

**STRUCTURE AND OPERATION
OF LOCAL AND REGIONAL
DEMOCRACY**

"The former Yugoslav Republic of Macedonia"

"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"
Territorial set-up



Structure and operation of local and regional democracy

“The former Yugoslav Republic of Macedonia”

Situation in 1998

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1. LEGAL BASIS

The Constitution of “the former Yugoslav Republic of Macedonia” (adopted in 1991) guarantees the right of citizens to local government. In units of local government, citizens participate directly and through representatives in decision-making on issues of local relevance (Articles 114 and 115).

Local government is regulated by several constitutional provisions and many laws. The basic law is the Local Government Act adopted by a two-third’s majority vote of the representatives of the Macedonian National Assembly. The lawful exercise of local powers are protected by the courts. All local authorities may apply to the Constitutional Court for the protection of their rights.

List of laws of importance to the local administration:

- Local Government Act, Macedonian Official Gazette, Skopje, 52/1995;
- Law on Local Elections, Macedonian Official Gazette, Skopje, 46/1996;
- Law on Territorial Division of “the former Yugoslav Republic of Macedonia” and Demarcation of Municipal Boundaries, Macedonian Official Gazette, Skopje, 49/1996;
- Law on the city of Skopje, Macedonian Official Gazette, Skopje, 49/1996;
- Law on Electoral Lists and the Elector’s Identity Card, Macedonian Official Gazette, Skopje, 49/1996;
- Primary Education Act, Macedonian Official Gazette, Skopje;
- Secondary Education Act, Macedonian Official Gazette, Skopje;
- Budget Law, Macedonian Official Gazette, Skopje, 79/1993;
- Public Enterprises Act, Macedonian Official Gazette, Skopje, 38/1996;
- Decision on the Creation of a Public Enterprise Responsible for Town and Country Planning, Macedonian Official Gazette, Skopje, 30/1996;
- Law Regulating the Relations Among the Existing and Recently Established Municipalities, Macedonian Official Gazette, Skopje, 59/1996.

2. STRUCTURE OF LOCAL AUTHORITIES

2.1. Size of territory and population

Size of territory: 25 713 km²
 Population: 2 075 196 (1994)
 Population density: 80.7 inhabitants per km²

Major ethnic divisions	Percentage
Macedonian	66.4
Albanian	23.1
Turk	3.9
Roma	2.3
Serb	1.9
Vlach	0.4

2.2. Main subdivisions

“The former Yugoslav Republic of Macedonia” has a one-tier system of local government. There are 123 municipalities and the city of Skopje, which is a community of seven municipalities.

A municipality is based on the territory of one or more areas linked by the common needs and interests of the local population and where conditions exist both for economic and social development and for citizen participation in the decision-making process.

The territory of a municipality should represent a natural, geographical and economically linked entirety, with communication networks between the neighbourhoods and gravitation towards a common centre, as well as an infrastructure and public facilities.

The territorial division of the state and the area administered by each municipality is defined by law, more precisely by the law on territorial division of “the former Yugoslav Republic of Macedonia” and demarcation of the municipal boundaries. Both urban and rural municipalities form local government units. The former consists either of a sole town or a town and a number of villages close to it; the latter consist either of a sole village or a group of villages. The city of Skopje is a specific unit of local government, the organisation of which is regulated by a law of the same name. It actually covers seven municipalities and shares its functions with them. The city of Skopje is not a superior authority to the municipalities.

2.3. Units of state administration at local level

Ministries and other central organs with national authority operate through different local bodies subordinate to them. There are administrative organs located in every municipality, such as those subject to the Ministry of Education and Physical Culture, Ministry of Health, Ministry of Labour and Social Policy and Ministry of Culture. Some agencies or institutions within these ministries, such as the Pedagogical Institute – a partially autonomous section within the Ministry of Education – have their local offices in some of the municipalities.

There are several other decentralised organs of national government. They include the National Statistics Bureau, the National Hydro-meteorological Institute and the Macedonian Archives. Their network covers either all municipalities, or only the largest and most populated.

