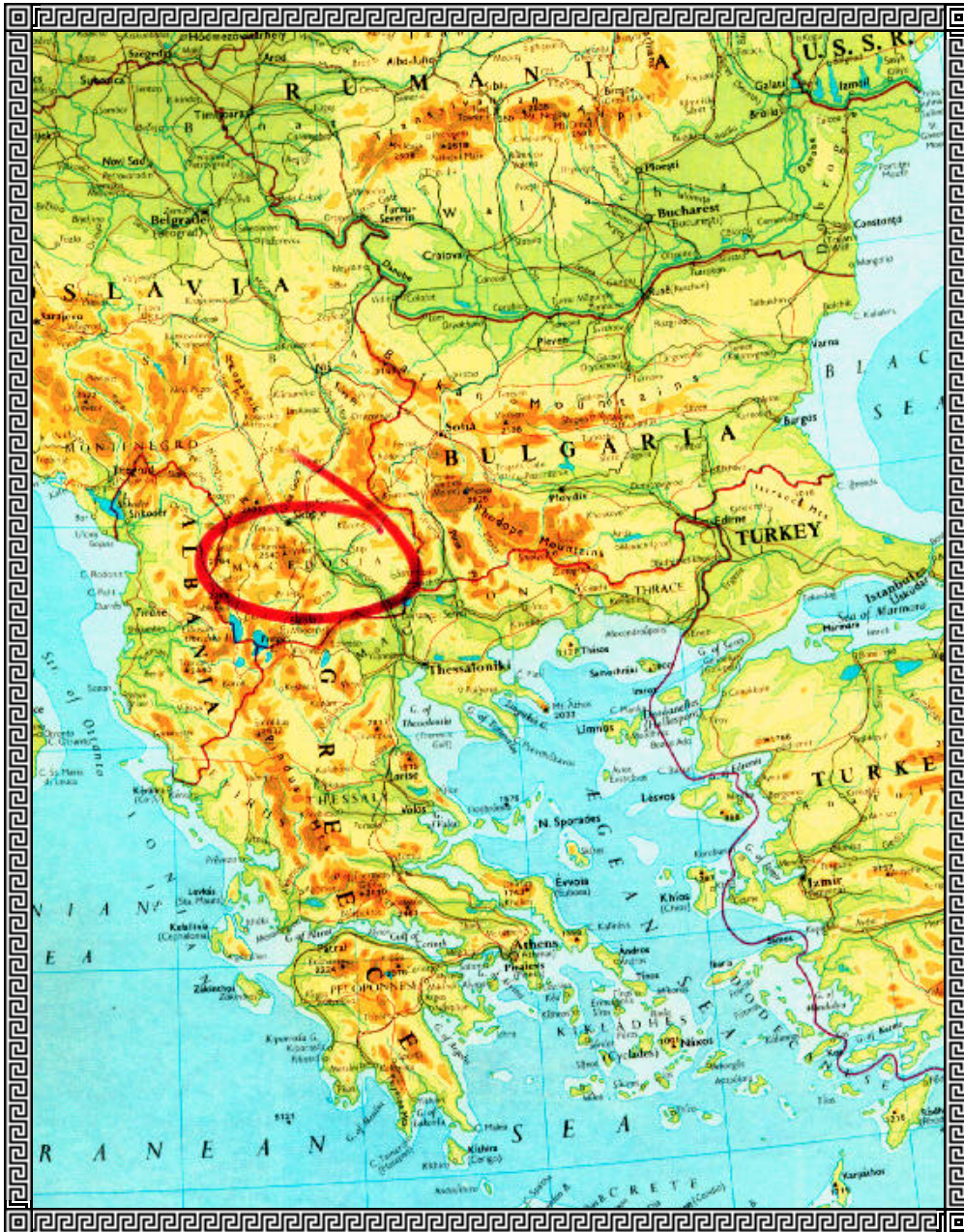


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Rivendell



part 3



Constitution of the Republic of Macedonia

Taking as the points of departure the historical, cultural, spiritual and statehood heritage of the Macedonian people and their struggle over centuries for national and social freedom as well as the creation of their own state, and particularly the traditions of statehood and legality of the Krushevo Republic and the historic decisions of the Anti-Fascist Assembly of the People's Liberation of Macedonia, together with the constitutional and legal continuity of the Macedonian state as a sovereign republic within Federal Yugoslavia and freely manifested will of the citizens of the Republic of Macedonia in the referendum of September 8th, 1991, as well as the historical fact that Macedonia is established as a national state of the Macedonian people, in which full equality as citizens and permanent co-existence with the Macedonian people is provided for Albanians, Turks, Vlachs, Romanics and other nationalities living in the Republic of Macedonia, and intent on:

- the establishment of the Republic of Macedonia as a sovereign and independent state, as well as a civil and democratic one;
- the establishment and consolidation of the rule of law as a fundamental system of government;
- the guaranteeing of human rights, citizens' freedoms and ethnic equality;
- the provision of peace and a common home for the Macedonian people with the nationalities living in the Republic of Macedonia, and on
- the provision of social justice, economic wellbeing and prosperity in the life of the individual and the community, the Assembly of the Republic of Macedonia adopts:

THE CONSTITUTION OF THE REPUBLIC OF MACEDONIA

I. BASIC PROVISIONS

Article 1 The Republic of Macedonia is a sovereign, independent, democratic and social state. The sovereignty of the Republic of Macedonia is indivisible, inalienable and nontransferable.

Article 2 Sovereignty in the Republic of Macedonia derives from the citizens and belongs to the citizens. The citizens of the Republic of Macedonia exercise their authority through democratically elected Representatives through referendum and through other forms of direct expression.

Article 3 The territory of the Republic of Macedonia is indivisible and inviolable. The existing borders of the Republic of Macedonia are inviolable. The borders of the Republic of Macedonia may be changed only in accordance with the constitution.

