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SECOND REPORT ON MONITORING OF MEETINGS OF MUNICIPAL COUNCILS
REGARDING INTER-ETHNIC RELATIONS

IMPROVING THE PARTICIPATION OF SMALL(ER) COMMUNITIES AT THE LOCAL LEVEL

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REPORT FROM THE MONITORING OF THE SESSIONS OF MUNICIPAL COUNCILS REGARDING INTER-ETHNIC RELATIONS

Period: 01 July - 30 September

INTRODUCTION

This report was prepared within the project activities “Improving the participation of small(er) communities at the local level” with the support of Delegation of the European Union. The main objective of the project is to establish mechanisms to improve the participation and protection of the rights of Roma and other smaller communities at the local level in accordance with the Ohrid Framework Agreement. The implementation period of the project is from 01.04.2016 until 30.09.2017, in 5 municipalities: Kumanovo, Bitola, Kocani, Prilep, Tetovo.

Association National Roma Centrum from Kumanovo (NRC) together with the Association of Roma Avena Kocani, starting from July 1 till September 30, 2016 monitored the level of quality of the sessions and their dynamics, structure of participants in decision-making process regarding inter-ethnic relations, whether the Commission on inter-ethnic relations is functional and consulted and whether their opinions and recommendations have been taken into account, planning and allocation of funds, participation of smaller communities directly or indirectly as citizens. During the monitoring 5 quarterly reports will be developed on the quality of the meetings of the municipal council regarding participation of smaller communities in decision-making process at the local level. Before you is the second report which refers to the period from July 1 till September 30, year 2016.

The purpose this monitoring of the councils sessions is to get additional transparency in decision-making process and participation of smaller communities in policy making at the local level.

After each monitoring period, civil associations and local authorities will be informed through reports on key findings from the monitoring of the sessions on the municipal councils about inter-ethnic issues.

LEGAL FRAMEWORK FOR PROTECTION AND INSTITUTIONAL ARRANGEMENTS IN MUNICIPALITIES KUMANOVO AND KOCANI

Constitution

Constitution of Republic of Macedonia in the preamble and amendments from 16.11.2001 stemming from the Ohrid Framework Agreement brought some changes in the status and positioning of the smaller ethnic communities in the Republic of Macedonia.

Amendment 5 is amending Article 7 of the Constitution which introduces that on the whole territory of the Republic of Macedonia and in international relations official language is Macedonian and its Cyrillic alphabet and the language spoken by at least 20% of the population and their letter. Personal documents on citizens who speak an official language different than Macedonian are published in Macedonian and its Cyrillic alphabet and the language spoken by the citizens and its alphabet.

Any person living in a unit of local self-government in which at least 20% of the population speaks a language other than Macedonian in communication with regional offices of ministries and in communication with the ministries may use any of the official languages and the ministries and regional offices will answer in Macedonian language and its Cyrillic alphabet as the official language and on the alphabet and its letter used by the citizen.

Amendment 12 replaces Article 78 of the Constitution whereby the Committee on Community Relations is formed which consists of 19 members of whom 7 are Macedonians and Albanians from the Members of Parliament and one from among Turks, Vlachs, Roma, Serbs and Bosniaks. Committee members are elected by the Parliament, and if a community does not have representatives, the Ombudsman after consultation with relevant representatives of those communities, shall propose the remaining members of the committee. The main function of the Committee is to consider matters of relations between communities and to give opinions and suggestions which the Parliament is obliged to consider. In case of dispute for conducting the voting procedure in Parliament, the Committee will decide with majority votes from the members whether the procedure will conduct.

Law on Local Self-Government

Law on Local Self Government in Article 55 establishes the Commission for community relations to be formed in municipalities where at least 20% of the total population are members of a particular community. The Commission is composed of an equal number of representatives from each community in the municipality, and the manner of selection is determined by the statute of the municipality. The Commission considers issues regarding relations between communities and gives opinions and suggestions which the municipal council should consider and decide about them. Article 90 stipulates that in the municipalities official language alongside Macedonian and its Cyrillic alphabet is the language and alphabet that at least 20% of the inhabitants of the municipality use, about the language and alphabet which less than 20% of the inhabitants are speaking in the municipality, the municipal council decides about its use.