2.4. Local electoral system

Every citizen of “the former Yugoslav Republic of Macedonia” upon reaching 18 years of age acquires the right to vote. This right is equal, universal and direct, and is exercised in free elections by secret ballot. A citizen must be a permanent resident of the municipality where she/he votes.

Councillors and mayors are elected by popular vote. The number of councillors in the municipalities depends on the size of their population and is determined by law, more precisely by the Local Government Act.

Number of residents in the municipality	Number of councillors
Less than 10 000	13
10 000-30 000	17
30 000-50 000	19
50 000-100 000	23
More than 100 000	25

The only exception to this rule is the council of the city of Skopje which consists of thirty-nine members – twenty-five elected directly by the citizens and fourteen delegated by the seven councils of the municipalities (two of each) covering the area of the city of Skopje.

Councillors are elected by proportional voting, according to the D'Hondt method.

A list of candidates for the municipal council may be presented by officially registered political parties and groups of at least 200 citizens. The candidates and the citizens supporting them must be both Macedonian citizens and permanent residents in the municipalities where they are nominated.

The nomination procedure and legal conditions for mayors are identical to those regarding the councillors.

A mayor is elected by a majority vote of the citizens on condition that at least half the electors of the constituency in a particular municipality took part in the elections. If not, there will be a second round of elections for those candidates obtaining more than 10% of the total number of votes in the first round. If there is only one or no candidate with more than 10% votes, then the two candidates with the most votes (although with less than 10% votes) will participate in the second round of elections. The winner is the candidate who has obtained the majority of the votes in the second round of the election.

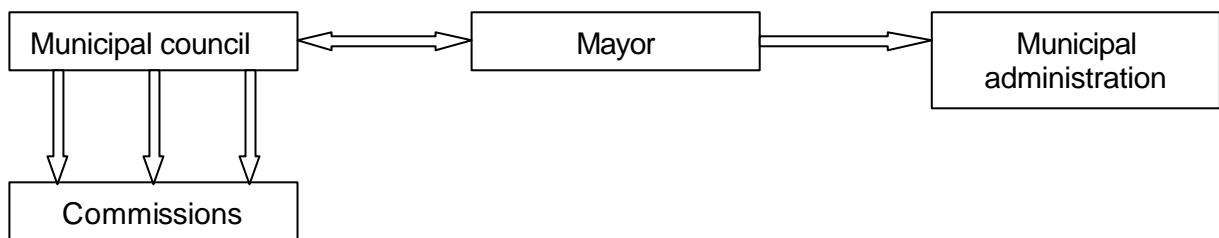
The bodies in charge of conducting the local elections are the National Electoral Commission, the municipal electoral commissions, the city of Skopje Electoral Commission and the electoral boards.

The National Electoral Commission appoints both the members of the municipal electoral commissions and of the city of Skopje Electoral Commission with a mandate to serve for four years. The commissions are each composed of five members, two from the national ruling party and two from those opposition parties that obtained at least 5% of the total votes at the national elections in 1994. The fifth member of the commission is its chairman, chosen from the ranks of the judiciary.

The municipal electoral commissions are in charge of the preparation of elections from a technical point of view: that is the preparation of the lists of candidates, the appointment of members of the electoral boards, any decision on the parties' or citizens' complaints against the work of a particular electoral board, and the verification and public announcement of the election results in the municipalities.

The electoral boards are composed of three members; one of them belongs to the ruling party (or coalition), another is a member of the minority parties and the third one is a non-partisan person. They are in charge of the implementation of the voting procedure in the constituencies; this means both explaining the voting technique to the citizens and monitoring electoral procedure. The Local Election Law provides that the minority parties are entitled to directly supervise the regularity of the elections.

Local government bodies



3. ORGANS OF LOCAL AUTHORITIES

3.1. Deliberative body

3.1.1. The municipal council

The council is the legislative body of the local government unit. The term of office of municipal councillors is four years.

