



ASSEMBLY RELATIONS WITH OTHER GOVERNMENT INSTITUTIONS

The principle of separation of powers is one of the fundamental values of the constitutional order in the Republic of North Macedonia. According to the Constitution (Article 8 paragraph 5), state government is divided into the legislative, executive and judicial branch. Separation of powers foresees certain mechanisms that ensure mutual "influence" of the legislative, executive and judicial authorities. The cooperation between the three authorities aims to ensure the efficient exercise of power without disturbing the balance between its branches.

THE RELATIONSHIP BETWEEN THE ASSEMBLY AND THE EXECUTIVE BRANCH (THE GOVERNMENT AND THE PRESIDENT OF THE REPUBLIC)

The Assembly represents a politically powerful and independent institution that is not accountable to anyone but itself. Namely, neither the Government nor the President of the Republic have the right to dissolve the Assembly. On the other hand, the Assembly can vote no confidence in the Government, and thus dissolve it. With regard to the President of the Republic, the Assembly has the right to initiate a procedure for establishing his responsibility and termination of the mandate.

The flexible separation of powers, as a characteristic of parliamentary systems, can be seen through the mutual interweaving of the three powers. In the framework of separation of powers, several mechanisms are foreseen that ensure mutual influence. In terms of normative authority, the Assembly does not have absolute power, at least when it comes

to the legislative procedure. In this context, the Government, the President of the Republic and the Constitutional Court have influence in a certain way. The Government appears as the most frequent proponent of laws. The President of the Republic also has an influence on the legislative process, and as a rule must sign a decree for the promulgation of laws (together with the signature of the President of the Assembly). The Assembly "enters" the executive power through: parliamentary questions, interpellation, the motion of (no) confidence in the government, the election and dismissal of the President and Members of the Government, the right to request an opinion from the President of the Republic on issues within his competence, as well as through the right to initiate a procedure for establishing responsibility (impeachment) of the President of the Republic in case of violation of the Constitution and laws.



THE RELATIONSHIP BETWEEN THE ASSEMBLY AND THE GOVERNMENT

The Government of the Republic of North Macedonia is one of the branches the executive power is vested in. It determines the policy of administration of laws and other regulations adopted by the Assembly, and is also responsible for their enforcement. Apart from enforcement, the Government also participates in the procedure for their adoption (legislative procedure). According to previous experience, it is the only proponent of the budget and the most frequent proponent of laws. In addition, the Government exercises its participation in the legislative process through the mechanism of giving opinions on the draft-laws it has not proposed, through the participation of its representatives in the work of the Assembly and its working bodies, as well as through the right to initiate the convening of a plenary session of the Assembly.

The Government is represented in the Assembly by the President of the Government. The Government appoints representatives in the Assembly and the working bodies, who participate in the work and present the views of the Government. The trustees appointed by the Government attend the working bodies' meetings and give information and explanations about the issues on the agenda. As the Government itself emerges from the Assembly, so does its political accountability to the Assembly. The Constitution of the Republic of North Macedonia is decisive with regard to the accountability of the Government and each of its members to the Assembly.

The Assembly exercises constant control over the Government. The Assembly exercises this control in three ways: through the right to adopt the budget, through instruments such as parliamentary questions, interpellations and other, and through initiating a procedure for a vote of (no) confidence on the Government. Through the last two instruments, the Assembly exercises political control over the work of the Government as an executive body. As a form of legislative control over the executive power, the Law on the Assembly provides the instrument oversight hearing, whose goal is to obtain information and expert opinions on issues in the scope

of the competent working body related to the determination and implementation of policies, administration of laws and other activities of the Government and state administration bodies.

Oversight hearings scrutinize the work of the Government, such as the Government's implementation of adopted laws, as well as government officials' and employees' effect in the performance of legal competences. During oversight hearings, Members of the Assembly scrutinize to what extent has the Government followed the letter and spirit of the legislation in the implementation of the law, and more broadly, whether it is in the service of the public interest.

In its work, the Government must enjoy the confidence of the Assembly, and through the Assembly - the support of the majority of the citizens. The Assembly can vote no confidence in the Government. A vote of no confidence in the Government can be put forward by at least 20 Members of Assembly. The Government has also the right to put forward a vote of confidence before the Assembly. The vote of confidence is carried out three days after the motion was put forward. A new vote of confidence cannot be put forward before the expiration of 90 days from the last vote of confidence, except when the vote of confidence is raised by the majority of the total number of Members of Assembly (absolute majority). The decision to vote no confidence is made by a majority vote of the total number of Members of Assembly. If the Government loses the vote of confidence, it must resign. The President of the Government submits his resignation to the Assembly within 24 hours of the vote of no confidence.



