

Constitutional review and deliberative democracy in the case of the Republic of North Macedonia

Republic of North Macedonia is a so-called *new democracy*, born after the dissolution of Yugoslavia in 1991.

- Coalition governments and political parties based on ethnicity.
- A system of governance that protects the rights and interests of minorities / communities by restricting majority rule (the constitutionally guaranteed Badinter's 2/3 majority rule for adopting decisions concerning other communities after the 2001 Constitutional amendments).
- The Assembly adopts and changes the Constitution. A Representatives mandate cannot be revoked and the Parliament can be dissolved only by its own decision.
- Parliament holds a referendum at the state level on its own initiative (but in the restrictive areas) and at the proposal of at least 150,000 citizens.
- The citizens exercise their rights through democratically elected representatives, through *referendum* and through *other forms of direct expression*.
- Referendums by law can be compulsory and consultative. Only 3 referendums on national and 7 on local government level from 1991-2018, some with important consequences.
- Other forms of citizens participation:
 - Citizens' Initiative may be initiated for submitting a proposal for accession to the amendment of the Constitution, proposal for adoption of a law and for announcing a referendum at state level
 - A civil initiative may also be initiated for the adoption of certain regulations of the municipalities for the resolution of certain issues within the competence of the Municipal Councils and the announcement of local referendum
 - Citizens 'Assembly is a form of citizens' direct expression in deciding on issues of local importance to the municipalities
- Citizens protest 'Colorful Revolution' in 2016 and Government change.

Next challenges:

- The role of the Constitutional Court related to the citizens participation.
- The different meaning and scope of collective and individual rights and their exercising is a challenge, a problem that still exists today.
- The Role of NGOs and real implementation of the Strategy for Cooperation of the Government with the Civil Sector, the Code of Good Practice for the Participation of the Civil Sector in the Policy Making Process.



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