The council shall:

- adopt the statutes of the municipality and the rules of procedure of the council;
- adopt the budget and the annual balance of accounts;
- adopt working programmes and plans in conformity with the law;
- make decisions implementing local government competencies;
- establish public services, public institutions and public enterprises and supervise their work in conformity with the law;
- appoint and dismiss managers of public services, institutions and enterprises established by itself, on a proposal from the mayor;
- establish municipal administrative bodies;
- carry out inspections regarding problems within the competence of the local government unit;
- determine sanctions when a municipal regulation is violated;
- supervise the work of the municipal organs it has established;

- establish a commission for the appointment and dismissal of municipal administrative officers;
- appoint and relieve of duty its president and secretary;
- carry out other work determined by law.

The council is also entitled to use public goods and exploit natural resources within its territory if so authorised by law.

The council works in sessions that are convened by the president and must be attended by a majority of the total number of councillors.

The council makes decisions by a majority vote of the councillors attending unless it is determined otherwise by law and the statutes. The statutes, rules of procedure, budget and balance of accounts are adopted by a majority vote of the total number of councillors.

The sessions of the council are open to the public.

3.1.2. Commissions

Committees or commissions are mainly established in order to discuss drafts of various orders and resolutions and to present them to the full council.

A local government unit has several commissions. Each of these commissions has one or two areas of competence. They can be either standing or *ad hoc* committees. The most usual commissions are the following: the Statutes Commission, the Finance and Budget Commission, the Commission for Communal Activities, the Commission for Town Planning, the Commission for Protection of the Natural and Man-Made Environment, etc.

The law provides that in the municipalities with a mixed population, where all other nationalities except ethnic Macedonians represent the majority or a considerable number of the total population, a commission for inter-ethnic relations should be established, and should include representatives of all nationalities living there.

3.1.3. The president of the council

The president is a councillor. S/he can be nominated by a special nomination commission of the council, which is elected by the council immediately after the verification of the mandates of the councillors. This president will be elected by a majority vote of the total number of councillors.

The president shall:

- summon and lead the sessions of the council;
- take care of the organisation and work of the council;
- sign the decisions and other measures passed by the council.

3.1.4. Rights and responsibilities of the councillors

Council members have the right and duty to attend their council and commission's meetings. They have the right to pursue initiatives and proposals and put questions to the mayor.

A councillor cannot be held to have committed a criminal offence owing to the views s/he has expressed or to the way s/he has voted in the council.

The office of councillor is unpaid. Of course, expenses incurred in order to attend meetings are reimbursed.

The mandate of a councillor will be terminated in case of death, resignation, conviction for criminal charges, as well as in the case of illness for more than a year or absence from meetings for more than six months without justification.

3.2. Executive body

The mayor is the representative and executive power in the local government unit. The term of office of the mayor is four years.

The mayor shall:

- represent the local government unit;
- take care of and secure the implementation of the decisions of the council;
- take care of the implementation of the work entrusted to the local government unit by the central authorities;
- propose to the council the adoption of decisions and other measures within its competence;
- publicise the orders and decisions passed by the council of the local government unit in the municipal official gazette;
- issue specific orders if entitled to do so in conformity with law and with the statutes of the local government unit;
- manage the municipal administration;
- manage the municipal property in conformity with the law and the statutes of the local government unit;
- appoint and dismiss the senior architect (in urban municipalities);
- appoint and dismiss the heads of the municipal administrative departments;
- appoint and dismiss members of the town (city) council for architecture;
- hire and dismiss the officers in the municipal administration after acquiring the opinion of a special commission of the local council;
- carry out other work determined by law or by the statutes of the local government unit.

The mayor is obliged to call the council's attention to a measure or decision which is not in compliance with the Constitution or a particular law. The council will be obliged to review that measure or decision within fifteen days. If the council fails to make that measure conform to the Constitution or the law, then the mayor is obliged to inform the government.

The mayor performs his/her duty on a professional basis. He is responsible to the citizens under the administration of the local government unit.

A vote of no confidence may be initiated by at least 20% of the total number of electors and will be adopted by a majority vote of all electors in the local government unit.

The mayoral office will be terminated in case of death, resignation, conviction for criminal charges, as well as in the case of illness lasting more than a year or absence from meetings for more than six months without justification.

