

# **AMENDMENTS OF THE CONSTITUTION OF THE REPUBLIC OF MACEDONIA**

The Assembly of the Republic of Macedonia, on the session held on November 16, 2001, pursuant to article 131 paragraph 4 of the Constitution of the Republic of Macedonia, reached the following

## **DECISION FOR PROCLAIMING THE AMENDMENTS IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII AND XVIII OF THE CONSTITUTION OF THE REPUBLIC OF MACEDONIA**

The amendments IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII and XVIII of the Constitution of the Republic of Macedonia are hereby proclaimed,

Which were adopted by the Assembly of the Republic of Macedonia, on the session held on November 16, 2001.

### **ASSEMBLY OF THE REPUBLIC OF MACEDONIA**

No. President of the Assembly of  
the Republic of Macedonia  
Stojan Andov

## **AMENDMENTS IV, V, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVI, XVII AND XVIII OF THE CONSTITUTION OF THE REPUBLIC OF MACEDONIA**

These amendments represent an integral part of the Constitution of the Republic of Macedonia and shall enter into force on the day of their proclamation.

### **AMENDMENT IV**

1. The citizens of the Republic of Macedonia, the Macedonian people, as well as the citizens who live within its borders and who are part of the Albanian people, Turkish people, Vlach people, Serb people, Roma people, Bosniak people and others, undertaking the responsibility for the present and future of their motherland, aware and grateful to their ancestors for the sacrifices and dedication in their commitments in their endeavors and the struggle for creating an independent and autonomous state of Macedonia and responsible before the future generations for preserving and developing everything of value from the wealthy cultural inheritance and co-habitation in Macedonia, equal in their rights and obligations towards the common good – the Republic of Macedonia – in accordance with the tradition of the Krushevo Republic and the decisions of ASNOM and the referendum from September 8, 1991, have decided to constitute the Republic of Macedonia as an independent, autonomous country, in order to establish and strengthen

the rule of the law, to guarantee human rights and civil freedoms, to provide peace and co-habitation, social justice, economic welfare and progress of the personal and shared life, through their representatives in the Assembly of the Republic of Macedonia, elected on free and democratic elections, hereby reach this

## **CONSTITUTION**

2. Item 1 of this amendment shall replace the preamble of the Constitution of the Republic of Macedonia.

## **AMENDMENT V**

1. On the entire territory of the Republic of Macedonia and in its international relations official language shall be the Macedonian and its Cyrillic alphabet.

Any other language spoken by at least 20% of the citizens shall also be official, together with its alphabet, as set fourth in this article.

The personal documents of the citizens who speak an official language different than the Macedonian, shall be issued in Macedonian language and its alphabet, as well as in that language and its alphabet, in accordance with law.

Any citizen, who lives in the units of the local self-government where at least 20% of the citizens speak an official language different than the Macedonian, in communicating with the district ministries may use any of the official languages and its alphabet. The district ministries in charge of those units of local self-government shall reply in Macedonian and its Cyrillic alphabet, as well as in the official language and alphabet used by the citizen. Any citizen, in communicating with the Ministries may use one of the official languages and its alphabet, while the Ministries reply in Macedonian and its Cyrillic alphabet, as well as in the official language and alphabet used by the citizen.

In the bodies of the state authority in the Republic of Macedonia, an official language different than the Macedonian may be used in accordance with law.

In the units of the local self-government, the language and alphabet used by at least 20% of the citizens shall be an official language, besides the Macedonian language and its Cyrillic alphabet. On the use of the languages and alphabets used by less than 20% of the citizens in the units of the local self-government, the bodies of the units of local self-government shall be the ones to decide.

2. This amendment shall replace article 7 of the Constitution of the Republic of Macedonia.

## **AMENDMENT VI**

1. Appropriate and fair representation of the citizens who belong to all communities in the bodies of the state authority and other public institutions on all levels.
2. Item 1 of this amendment shall supplement line 2 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, the Evangelist-Methodist Church, the Jewish community and all other religious communities and religious groups shall be separate from the state and equal before the law.
2. The Macedonian Orthodox Church, the Islamic Religious Community in Macedonia, the Catholic Church, the Evangelist-Methodist Church, the Jewish community and all other religious communities and religious groups shall be free to establish religious schools and social and charitable institutions in a procedure prescribed by law.
3. Item 1 of this amendment shall replace paragraph 3 of article 19, while item 2 shall replace paragraph 4 of article 19 of the Constitution of the Republic of Macedonia.

## **AMENDMENT VIII**

1. The people belonging to the communities shall have a right to freely express, nurture and develop their identity and the specifics of their communities and to use the symbols of their community.

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

The people belonging to the communities shall have a right to establish cultural, artistic, educational institutions, as well as scientific and other associations for the sake of expressing, nurturing and developing their identity.

The people belonging to the communities shall have a right to education in their own language in the primary and secondary education in a manner determined by law. In the schools where the education is in another language, the Macedonian shall also be taught.

2. This amendment shall replace article 48 of the Constitution of the Republic of Macedonia.

## **AMENDMENT IX**

1. The Republic shall guarantee protection, promotion and enrichment of the historical and artistic wealth of Macedonia and all communities in Macedonia, as well as the goods that constitute it regardless of their legal regime.
2. Item 1 of this amendment shall replace paragraph 2 of article 56 of the Constitution of the Republic of Macedonia.