Article 4 Citizens of the Republic of Macedonia have citizenship of the Republic of Macedonia. A subject of the Republic of Macedonia may either be deprived of citizenship, nor expelled or extradited to another state.

Citizenship of the Republic of Macedonia is regulated by law.

Article 5 The state symbols of the Republic of Macedonia are the coat of arms, the flag and the national anthem. The coat of arms, the flag and the national anthem of the Republic of Macedonia are adopted by law by a two-thirds majority vote of the total number of Assembly Representatives. **Article 6** The Capital of the Republic of Macedonia is Skopje.

Article 7 The Macedonian language, written using its Cyrillic alphabet, is the official language in the Republic of Macedonia. In the units of local self-government where the majority of the inhabitants belong to a nationality, in addition to the Macedonian language and Cyrillic alphabet, their language and alphabet are also in official use, in a manner determined by law. In the units of local self-government where there is a considerable number of inhabitants belonging to a nationality, their language and alphabet are also in official use, in addition to the Macedonian language and Cyrillic alphabet, under conditions and in a manner determined by law.

Article 8 The fundamental values of the constitutional order of the Republic of Macedonia are: - the basic freedoms and rights of the individual and citizen, recognised in international law and set down in the Constitution; - the free expression of national identity; - the rule of law; - the division of state powers into legislative, executive and judicial; - the legal protection of property; - the freedom of the market and entrepreneurship; - humanism, social justice and solidarity; - local self-government; - proper urban and rural planning to promote a congenial human environment, as well as ecological protection and development; and - respect for the generally accepted norms of international law. Anything that is not prohibited by the Constitution or by law is permitted in the Republic of Macedonia.

II. BASIC FREEDOMS AND RIGHTS OF THE INDIVIDUAL AND CITIZEN I.

Civil and political freedoms and rights

Article 9 Citizens of the Republic of Macedonia are equal in their freedoms and rights, regardless of sex, race, colour of skin, national and social origin, political and religious beliefs, property and social status. All citizens are equal before the Constitution and law.

Article 10 The human right to life is irrevocable. The death penalty shall not be imposed on any grounds whatsoever in the Republic of Macedonia.