It is the government of “the former Yugoslav Republic of Macedonia” which will establish the reason for the mayor’s termination of office and remove his/her mandate. The government’s next step is to inform the National Assembly in order that the latter can issue a directive calling for new mayoral elections in the respective municipality.

3.3. municipal administration

The municipal administration consists of inspectorates, offices, etc. Its responsibilities include:

- preparation of measures which are to be passed either by the council or mayor of the local government unit;
- carrying out expert and other work for the council and the mayor;
- issuing specific administrative acts;
- following and analysing the situation in specific fields and bringing initiatives and proposals either to the council or to the mayor;
- carrying out other work entrusted by the council and by the mayor of the local government unit.

The main town (or city) architect shall:

- undertake initiatives for changing and completing the detailed urban plans;
- undertake initiatives to design urban and architectural plans;
- give expert opinion on the detailed urban plans and urban and architectural projects;
- suggest how the design of the architectural projects could preserve the ambient values of particular areas or buildings;
- give consent to architectural projects of great importance for the town (city);
- propose supplementary regulations and norms in the field of architecture;
- undertake initiatives for revitalising particular areas of the town (city);
- take care to preserve the cultural and architectural inheritance of the town and pay special attention to its overall architectural style, etc.

As mentioned before, the chief town (city) architect will be appointed and dismissed by the mayor. His/her mandate lasts four years. Two architectural bodies can help the town (city) architect in his/her work. These are the Town (City) Council for Architecture and the Office of the Chief Town (City) Architect. The former is composed of distinguished architects and other professionals. The managing role in both bodies is assigned to the chief town (city) architect. The members of these bodies are proposed by the chief town (city) architect, but are appointed by the mayor.

4. DIRECT CITIZEN PARTICIPATION IN DECISION-MAKING

Citizens participate directly in decision-making on issues of local relevance through citizens' initiatives, gatherings of citizens and referenda.

The citizens have the right to propose to the council of the local government unit that it should adopt a certain proposal in order to resolve certain issues under its authority.

If it is supported by at least 10% of the electors, the above mentioned-proposal must be discussed by the council within the term determined by the statutes of the local government unit, or within ninety days at the latest.

A public meeting can be called for the entire municipality or for a part of it. The gathering is called by the mayor on his/her own initiative or upon the request of at least 10% of the electorate in the municipality or the part of the municipality to which it appertains.

The public meeting may adopt general guidelines regarding the work of the municipal organs by a majority of vote of those attending the meeting.

The local organs and bodies are obliged to take into consideration these guidelines by adopting measures or making decisions within ninety days.

The council of the local government unit may on its own initiative issue notice of a referendum concerning matters within its sphere of competence.

The council of the local government unit is bound to issue notice of a referendum if requested by 20% of the electors in the local government unit, as determined by the statutes.

The decision resulting from the referendum will be adopted provided that more than half the total number of electors have cast their votes.

The adopted resolution is binding on the council.

5. LOCAL PUBLIC SERVICES AND POWERS

5.1. Municipalities

The municipality shall:

- adopt development programmes;
- adopt a budget and balance of payments;
- adopt programmes establishing building zones within the municipal territory;
- adopt a general urban plan with the approval of the state urban authorities;
- adopt a detailed urban plan and gather information for the inhabited areas of the municipality with the approval of the state urban authorities which are obliged to consult some other organs and organisations in this respect;
- collect land tax.

The municipality shall regulate and organise:

- construction and maintenance of local streets, roads and other infrastructure facilities of local relevance;
- drinking water supply, drainage of rainwater and sewerage in conformity with the law;
- neighbourhood cleaning, garbage collection;
- street lighting.

The municipality shall regulate, within the framework of the law:

- maintenance of parks and green spaces;
- local transport;
- maintenance of street and traffic signals;
- maintenance of public cemeteries;
- maintenance and utilisation of the riverbeds;
- maintenance and use of markets;
- cleaning of chimneys.

