

Law on the Promotion and Protection of the Rights of the  
Members of the Communities Which Are Less than 20% in the Population  
in the Republic of Macedonia

I General Provisions

Article 1

- (1) This law determines the procedure for adherence to the fulfillment and promotion, protection of the rights of the members of the communities which are less than 20% in the population in the Republic of Macedonia and the scrutiny over the enforcement of the provisions of the laws that determine these rights.
- (2) Members of the communities of paragraph (1) of this article are citizens which belong to communities which are less than 20% of the population in Republic of Macedonia according to the last population census conducted on the territory of the Republic of Macedonia (in further text: members of communities).

Article 2

For the implementation of this law and conducting scrutiny over the implementation of the laws which determine the rights of members of the communities, an Agency for the fulfillment of rights of communities is established.

Article 3

The fulfillment and promotion of rights of members of the communities which are less than 20% of the population in the Republic of Macedonia, according to this law address the rights in the area of employment according to the principle of adequate and equitable representation of members of the communities, use of language, education (primary, secondary and university), culture and other areas which by law regulate the rights of members of the communities.

Article 4

For members of the communities from article 1 paragraph (2) of this law in issues of employment in the organs of state governance and other public institutions at all levels, the principle of adequate and equitable representation is applied according to law.

Article 5

Members of the communities from article 1 paragraph (2) of this law have the right to education at all levels in their language according to law.

## Article 6

Members of the communities from article 1 paragraph (2) of this law have the right to information on their own language through the electronic and printed media according to law.

## Article 7

Members of the communities from article 1 paragraph (2) of this law can establish citizen associations and foundations for the fulfillment of their cultural, educational, artistic and scientific goals according to law.

## Article 8

Members of the communities from article 1 paragraph (2) of this law have the right to use their symbols according to law.

## II AGENCY FOR FULFILMENT OF RIGHTS OF COMMUNITIES

### Article 9

The Agency for fulfillment of rights of the communities is an independent organ of state administration with status of legal entity based in Skopje (in further text: the Agency).

### Article 10

The Agency executes its competence based on the principles of legality, transparency, equality, responsibility and equity.

### Article 11

(1)The Agency is managed by the director which is appointed and dismissed by the Government of Republic of Macedonia (in further text: the Government) for the time of four years with the right of another appointment.

(2)The director of the Agency has a deputy appointed and dismissed by the Government for the time of four years.

(3)In order to be appointed as a Director or a deputy director, the person should fulfill the following conditions:

- To be a citizen of Republic of Macedonia,
- To possess knowledge in the area of human rights and the working experience of three years,
- To have university education and
- Not to be sentenced or forbidden to perform a profession, occupation or duty.

(4)The function of the director and deputy director is terminated:

- At its own request,
- If he/she is sentenced with a legally valid court decision for a criminal act of unconditional jail sentence of at least six months,
- By fulfillment of age conditions for obtaining pension,
- By establishment of the permanent loss of the ability for executing the function,
- By election or appointment to other public function and
- In case of death.

(5) The director or deputy director is dismissed for incompetent, negligent and illegal performing of function and competencies trusted by law.

(6) The Government brings a decision that determines the termination of the function from paragraphs (4) and (5) of this article.

#### Article 12

- (1) The director represents the Agency, manages its work, performs the work determined by this law and brings a yearly program for the work of the Agency.
- (2) The director submits report for the activities of the Agency to the Government at least once a year until 31<sup>st</sup> of March of the current year for the past year.

#### Article 13

The Agency attends for:

- Synchronization of the work of the organs of state administration on the issues of the implementation of the Framework Agreement which function to fulfill promotion and protection of rights of members of the communities from article 1 paragraph (2) of this law,
- Support the Government in the realization of the strategic priorities connected to the obligations emerging from the Constitution of the Republic of Macedonia and the laws, especially for securing adequate and equitable representation of citizens, members of the communities in the organs of state administration,
- Preparation of the methodology for producing action plans of the Government in the area of implementation of the Program for work of the Agency (in future text: the Program),
- Production of a plan for programs and project preparation of other subjects and coordinates their implementation,
- Coordination of activities with organs of state administration and donors,
- Securing a coherent approach for raising the efficiency of the process of the implementation of the Program,
- Securing and realization of the financial means necessary for the successful development of the process of the obligation

realization emerging from the Program within the frames of the Budget of the Republic of Macedonia and donors,

- Maintaining communication with the public and other target groups through the media and updating of the Agency' web site.
- Preparation of the reports to inform the Government of the level of implementation of the Program,
- The needs of the Government to prepare professional-analytical materials of its own sphere;
- Professional opinion regarding the materials that are in function of implementing and advancing the rights of the members of communities and
- Other issues related with the implementation of the goals determined by the Government.