Article 11 The human right to physical and moral dignity is irrevocable. Any form of torture, or inhuman or humiliating conduct or punishment, is prohibited. Forced labour is prohibited.

Article 12 The human right to freedom is irrevocable. No person's freedom can be restricted except by court decision or in cases and procedures determined by law. Persons summoned, apprehended or detained shall immediately be informed of the reasons for the sum-

mons, apprehension or detention and on their rights. They shall not be forced to make a statement. A person has a right to an attorney in police and court procedure. Persons detained shall be brought before a court as soon as possible, within a maximum period of 24 hours from the moment of detention, and the legality of their detention shall there be decided upon without delay. Detention may last, by court decision, for a maximum of 90 days from the day of detention. Persons detained may under the conditions determined by law, be released from custody to conduct their defence.

Article 13 A person indicted for an offence shall be considered innocent until his/her guilt is established by a legally valid court verdict. A person unlawfully detained, apprehended or convicted has a right to legal redress and other rights determined by law.

Article 14 No person may be punished for an offence which has not been declared an offence punishable by law, or by other acts, prior to its being committed, and for which no punishment has been prescribed. No person may be tried in a court of law for an offence of which he/she has already been tried and for which a legally valid court verdict has already been brought.

Article 15 The right to appeal against individual legal acts issued in a first instance proceedings by a court, administrative body, organisation or other institution carrying out public mandates is guaranteed.

Article 16 The freedom of personal conviction, conscience, thought and public expression of thought is guaranteed. The freedom of speech, public address, public information and the establishment of institutions for public information is guaranteed. Free access to information and the freedom of reception and transmission of information are guaranteed. The right of reply via the mass media is guaranteed. The right to a correction in the mass media is guaranteed. The right to protect a source of information in the mass media is guaranteed. Censorship is prohibited.

Article 17 The freedom and confidentiality of correspondence and other forms of communication is guaranteed. Only a court decision may authorise non-application of the principle of the inviolability of the confidentiality of correspondence and other forms of communication, in cases where it is indispensable to a criminal investigation or required in the interests of the defence of the Republic.

Article 18 The security and confidentiality of personal information are guaranteed. Citizens are guaranteed protection from any violation of their personal integrity deriving from the registration of personal information through data processing.

Article 19 The freedom of religious confession is guaranteed. The right to express one's faith freely and publicly, individually or with others is guaranteed. The Macedonian Orthodox Church and other religious communities and groups are free to establish schools and other social and charitable institutions, by ways of a procedure regulated by law.

Article 20 Citizens are guaranteed freedom of association to exercise and protect their political, economic, social, cultural and other rights and convictions. Citizens may freely establish associations of citizens and political parties, join them or resign from them. The programmes and activities of political parties and other associations of citizens may not be directed at the violent destruction of the constitutional order of the Republic, or at encouragement or incitement to military aggression or ethnic, racial or religious hatred or intolerance. Military or paramilitary associations which do not belong to the Armed Forces of the Republic of Macedonia are prohibited.

Article 21 Citizens have the right to assemble peacefully and to express public protest without prior announcement or a special licence. The exercise of this right may be restricted only during a state of emergency or war.

Article 22 Every citizen, on reaching 18 years of age acquires the right to vote. The right to vote is equal, universal and direct, and is exercised at free elections by secret ballot. Persons deprived of the right to practise their profession by a court verdict do not have the right to vote.

Article 23 Every citizen has the right to take part in the performance of public office.

Article 24 Every citizen has a right to petition state and other public bodies, as well as to receive an answer. A citizen cannot be called to account or suffer adverse consequences for attitudes expressed in petitions, unless they entail the committing of a criminal offence.