The municipality shall:

- give names to the streets, squares, bridges and other infrastructure facilities of local relevance in conformity with the law;
- give an opinion on the establishment of primary schools (which is within the competence of the Ministry of Education);
- undertake initiatives, give an opinion and make proposals concerning improvements in the fields of culture, sport, the social security system and child care, pre-school education, basic health care, protection of the natural and man-made environment;
- participate through representatives in the activities and decision-making of primary schools and institutions in the fields of culture, sport, social security, child care, health care and those dealing with natural and man-made environment;
- encourage and create conditions for the development of handicrafts, tourism and catering;
- perform civil defence duties in conformity with the law;
- establish municipal administrative bodies;
- establish municipal inspectorates;
- establish public communal enterprises;
- determine sanctions when a municipal regulation is violated.

Municipalities may establish media channels of local interest in conformity with the law, as well as secondary professional schools. They have the right to improve the conditions in some fields that are under the governance of the central authorities. In the field of education, local authorities can give extra money to kindergartens, primary and secondary schools (which are otherwise administered and financed by the Ministry of Education and its subordinate local organs) in order to provide teaching aids, organise transport for pupils from remote villages, reconstruct school buildings and do everything else that is not covered by the annual budget of the Ministry of Education. The same opportunity exists in the fields of sport, culture, the social security system and child care, basic health care, and protection of the natural and man-made environment.

5.2. The city of Skopje

Skopje is the capital of “the former Yugoslav Republic of Macedonia” and is a specific local government unit as it has a huge concentration of administrative, university, cultural and other services of national importance, and has a much larger geographical area and population than any other local government unit in Macedonia. It is thus unique among Macedonian local government units in its distribution of local responsibilities between the authorities of the city of Skopje, which is comprised of a community of seven municipalities, and the authorities of those seven municipalities.

5.2.1. Specific public services for which the city of Skopje is responsible

The city of Skopje shall:

- adopt development programmes;
- adopt a budget and balance of payments;
- adopt a general urban plan with the approval of the state urban authorities;
- adopt programmes determining the building zones based on similar programmes of the municipalities. Furthermore, all requests to construct buildings of national relevance must be included in the programmes of the city of Skopje;
- administer building areas, collect fees for the utilisation of the building areas and share the fees with the municipalities;
- give names to the streets, squares, bridges and other infrastructure facilities in conformity with the law.

The city of Skopje shall regulate and organise:

- construction, reconstruction and maintenance of the trunk and main roads;
- drinking water supply, drainage of rainwater and sewerage in conformity with the law;
- cleaning the city and garbage collection;
- lighting along the trunk and main roads.

The city of Skopje shall regulate:

- maintenance of parks, forests and other recreational sites;
- maintenance of green spaces, tree-lined paths, fountains and water courses along the trunk and main roads;
- city transport in conformity with the law;
- maintenance of street and traffic signals in conformity with the law;
- maintenance of the central city cemetery in conformity with the law;
- maintenance and utilisation of the river Vardar and reconstruction of its bridges within its territory;
- maintenance and operation of the two large markets;
- maintenance and utilisation of public parking areas.

The city of Skopje shall:

- undertake initiatives, give opinions and make proposals concerning the fields of culture, sport, social security and child care, pre-school education, basic health care, protection of animals and plants, the natural and man-made environment;
- encourage and create conditions for the development of handicrafts, tourism and catering;
- perform civil defence duties in conformity with the law;
- establish city administrative services;
- establish city inspectorates;
- establish public communal enterprises;
- determine sanctions in cases of violation of the city's regulations.

The city of Skopje may establish media channels of relevance to the city in conformity with the law.

The city of Skopje has the right to improve the conditions in some fields which are in the charge of the central authorities, particularly culture, sport, social security and child care, basic health protection, protection of the natural and man-made environment beyond the level provided by state funds. This can be accomplished by financing construction, or by providing equipment and maintenance of services and facilities in the respective fields.

The city of Skopje may co-operate with the capitals of other countries.

5.2.2. Specific public services for which the Skopje municipalities are responsible

They shall regulate and organise:

- construction, reconstruction and maintenance of all roads except trunk and main roads within their territories;
- lighting along all streets and roads except trunk and main roads;

They shall:

- give an opinion when primary schools are established;
- establish secondary schools;
- establish municipal administrative organs;
- establish inspectorates, etc.