THE RELATIONSHIP BETWEEN THE ASSEMBLY AND THE PRESIDENT OF THE REPUBLIC

The President of the Republic of North Macedonia represents the Republic. He is the supreme commander of the armed forces and the executive power is vested in him, as is in the Government of the Republic of North Macedonia.

The President of the Republic has influence on the work of the legislature by two means: by notifying the Assembly on issues under his competence at least once a year, and by the power of suspensive veto on laws adopted by the Assembly. With the first instrument, the President of the Republic can request changes to existing laws or the adoption of new laws, and with the second tool, he can temporarily suspend a law which, in his opinion, is unconstitutional or harmful to the Republic.

For each adopted law, the President of the Republic has to sign a decree for the promulgation of the law (together with the President of the Assembly). The President may decide not to sign the decree promulgating the law, if he considers it to be inconsistent with the Constitution, inexpedient, politically harmful, or inconsistent with the confirmed international agreements. If the President does not sign the decree, the law is returned to the Assembly for reconsideration. If the Assembly re-votes the law with an absolute majority (majority of the total number of Members of Assembly), the President of the Republic is obliged to sign the decree. The power of suspensive veto cannot be used by the President for laws adopted with a two-thirds majority vote of the total number of Members of Assembly (systemic laws).

The President of the Republic may request the convening of Assembly sessions, be informed about the agenda of the Assembly, attend and participate in the work of the Assembly, as well as be informed about the election of the Government or the vote of no confidence in the Government.

On the other hand, the Assembly exerts certain influence on the work of the President of the Republic. The Assembly may ask the President of the Republic for an opinion on issues within his competence. In doing so, the Assembly actually oversees the manner and quality in the performance of the constitutional powers of the President of the Republic.

The Assembly has the right to initiate a procedure on establishing responsibility of the President of the Republic, if it considers that the President is responsible for violating the Constitution and Laws while exercising his rights and duties. A proposal to initiate a procedure on establishing responsibility of the President of the Republic may be submitted by at least 30 Members of Assembly. The proposal should lay out the reasons for initiating the procedure, give description and evidence of the actions by which the President of the Republic violated the Constitution and Laws while exercising his rights and duties. The President of the Assembly submits the proposal to the Members of Assembly and to the President of the Republic. The Assembly establishes a Committee on evaluating the merits of the proposal, which in turn submits a report to the Assembly within seven days. Subsequently, the President of the Republic has the right to submit a written statement to the Committee on the findings of the proposal for initiating a procedure for establishing his responsibility. The President of the Assembly delivers the report to the Members of Assembly and the President of the Republic and convenes a session. At

the session, the President of the Republic has the right to give a verbal or written statement on the findings of the proposal and the report of the Committee. If the initiative is supported by at least two-thirds majority vote of the Members of Assembly, it is sent to the Constitutional Court as the only competent body to decide on this issue.



THE RELATIONSHIP BETWEEN THE ASSEMBLY AND THE JUDICIAL POWER

Judicial power is exercised by the courts. Courts are independent and autonomous in their work. The law regulating the types, jurisdiction, establishment, abolition, organisation and composition of the courts, as well as the procedures thereto, is adopted by a two-thirds majority vote of the total number of Members of Assembly. Also, the Assembly determines the judicial budget and elects some of the members of the Judicial Council. Three of the members of the Council are elected by the Assembly with a majority of votes from the total number of its Members, including thereto the majority of votes from the total number of Members of Assembly who belong to the communities that are not majority in the Republic of North Macedonia. The Assembly elects two more members of the Council upon the proposal of the President of the Republic, one of whom is a member of the communities that are not majority in the Republic of North Macedonia.

All members of the Council, regardless of whether they are elected or ex-officio members, give a solemn statement before the President of the Assembly. The Council submits an Annual Report on its work to the Assembly, no later than 30 April of the current year for the previous year. If the Assembly does not adopt the report, it will be the basis for initiating a hearing before the bodies chosen by the members of the Judicial Council to assess their work in the Council.





THE RELATIONSHIP BETWEEN THE ASSEMBLY AND THE CONSTITUTIONAL COURT

The constitutional court, as body that protects the constitutionality and legality of the matters, may repeal or invalidate a law if it determines that it is not consistent with the Constitution. In that way, the Constitutional Court influences the legislative activity of the Assembly.

The Assembly elects the judges of the Constitutional Court. Six judges are elected with a majority of votes from the total number of Members of Assembly, while the remaining three with a majority of votes from the total number of Members of Assembly including a majority of votes from the total number of Members of Assembly who belong to the communities that are not majority in the Republic of North Macedonia.



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