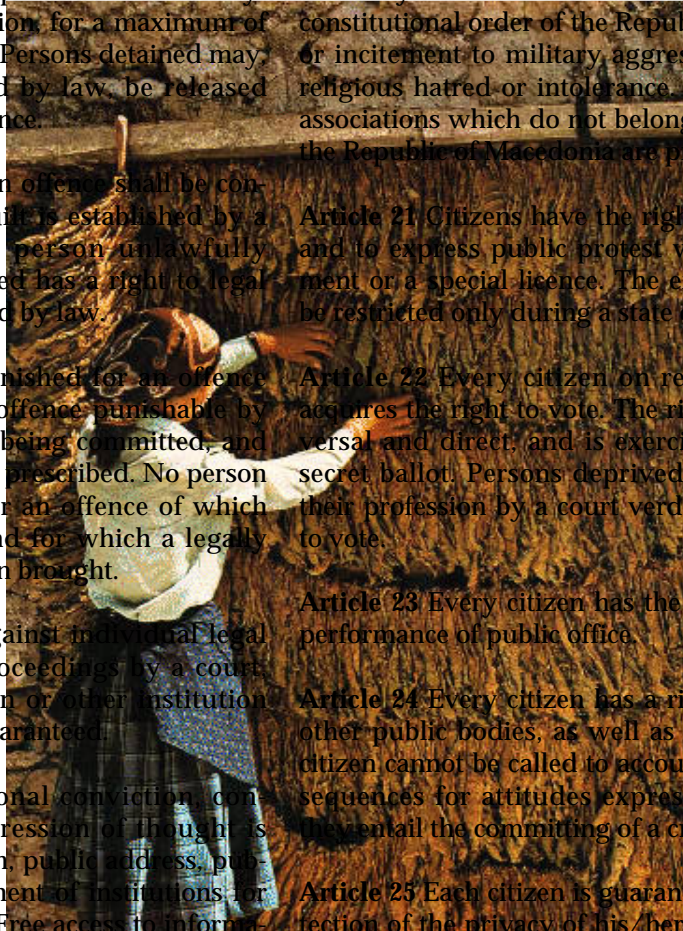
Article 25 Each citizen is guaranteed the respect and protection of the privacy of his/her personal and family life and his/her dignity and repute.

Article 26 The inviolability of the home is guaranteed. The right to the inviolability of the home may be restricted only by a court decision in cases of the detection or prevention of criminal offences or the protection of people's health.

Article 27 Every citizen of the Republic of Macedonia has the right of free movement on the territory of the Republic and freely to choose his/her place of residence. Every citizen has the right to leave the territory of the Republic and to return to the Republic. The exercise of these rights may be restricted by law only in cases where it is necessary for the protection of the security of the Republic, criminal investigation or protection of people's health.

Article 28 The defence of the Republic of Macedonia is the right and duty of every citizen. The exercise of this right and duty of citizens is regulated by law.

Article 29 Foreign subjects enjoy freedoms and rights guaranteed by the Constitution in the Republic of Macedonia, under conditions regulated by law and international agreements. The Republic guarantees the right of asylum to foreign subjects and stateless persons expelled because of democratic political convictions and



activities. Extradition of a foreign subject can be carried out only on a basis of a ratified international agreement and on the principle of reciprocity. A foreign subject cannot be extradited for political criminal offences. Acts of terrorism are not regarded as political criminal offences.

III. ECONOMIC, SOCIAL AND CULTURAL RIGHTS.

Article 30 The right to ownership of property and the right of inheritance are guaranteed. Ownership of property creates rights and duties and should serve the well-being of both the individual and the community. No person may be deprived of his/her property or of the rights deriving from it, except in cases concerning the public interest determined by law. If property is expropriated or restricted, rightful compensation not lower than its market value is guaranteed.

Article 31 Foreign subjects in the Republic of Macedonia may acquire the right of ownership of property under conditions determined by law.

Article 32 Everyone has the right to work, free choice of employment, protection at work and material assistance during temporary unemployment. Every job is open to all under equal conditions. Every employee has a right to appropriate remuneration. Every employee has the right to paid daily, weekly and annual leave. Employees cannot waive this right. The exercise of the rights of employees and their positions are regulated by law and collective agreements.

Article 33 Everyone is obliged to pay tax and other public contributions, as well as to share in the cost of public expenditure in a manner determined by law.