6. OFFICIAL USE OF LANGUAGES IN LOCAL GOVERNMENT UNITS

Local government units in which the population of other nationalities (ethnic Albanians, ethnic Turks, ethnic Serbs and any others except ethnic Macedonians) exceeds 20% or 50% of the total population according to the last census (1994) are considered to be local government units with a significant number or a majority of other nationalities.

At council meetings and meetings of other organs of local government units with a majority/significant number of other nationalities, their language and alphabet must also be in official use, in addition to the Macedonian language and its Cyrillic alphabet.

The statutes, decisions, and other measures will be written and officially published both in the Macedonian language and its Cyrillic alphabet and the language and alphabet of the nationalities which form a majority/significant number of the population in that particular local government unit. The same will apply to the official use of the languages in the public services, public institutions and public enterprises established in such local government units.

In a local government unit where the majority of the inhabitants belong to a nationality other than Macedonian, the names of the public services, institutions and enterprises established by the local authority will be written both in the Macedonian language and the Cyrillic alphabet and in the language and alphabet of the other nationality in question. The same will be done in a unit of local government with a significant number of inhabitants belonging to another nationality, if the council of the local government unit so decides.

Signs bearing the names of the cultural and educational institutions which serve to promote and develop the cultural identity and education of the various nationalities will be written both in the Macedonian language and the Cyrillic alphabet and in the language and alphabet of the appropriate nationality, even if the signs are located in areas inhabited by a small number of people of that nationality.

Function	Competent authority			Type of competence				Exercise of the competence				Remarks
	State	Intermediate	municipality	Exclusive	Shared	Compulsory	Discretionary	Direct	Indirect	In own right	For another authority	
General administration												
Security, police	•			•				•	•			
Fire protection			•	•				•				
Civil protection			•	•				•				
Justice	•		•		•			•				
Civil status register	•			•				•				
Statistical office	•			•				•				
Electoral register	•			•				•	•			
Education												
Pre-school education			•	•				•				
Primary education	•		•		•			•	•			
Secondary education	•		•		•		•	•				
Vocational and technical	•		•		•		•	•				
Higher education	•			•				•				
Adult education	•		•		•		•	•				
Other												
Public health												
Hospitals	•							•				
Health protection	•		•		•				•			

Function	Competent authority			Type of competence				Exercise of the competence				Remarks
	State	Intermediate	municipality	Exclusive	Shared	Compulsory	Discretionary	Direct	Indirect	In own right	For another authority	
Social welfare												
Kindergarten and nursery	•		•		•			•	•			
Family welfare services	•		•		•			•	•			
Welfare homes	•		•		•			•	•			
Social security	•		•		•			•	•			
Other												
Housing and town planning												
Housing	•		•		•			•	•			
Town planning			•	•				•				
Regional/spatial planning	•		•		•			•	•			
Environment, public sanitation												
Water & sewage			•	•				•				
Refuse collection & disposal			•	•				•				
Cemeteries & crematoria			•	•				•				
Slaughterhouses	•		•		•			•				
Environmental protection	•		•		•			•	•			
Consumer protection	•		•		•			•	•			
Culture, leisure & sports												
Theatres & concerts	•		•		•			•	•			
Museums & libraries	•		•		•			•	•			
Parks & open spaces	•		•		•			•	•			
Sports & leisure	•		•		•			•	•			

7. CO-OPERATION BETWEEN LOCAL AUTHORITIES

A mandatory form of co-operation between local authorities is their membership of the Macedonian Association of Local Government Units. Consequently, all municipalities in Macedonia are members. This association has various tasks; among the most important ones, the association:

- discusses any proposed laws or any other regulation concerning local government issues;
- promotes and organises co-operation among local government units;
- represents their interests before the state authorities;
- promotes the co-operation between the local and central authorities;
- institutes co-operation with other national and international associations of local government units, etc.

There is a wide variety of voluntary forms of co-operation. The Macedonian municipalities have the opportunity to co-operate both between themselves and with foreign municipalities. Many Macedonian municipalities are twinned with foreign local authorities. Their co-operation is often based upon interpersonal and cultural links.

