment is an addition to line 2 of Article 8 of the Constitution of the Republic of Macedonia.

AMENDMENT VII

1. The Macedonian Orthodox Church, as well as the Islamic Religious Community in Macedonia, the Catholic Church, 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, as well as the Islamic Religious Community in Macedonia, the Catholic Church, Evangelical Methodist Church, the Jewish Community and other Religious communities and groups are free to establish schools and other social and charitable institutions, by way of a procedure regulated by 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 of the Republic of Macedonia.

AMENDMENT VIII

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

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

Members of communities have the right to establish institutions for culture, art, science and education, as well as scholarly and other associations for the expression, fostering and development of 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 carried out in another language, the Macedonian language is also studied.

2. This amendment replaces Article 48 of the Constitution of the Republic of Macedonia.

AMENDMENT IX

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 of which it is composed, regardless of their legal status.

2. Item 1 of this amendment replaces paragraph 2 Article 56 of the Constitution of the Republic of Macedonia.

AMENDMENT X

1. The Assembly can take a decision if its meeting is attended by a majority of the total number of Representatives. The assembly makes decisions by a majority vote of the Representatives attending, but no less than one-third of the total number of Representatives, in so far as the Constitution does not provide for a qualified majority.

2. For laws that directly affect culture, use of language, education, personal documentation, and use of symbols, the Assembly makes decisions by a majority vote of the Representatives attending, within which there must be a majority of the votes of the Representatives attending who belong to communities not in the majority in the population of Macedonia. In the event of a dispute within the Assembly regarding the application of this provision, the Committee on Inter-Community Relations shall resolve the dispute.

3. This amendment replaces Article 69 of the Constitution of the Republic of Macedonia.

AMENDMENT XI

1. The Assembly elects the Public Attorney by a majority vote of the total number of Representatives, within which there must be a majority of the votes of the total number of Representatives who belong to communities not in the majority in the population of Macedonia.

2. The Public Attorney protects the constitutional rights and legal rights of citizens when these are violated by bodies of state administration and by other bodies and organizations with public mandates. The Public Attorney shall give particular attention to safeguarding the principles of non-discrimination and equitable representation of communities in public bodies at all levels and in other areas of public life.

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 of the Republic of Macedonia.

AMENDMENT XII

1. The Assembly shall establish a Committee for Inter-Community Relations.

The Committee consists of 19 members of whom 7 members each are from the ranks of the Macedonians and Albanians within the Assembly, and a member each from among the Turks, Vlachs, Romas, Serbs and Bosniaks. If one of the communities does not have representatives, the Public Attorney, after consultation with relevant representatives of those communities, shall propose the remaining members of the Committee.

The Assembly elects the members of the Committee.

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

The Assembly is obliged to take into consideration the appraisals and proposals of the Committee and to make decisions regarding them.

In the event of a dispute among members of the Assembly regarding the application of the voting procedure specified in Article 69(2), the Committee shall decide by a majority vote whether the

procedure applies.

2. Item 1 of this amendment replaces Article 78 of the Constitution of the Republic of Macedonia and line 7 of Article 84 is deleted.

AMENDMENT XIII

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

2. Item 1 of this amendment is added to paragraph 2 of Article 86 of the Constitution of the Republic of Macedonia.

AMENDMENT XIV

1. Three of the members shall be elected by a majority vote of the total number of Representatives, within which there must be a majority of the votes of the total number of Representatives who belong to the communities not in the majority in the population of Macedonia.

2. This amendment is added to paragraph 2 of Article 104 of the Constitution of the Republic of Macedonia.

AMENDMENT XV

1. The Assembly elects the judges of the Constitutional Court. The Assembly elects six of the judges to the Constitutional Court by a majority vote of the total number of Representatives. The Assembly elects three of the judges by a majority vote of the total number of Representatives, within which there must be a majority of the votes of the total number of Representatives who belong to the communities not in the majority in the population of Macedonia. The term of office of the judges is nine years without the right to re-election.

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

AMENDMENT XVI

1. Local self-government is regulated by a law adopted by a two-thirds majority vote of the total number of Representatives, within which there must be a majority of the votes of the total number of Representatives who belong to the communities not in the majority in the population of Macedonia. The laws on local finances, local elections, boundaries of municipalities, and the city of Skopje shall be adopted by a majority vote of the Representatives attending, within which there must be a majority of the votes of the Representatives attending who belong to the communities not in the majority in the population of Macedonia.

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

AMENDMENT XVII

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

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

3. Item 1 of this amendment replaces paragraph 1 of Article 115 of the Constitution of the Republic of Macedonia, and Item 2 replaces paragraph 2 of Article 117 of the Constitution of the Republic of Macedonia.

AMENDMENT 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 subject-matter of such provisions and articles, shall require a two-thirds majority vote of the total number of Representatives, within which there must be a majority of the votes of the total number of Representatives who belong to the communities not in the majority in the population of Macedonia.

2. With this amendment a new paragraph is added to paragraph 4 of Article 131 of the Constitution of the Republic of Macedonia.