Article 34 Citizens have a right to social security and social insurance, determined by law and collective agreement.

Article 35 The Republic provides for the social protection and social security of citizens in accordance with the principle of social justice. The Republic guarantees the right of assistance to citizens who are infirm or unfit for work. The Republic provides particular protection for invalid persons, as well as conditions for their placement in the life of the society.

Article 36 The Republic guarantees particular social security rights to veterans of the Anti-Fascist War and of all Macedonian national liberation wars, to war invalids to, to those expelled and imprisoned for the ideas of the separate identity of the Macedonian people and of Macedonian statehood, as well as to members of their families without means of material and social subsistence. The particular rights are regulated by law.

Article 37 In order to exercise their economic and social rights, citizens have the right to establish trade unions. Trade unions can constitute confederations and become members of international trade union organisations. The law may restrict the conditions for the exercise of the right to trade union organisation in the armed forces, the police and administrative bodies.

Article 38 The right to strike is guaranteed. The law may restrict the conditions for the exercise of the right to strike in the armed forces, the police and administrative bodies.

Article 39 Every citizen is guaranteed the right to health care. Citizens have the right and duty to protect and promote their own health and the health of others.

Article 40 The Republic provides particular care and protection for the family. The legal relations in marriage, the family and cohabitation are regulated by law. Parents have the right and duty to provide for the nurturing and education of their children. Children are responsible for the care of their old and infirm parents. The Republic provides particular protection for parentless children and children without parental care.

Article 41 It is a human right freely to decide on the procreation of children. The Republic conducts a humane population policy in order to provide balanced economic and social development.

Article 42 The Republic particularly protects mothers, children and minors. A person under 15 years of age cannot be employed. Minors and mothers have the right to particular protection at work. Minors may not be employed in work which is detrimental to their health or morality.

Article 43 Everyone has the right to a healthy environment to live in. Everyone is obliged to promote and protect the environment. The Republic provides conditions for the exercise of the right of citizens to a healthy environment.

Article 44 Everyone has the right to education. Education is accessible to everyone under equal conditions. Primary education is compulsory and free.

Article 45 Citizens have a right to establish private schools at all levels of education, with the exception of primary education, under conditions determined by law.

Article 46 The autonomy of universities is guaranteed. The conditions of establishment, reorganisation and termination of universities of a university are regulated by law.

Article 47 The freedom of scholarly, artistic and other forms of creative work is guaranteed. Rights deriving from scholarly, artistic or other intellectual creative work are guaranteed. The Republic stimulates, assists and protects the development of scholarship, the arts and culture. The Republic stimulates and assists scientific and technological development. The Republic stimulates and assists technical education and sport.

Article 48 Members of nationalities have a right freely to express, foster and develop their identity and national attributes. The Republic guarantees the protection of the ethnic, cultural, linguistic and religious identity of the nationalities. Members of the nationalities have the right



to establish institutions for culture and art, as well as scholarly and other associations for the expression, fostering and development of their identity. Members of the nationalities 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 the language of a nationality, the Macedonian language is also studied.

Article 49 The Republic cares for the status and rights of those persons belonging to the Macedonian people in neighbouring countries, as well as Macedonian ex-patriates, assists their cultural development and promotes links with them. The Republic cares for the cultural, economic and social rights of the citizens of the Republic abroad. 3. Guarantees of basic freedoms and rights

Article 50 Every citizen may invoke the protection of freedoms and rights determined by the Constitution before the regular courts, as well as before the Constitutional Court of Macedonia, through a procedure based upon the principles of priority and urgency. Judicial protection of the legality of individual acts of state administration, as well as of other institutions carrying out public mandates, is guaranteed. A citizen has the right to be informed on human rights and basic freedoms as well as actively to contribute, individually or jointly with others, to their promotion and protection.

Article 51 In the Republic of Macedonia laws shall be in accordance with the Constitution and all other regulations in accordance with the Constitution and law. Everyone is obliged to respect the Constitution and the laws.