Statutes of municipalities of Kumanovo and Kocani

The statute of municipality of Kumanovo adopted on 30.06.2003, in Article 27 stipulates that the regulations regarding on culture, use of languages and alphabets spoken by less than 20% of the citizens of the municipality, determining and use of back and flag of the municipality shall be adopted by the majority of present council members, with a majority of votes of the present council members belonging to communities that are not the majority population in the municipality. Article 47 predicted the establishment of the Commission for Inter-Ethnic Relations which will consider issues related to community relations and will give opinions and suggestions for their resolution which the Council shall consider and decide about them.

In the statute of municipality of Kocani in Article 30 is set to be established a Commission for Inter-Ethnic relations, whose composition, method and scope of work will be determined by the council. Also in Article 7 of the Statute stipulates that back and flag of the municipality will be elected by the majority votes of the councilors, for which the majority of the councilors belonging to the minority communities will be necessary.

METHODOLOGY OF MONITORING

The monitoring includes 6 sessions of municipal councils in Kumanovo and Kocani:

Kumanovo

- 08.07.2016
- 31.08.2016
- 28.09.2016

Kocani

- 17.07.2016
- 31.08.2016
- 30.09.2016

During these sessions we analyzed the quality of the sessions and their dynamics, structure of participants, the process of making decisions about inter-ethnic issues, whether the Commission on inter-ethnic relations was consulted and whether their opinions and recommendations have been taken into account, their participation in policy making process, implementation plan, planning and allocation of funds, the involvement of smaller communities directly or indirectly as citizens and so on.

POLITICAL CONTEXT

On the sessions of the municipal council of Kumanovo almost all members of the council from position and opposition group attend the sessions including the members from the smaller communities. Commission on Inter-ethnic Relations did not attended on any meetings of the council of municipality of Kumanovo. The whole composition of the council of the Municipality of Kocani attended the session which has one independent councilor. Commission on Inter-ethnic Relations is not formed in municipality of Kocani.

Council of municipality of Kumanovo consisting of 32 councilors of which eleven are from the Coalition SDSM twelve councilors from Coalition VMRO-DPMNE, four councilors of DUI, two councilors from DPA, one of the NDP and two councilors from Group voters.

Council of municipality of Kocani consists of 19 councilors of which six are from the opposition SDSM, eight from the position party VMRO-DPMNE, one counselor from NSDP, the Democratic Alliance, the Socialist Party and VMRO-People's Party, one councilor as representative of the Roma community who is independent councilor.

FINDINGS OF THE MONITORING

At the meeting held on 08.07.2016, on the agenda of Council of Kumanovo was found one point about the report for program of cultural events in municipality of Kumanovo for year 2015. For this point material discussion was opened on which many councilors took a word.

First a word gave one councilor from the Coalition VMRO-DPMNE who emphasized that report on events should be withdrawn from the agenda because it lacks information on how many events were organized, how much funds have been spent, on whether the municipality of Kumanovo took place in those manifestations and whether the same are paid. Then a word gave councilor from the coalition of VMRO-DPMNE representative of the Serbian community in the council of the municipality of Kumanovo who stressed that Kumanovo as multiethnic city should promote the culture of the communities. On the other hand, he said that in the last 3 years the Serbian community in Kumanovo has not received financial assistance from the municipality to celebrate the national holiday of Serbs which is on January 27-th. Reply to this discussion had mayor of

Kumanovo who said that the municipality is in a difficult financial situation and that the same will try to do a better dispersion of funds in order for the communities to receive funds for celebration of events. Also he said that there should be a bilateral cooperation, and that the municipality should be invited to the events of the Serbian community held in Zebrnjak each year. A representative of the Roma community coalition of VMRO-DPMNE emphasized that the events held on April 8 on the International Roma Day for which the municipality provides funds should not be used to achieve some political goals. Reply to this statement again had the mayor who stressed that the municipality gives symbolic support for supporting the cultural identification of Roma and that on that event are invited all actors on the political scene in the municipality.

At the meeting held on 31.08.2016, there weren't any points concerning inter-ethnic relations and their participation in decision-making process at the local level, except after the opening of the session one councilor from the Albanian community proposed to amend the agenda with one point information for the opening of classes in Albanian language in school "Pance Peshev" Kumanovo. Also another councilor of the Albanian community asked to put on the agenda this information because it was sought from the citizens who have submitted written requests to the coordinators of the councilors groups. About this point the president of the council proposed this point to be addressed at the next meeting of the council, after which the councilors withdrew their proposals for amendments to the agenda.