#### Article 14

The Agency supervises the implementation of the provisions of this Law through the implementation of the Constitutional and Law provisions related to the rights of the members of communities.

#### Article 15

- (1) The Agency adjusts its work with the one of the Secretariat for implementing the Framework agreement, the Revenue for advancing the education on languages of the members of communities (body within the Ministry of Education and Science) and the Revenue for affirming and advancing the culture of the members of communities in Republic of Macedonia (body within the Ministry of Culture).
- (2) The Agency follows up the execution and implementation of the activities in relation with the position, rights, obligations and developing abilities of the members of communities determined with this or with other laws.

#### Article 16

- (1) For realization of the competences ascertained with this Law the Agency cooperates with the competent bodies related with the issues that have to do with accomplishing, advancing and protecting the rights of the members of communities.
- (2) The Agency cooperates with nongovernmental and other organizations that are working with the rights of the members of communities, with the municipalities, and also participates with its own opinions and proposals in solving the issues related to accomplishing the rights of the members of communities.
- (3) For the needs of the Government, the Agency prepares analysis, initiatives and proposals for realizing the rights of the members of communities.
- (4) The Agency participates in international conferences, advising events, seminars in the field of the rights of the national minorities and other human rights, and does education on realizing the issues for the rights

of the members of communities in accordance with the Constitution of Republic of Macedonia and the Laws.

#### Article 17

- (1) Within the Agency there is a special fund of financial means (hereinafter the fund) for accomplishing special programs for implementing and advancing the rights of the members of communities.
- (2) The fund uses and has in disposal means from the Budget of Republic of Macedonia, donations and other sources of financing assigned for accomplishing the programs of the Agency and the programs for implementing the advancement and protection of the rights of the members of communities.

#### Article 18

The financial means from the fund can be used by civil associations and foundations established in accordance with this Law, if in the goals and duties in the statute of the civil association/foundation there is competence for working on issues related to implementing the advancement and protection of the rights of the members of communities.

#### Article 19

- (1) In order to use the means from article 18 of this law the following documents should be submitted to the agency.
  - The act for establishment and the statute of the civil association or foundation;
  - Program for realization of the promotion and protection of the rights of members of communities in the field of education, science, culture, informative activities, employment and international cooperation and
  - Action plan for implementation of the activities foreseen in the program (project),
- (2) Documents from paragraph (1) of this article are submitted upon previously advertised announcement by the Agency in the first quarter of the year.

#### Article 20

- (1) For granting the financial means from article 18 of this law, the director of the Agency establishes a committee composed of three members out of which two are from the Agency and one member is designated by the body of the state administration in accordance with its legally determined authority depending on the which field the program is submitted.
- (2) The mandate of the members of the committee is two years

(3) The president of the committee is selected from the members with a mandate of one year.

#### Article 21

(1) A decision for approving financial means from the fund is reached separately for each program.

(2) Upon the deadline determined for implementation of the program (project) the user of these means is obliged to submit an annual report to the agency for the realization of the activities and the spent means.

#### Article 22

(1) Based on the proposal of the Committee the director reaches a decision from article 21 paragraph (1) of this law no later than 30 April the coming year.

(2) Against the decision from article (1) of this article an administrative dispute can be initiated within a deadline of 15 days from the day the decision is received.

### III TRANSITIVE AND FINAL PROVISIONS

#### Article 23

(1) The Agency commences its duties when the director is nominated.

(2) The director and the deputy director of the Agency are nominated within a deadline of 30 days from the day when this law is enacted.

(3) The director of the Agency within a period of 30 days from his appointment will reach the acts for internal organization and systematization of the Agency.

#### Article 24

This law is in force the eighth day from the day that is published in the "Official Gazette of Republic of Macedonia".