Article 52 Laws and other regulations are published before they come into force. Laws and other regulations are published in 'The Official Gazette of the Republic of Macedonia' at most seven days after the day of their adoption. Laws come into force on the eighth day after the day of their republication at the earliest, or on the day of publication in exceptional cases determined by the Assembly. Laws and other regulations may not have a retroactive effect, except in cases when this is more favourable for the citizens.

Article 53 Attorneyship is an autonomous and independent public service, providing a legal assistance and carrying out public mandates in accordance with the law.

Article 54 The freedoms and rights of the individual and citizen can be restricted only in cases determined by the Constitution. The freedoms and rights of the individual and citizen can be restricted during states of war or emergency, in accordance with the provisions of the Constitution. The restriction of freedoms and rights cannot discriminate on grounds of sex, race, colour of skin, language, religion, national or social origin, property or social status. The restriction of freedoms and rights cannot be applied to the right to life, the interdiction of torture, inhuman and humiliating conduct and punishment, the legal determination of punishable offences and sentences, as well as to the freedom of personal conviction, conscience, thought and religious confession. 4.

Foundations for economic relations.

Article 55 The freedom of the market and entrepreneurship is guaranteed. The Republic ensures an equal legal position to all parties in the market. The Republic takes measures against monopolistic positions and monopolistic conduct on the market. The freedom of the market and entrepreneurship can be restricted by law only for reasons of the defence of the Republic, protection of the natural and living environment or public health.

Article 56 All the natural resources of the Republic of Macedonia, the flora and fauna, amenities in common use, as well as the objects and buildings of particular cultural and historical value determined by law, are amenities of common interest for the Republic and enjoy particular protection. The Republic guarantees the protection, promotion and enhancement of the historical and artistic heritage of the Macedonian people and of the nationalities and the treasures of which it is composed, regardless of their legal status. The law regulates the mode and conditions under which specific items of general interest for the Republic can be ceded for use.

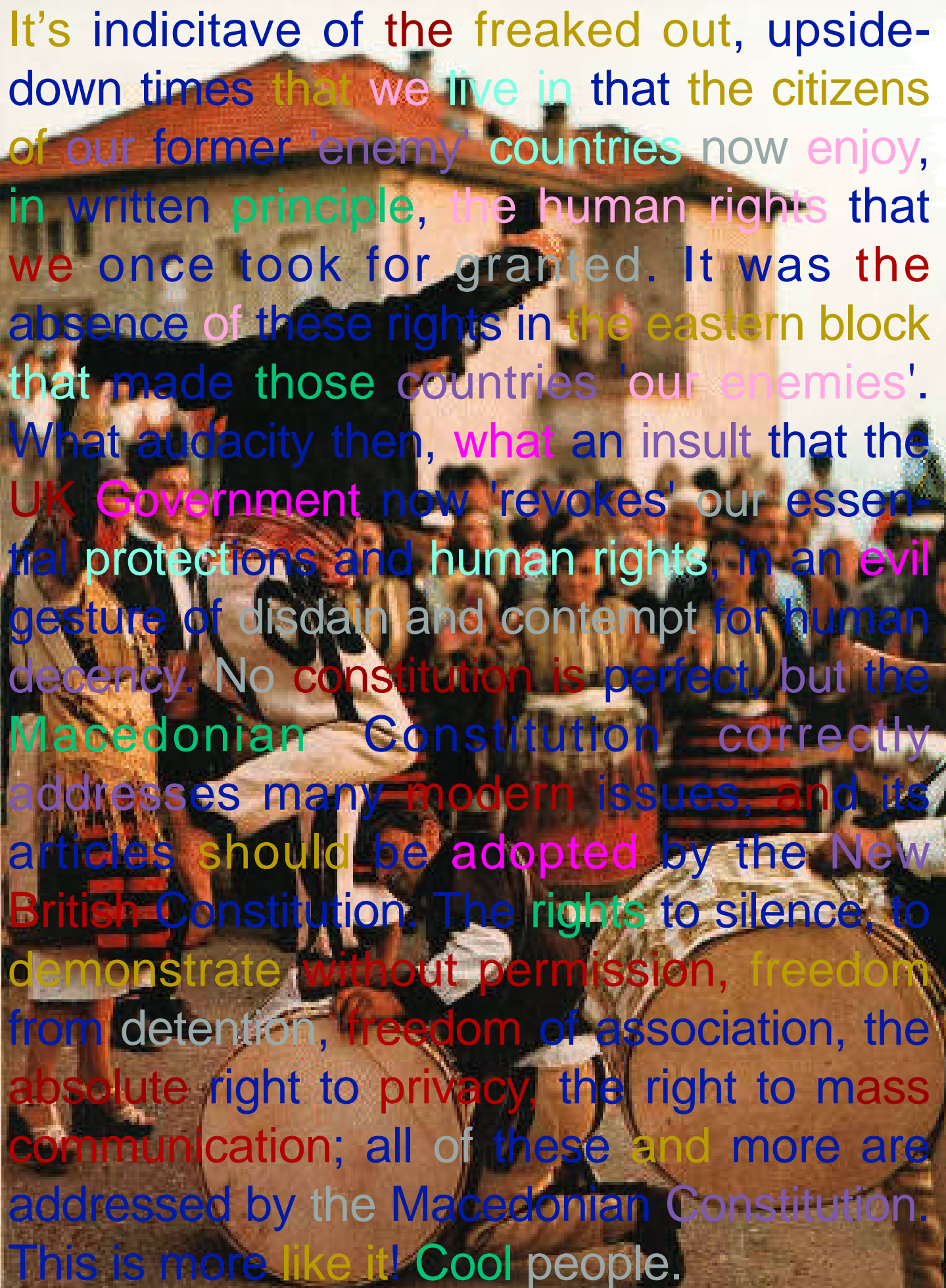
Article 57 The Republic of Macedonia stimulates economic progress and provides for a more balanced spatial and regional development, as well as for the more rapid development of economically underdeveloped regions.