## **AMENDMENT X**

1. The Assembly may decide if the session is attended by the majority of the total number of MPs. The Assembly decides with the majority of votes from the present MPs and with at least one third of the total number of MPs, unless special majority is prescribed with the Constitution.
2. On laws which directly refer to the culture, use of the languages, education, personal documents and use of the symbols, the Assembly shall decide with majority of votes of the MPs present, whereas there must be a majority votes of the MPs present who belong to the communities that are not majority in the Republic of Macedonia. The dispute regarding the application of this provision shall be resolved by the Inter-community Relations Committee.
2. This amendment shall replace article 69 of the Constitution of the Republic of Macedonia.

## **AMENDMENT XI**

1. The Assembly shall elect an Ombudsman with majority votes of the total number of MPs, whereas there must be majority of votes of the total number of MPs who belong to the communities that are not majority in the Republic of Macedonia.
2. The Ombudsman shall protect the constitutional and legislative rights of the citizens that have been violated by the state administration bodies and other bodies and organizations of public authority. The Ombudsman shall pay special attention to the protection of the principles of non-discrimination, appropriate and just representation of the members of the communities in the bodies of the public authorities, the bodies of the units of the local self-government and in the public institutions and services.
3. Item 1 of this amendment shall replace paragraph 1 of Article 77, and item 2 shall supplement paragraph 2 of article 77 of the Constitution of the Republic of Macedonia.

## **AMENDMENT XII**

1. The Assembly shall establish Inter-community Relations Committee.

The Committee shall be composed of 19 members, seven of whom from among the MPs in the Assembly Macedonians and Albanians, while one member from among the MPs Turks, Vlachs, Roma, Serbs and Bosnians. If some of the communities do not have MPs, the Ombudsman, after consulting the relevant representatives of those communities, shall nominate the rest of the members of the Committee.

The Assembly shall elect the members of the Committee.

The Committee shall consider issues on the relations of the communities in the Republic and shall give opinions and proposals for their resolving.

The Assembly shall be obliged to review the opinions and proposals of the Committee and to reach a decision on them.

In case of dispute regarding the voting procedure in the Assembly, determined in Article 69 paragraph 2, the Committee shall decide with majority of votes from the members on whether the procedure shall be conducted.

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

## **AMENDMENT XIII**

1. When nominating three members, the President shall make sure that the composition of the Council as a whole adequately represents the composition of the population in the Republic of Macedonia.

2. Item 1 of this amendment supplements paragraph 2 of the Article 86 of the Constitution of the Republic of Macedonia.

## **AMENDMENT XIV**

1. Three of the members shall be elected with majority of votes from the total number of MPs, but there shall be majority of votes from the total number of MPs who belong to the communities which are not majority population in the Republic of Macedonia.

2. This amendment supplements paragraph 2 of Article 104 of the Constitution of the Republic of Macedonia.

#### **AMENDMENT XV**

1. The Assembly shall elect the judges of the Supreme Court. The Assembly shall elect six judges of the Supreme Court with majority of votes of the total number of MPs. The Assembly shall elect three judges with majority votes of the total number of MPs, but there shall be majority of votes from the total number of MPs who belong to communities that are not majority population in the Republic of Macedonia. The mandate of the judges shall be nine years without right to re-election.

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

#### **AMENDMENT XVI**

1. The local self-government shall be regulated with a law passed with two-third majority of votes out of the total number of MPs, but there shall be majority of votes of the total number of MPs who belong to the communities, which are not majority population in the Republic of Macedonia. The laws on local financing, local elections, municipal borders and the City of Skopje shall be passed with majority votes from among the MPs present when there must be majority votes of the MPs present who belong to the communities which are not majority population in the Republic of Macedonia.

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

#### **AMENDMENT XVII**

1. In the units of the local self-government the citizens shall participate directly and through representatives in the decision making on issues of local significance, and especially in the areas of the public services, urban development and rural planning, protection of the environment, local economic development, local financing, public works, culture, sport, social and child protection, education, health protection and other areas determined by law.

2. In the City of Skopje the citizens shall participate directly and through representatives in the decision making on issues of significance to the City of Skopje, and especially in the areas of the public services, urban development and rural planning, protection of the environment, local economic development, local financing, public works, culture, sport, social and child protection, education, health protection and other areas determined by law.

3. Item 1 of this amendment shall replace paragraph 1 of the Article 115 of the Constitution of the Republic of Macedonia, while item 2 shall replace Article 117 of the Constitution of the Republic of Macedonia.

### **AMENDMENT XVIII**

1. A decision for amendment of the Preamble, the articles concerning the local self-government, Article 113, any provision referring to the rights of the members of the communities, and especially Articles 7, 8, 9, 19, 48, 56, 69, 77, 78, 86, 104 and 109, as well as a decision for addition of any new provision referring to the subject of those provisions and those articles, shall require two-third majority of the total number of MPs which will include majority votes of the total number of MPs who claim that they belong to communities which are not majority population in the Republic of Macedonia.

2. This amendment supplements Article 131 of the Constitution of the Republic of Macedonia.

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