On the meeting of the council of the municipality of Kumanovo on 28.09.2016 also there were no points regarding inter-ethnic relations. On the agenda were found points about the reports of schools for year 2015 and the programs for the upcoming 2016/2017 year in the Municipality of Kumanovo. When on the agenda came the point of the adoption of the program and report on the primary music school Pance Peshev a discussion was raised by the Albanian representatives in the council that at this school an Albanian class should be formed and that these two documents will not be adopted because they violate the constitutional right for learning on the language of the

communities that are over 20% on the territory in which they live. All Albanian councilors asked to make changes to the statute and the program of the school which will allow the formation of class in Albanian language about solfesh and music theory. They asked to adopt conclusion that would oblige the mayor and the director of elementary music school Pance Peshev to act according to the law on primary education article 9, paragraph 2, and to adjust the statute and the program for establishment of class in Albanian language. Following the voting of the council the conclusion was adopted from the council of the municipality of Kumanovo.

At the meeting held on 15.07.2016, on the agenda of the council of the municipality of Kocani was not found a single point about smaller communities and their participation in decision-making at the local level.

On the meeting of the council of the Municipality of Kocani on 31.08.2016 on the agenda were not found any points regarding inter-ethnic relations and the participation of smaller communities in decision-making at the local level, except in the councilors questions where the representative of the Roma community raised one question about when the paving is planned of the street Stamen Manov in which live members of the Roma community. On this question from the councilor the mayor gave an answer that the paving is planned in the shortest time.

On the session on 30.09.2016 in municipality of Kocani agenda there were no points regarding inter-ethnic relations, except for councilors questions where there were two issues that were raised from two councilors on the request of a group of citizens who live near the mosque and asked to solve the problem of noise resulting from the performance of religious rites of the mosque and asked for the inspector of environment to go on the field to measure the noise and to take the necessary measures. On these questions the mayor said that there were indications that the sound from the mosque is too loud, but it was discussed with the mosques board and was already requested solution on this issue and he expects to solve this problem.

CONCLUSIONS AND RECOMMENDATIONS

Matters regarding inter-ethnic relations are not on the agenda of the meetings of the councils enough. Regarding the councilor questions arises some question regarding the smaller communities, which receives short answer and there is no discussion on which should be paid more attention.

The Commission for Inter-Community Relations is not invited to the meetings of the council of the municipality of Kumanovo. It needs to be consulted and invited when the agenda has issues regarding inter-ethnic relations and its recommendations and opinions should be taken into account.

The inclusion of smaller communities directly or indirectly as citizens is very small on the sessions of the municipal councils. It is necessary to involve the citizens in decision-making process at the local level and to participate in the sessions of the councils in order to provide greater transparency of the meetings.

In municipality of Kumanovo on the agenda were not found points regarding the smaller ethnic communities but, in some of the points on the agenda discussion were opened from which emerged issues affecting the smaller communities, so it is necessary those issues to be put on the agenda in order for timely resolution of issues affecting the minority communities in the municipality of Kumanovo.

Although the issue of noise from the mosque in Kocani is not directly related to smaller communities and their participation in decision-making process, however, it affects their cultural and religious rights and it is needed to have more discussion on such matter so that the problems can be solved quickly in order to prevent inter-ethnic disputes that might arise between the citizens of the municipality Kocani.

SUMMARY

Key findings in the second report of monitoring sessions are that the monitoring period from July 1 till September 30 year 2016, on the sessions of the municipal councils discussion about inter-ethnic relations and their participation in decision making process at the local level was very little.

In municipality of Kumanovo official language alongside the Macedonian language and the Cyrillic alphabet, is the Roma language.

In the statute in municipality of Kocani is predicted forming of the Commission for Inter-ethnic Relations, but the Commission is not actually formed.

Commission for Inter-ethnic Relations in the municipality of Kumanovo consists of 12 members of which two members are members of Macedonian, Roma, Turkish, Albanian, Serbian and Vlach community.

In municipality of Kocani Commission for Inter-Communities Relations is not formed, although they have an article in the statute which enables them to form this Commission even though it's not their legal obligation.

Questions for inter-ethnic relations are not on the agenda of the current session of the municipal councils. Few issues affecting smaller communities were mentioned but no specific points that concern them.

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