Article 58 Ownership and labour form the basis for management and sharing in decision-making. Participation in management and decision-making in public institutions and services is regulated by law, on the principles of expertise and competence.

Article 59 Foreign investors are guaranteed the right to the free transfer of invested capital and profits. The rights obtained on the basis of the capital invested may not be reduced by law or other regulations.

Article 60 The National Bank of the Republic of Macedonia is a currency-issuing bank. The National Bank is autonomous and responsible for the stability of the currency, monetary policy and for the general liquidity of payments in the Republic and abroad. The organisation and work of the National Bank are regulated by law.



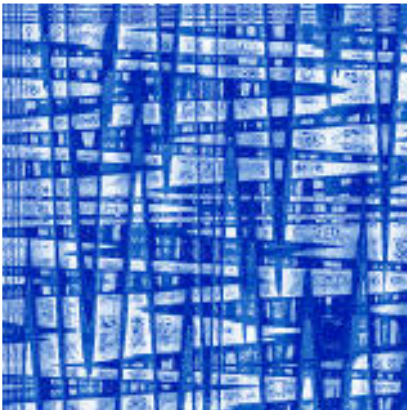
A group of people, including men and women in traditional Macedonian clothing, are playing large, round wooden drums in a public square. The scene is outdoors, with buildings in the background. The text is overlaid on the image in a multi-colored font.

It's indicative of the freaked out, upside-down times that we live in that the citizens of our former 'enemy' countries now enjoy, in written principle, the human rights that we once took for granted. It was the absence of these rights in the eastern block that made those countries 'our enemies'. What audacity then, what an insult that the UK Government now 'revokes' our essential protections and human rights, in an evil gesture of disdain and contempt for human decency. No constitution is perfect, but the Macedonian Constitution correctly addresses many modern issues, and its articles should be adopted by the New British Constitution. The rights to silence, to demonstrate without permission, freedom from detention, freedom of association, the absolute right to privacy, the right to mass communication; all of these and more are addressed by the Macedonian Constitution. This is more like it! Cool people.

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