There are also financial transactions between municipalities. A municipality lends money to another one usually with no interest. Consultations on various issues between local authorities from different municipalities are frequent.

8. FINANCE

The property of the local government units consists of land, facilities, and money. The municipalities may dispose of their assets as any other economic body.

In order to meet their financial requirements, local government units may use both their own financial sources and other revenues as determined by law. Those are:

Taxes and fees:

- a share of sales tax on goods and services or tax on economic activities (as shared revenue with the state);
- tax on transfer of property, copyright and other rights, tax on inheritance and legacies;
- land tax, communal fees and revenues from services;
- profits of public enterprises established by the municipality;
- a share of the profit of public enterprises located in the municipalities;
- fines for violation of municipal regulations;
- revenues from taxes granted by the state;
- revenues from abroad;
- other sources in conformity with the law.

Apart from this, local government units receive financial support when carrying out work entrusted by the central authorities and can receive donations from natural persons or legal entities.

Local government units can borrow money from the state and can issue bonds. They can increase their income by undertaking economic or other profitable activities in conformity with the law.

The council of the local government unit is committed to establishing a supervisory board in order to control the material and financial operation of the local government unit. The supervisory board is responsible for reporting the financial situation in the unit both to its council and to the Ministry of Finance.

The National Assembly and various governments have passed a series of laws since 1994 to encourage the development of the most underdeveloped areas of the municipalities. They established the Agency for Underdeveloped Areas to implement the laws by granting subsidies. The largest of these subsidies has been directed to the rural areas. The fund earmarked for underdeveloped areas amounts to 1% of the gross domestic product. The subsidies are granted for infrastructure facilities (such as construction of water supply systems, sewerage, local roads), electrification of some remote villages, training and retraining of staff, the payment of pensions, disability allowances and health insurance in favour of the poorest, etc.

9. RELATIONS BETWEEN CENTRAL AND LOCAL AUTHORITIES

There are two aspects of the relations between central and local authorities – their co-operation and the control that the central authorities exercise over the legality of local authorities' activities.

9.1. Co-operation between central and local authorities

- Central authorities are involved in financing projects or parts of projects in local government units in order to improve living conditions in the poorest areas.
- The central authorities or ministries can entrust a part of their work to the local authorities assuming that they will carry it out in a more efficient way. It will be the duty of the central authorities to provide the local authorities with sufficient funds for such projects.
- There is a great variety of ways and means of co-operation between the offices of the ministries performing their duties on the territory of a particular municipality or local authority. They can exchange professional information, arrange joint meetings, prepare joint drafts, give joint opinions, etc. They can even establish joint bodies to discuss or scrutinise particular issues in the longer term.

9.2. Central control over local government units

Any local authority has the right to perform its duties mandated by law without the interference of the central authorities, in regard to selecting priorities. However, there is central control over local authorities in the following respects:

- Every local government unit has financial restrictions in respect of the size of the budget that is to be spent to satisfy local needs. Therefore, according to law, every local government has a limited budget, that is the state determines how much money will be spent in a fiscal year in each municipality, taking into account the level of development, the population of the unit, etc. If a municipality finds more money from its sources, then the “surplus” must be transferred to the state, unless the state approves its usage by the local authority.
- Supervision of the legality of the work of the local authority is carried out by the central government and its respective ministries. The government will suspend the implementation of a measure adopted by a local authority which is not in accordance with the Constitution and will initiate a procedure before the Constitutional Court in order to assess whether the measure complies or not with the Constitution and the law.
- If the government (or a particular ministry) entrusts some work to a local authority, then it has the right to control its progress, giving instructions and guidelines to the local authority in charge of the project. Financial control over the project will be exercised by the Ministry of Finance.
- The government has the right to dissolve the council of a local government unit that cannot convene for a period of more than six months or cannot hold at least two sessions in a year. The same will happen if the council fails to adopt a budget for the year following the 31 December of the current year. The government is obliged to issue a notice of new elections. It is the mayor who will take over the council’s functions until the election of the new council.

The council of the local government unit will be dissolved if it adopts a measure endangering the sovereignty and territorial integrity of the state. The government will report the situation to the National Assembly.

If the mayor of a particular local government unit is not in a position or willing to perform his/her duties then the government will appoint a commissioner until a new mayor is elected.

9.3. Protection of local government

If the council or mayor considers that a particular piece of legislation passed by the National Assembly or by the government violates the rights or position of local government, they can initiate a procedure before the Constitutional Court to decide whether the regulation is in conformity with the Constitution or the laws.

If local authorities consider that their rights are violated due to some acts or activities of central government or its ministries, they can appeal to the regular courts.

10. MECHANISMS FOR REDRESS OF THE ABUSE OF CITIZEN'S RIGHTS

Both the council's administrative branch and the mayor are authorised to issue administrative measures regulating the specific rights of the citizen. If someone is dissatisfied by the measure in the first instance they can lodge a complaint to the mayor against the decisions of the administration body, and to the council against the decision of the mayor. If that person is not satisfied by the second instance decision (given by the council or the mayor) they can defend their rights before the courts.

11. REFORMS IN PROGRESS AND ENVISAGED

11.1. Reforms in progress

Generally, recent changes have tended towards the adoption of a western model of local government with the following characteristics:

- Reduction of local government competencies, by abandoning economic control and territorial defence. According to the new Constitution (Article 115), local government competencies are urban planning, community activities, culture, sport, social security and child care, pre-school education and other fields determined by law
- Both the Constitution and later the Local Government Act made municipalities more financially dependent upon the central authorities by increasing the relative importance of state grants. The state started to support financially the most backward areas regardless of whether they were located in the more or less developed municipalities.
- The third major change is a dramatic reduction in the size and population of the municipalities by new territorial divisions, in order to become closer to the model of "social communities", which means the creation of smaller units where people can define their common interests in a much easier way.
- The fourth major change consists of reform of the municipal organisational structure, in that the cumbersome and numerous legislative, executive and administrative organs have been sharply reduced as a consequence of the reduction in local government competencies, their territory and population. The basic assumption is that the current system must be simpler and lines of responsibility must be more easily recognised.
- A separation of powers between the legislative and executive body at local level has introduced a more lively competition. Both the council and the mayor depend on the popular vote and there is a strict separation of functions, in that way they do not have to depend on each other.

- Since the various nationalities (Macedonians excluded) comprise a third of the population, inter-ethnic relations are extremely important and this has been reflected in regulations concerning local government. The legislators have tried to set inter-ethnic relations on a sound basis of three essential points. The first is the provision in the Local Government Act stating that when appointing staff to local authority posts the relative importance of the various ethnic groups in a local authority unit with a mixed population should be respected. Another provision in the same Act introduces the Inter-Ethnic Commission to municipalities with a mixed population. And the third provision is the section dealing with the parallel use of the Macedonian language and Cyrillic alphabet and the various languages and alphabets of other nationalities in such municipalities, as described above in detail.
- As Macedonia is not a very urbanised country, the legislation introduces a new institution in Macedonian local government – the chief town (city) architect who must work on the definition of urbanism and architectural development of urban areas.

These reforms are in progress, or to be more exact, the division of the municipalities has not yet been achieved, and the overall practical results of these reforms cannot yet be assessed.

11.2. Future reforms

The local government system has not yet been completed, either in legislative, or in organisational terms. Future activities are to be oriented towards the following points:

- Formerly, when the municipalities were larger, some public services covering many neighbourhoods such as public transport, water supply etc. were regulated and organised from one municipal centre. As a result of the reforms, the territory of the municipalities has been reduced and the problem that now emerges is how these activities could be co-ordinated. Consequently, a regulation dealing with the common needs of the neighbouring municipalities should be passed.
- As a legal arrangement allows the administration branch of local government and the mayor to take specific measures regulating the rights of the citizen, it would be more suitable to bring in a law covering the implementation of these local procedures
- Local finances have not been elaborated in full detail. New regulations should be passed with special emphasis on local revenues from sales taxes or taxes on economic activities.
- Since the reforms involve the central authorities in the creation of local government units much more than formerly, with emphasis on their financial support, a special ministry or at least a special department of a ministry, dealing with local government issues should be established.