



Делуваме.Локално.Заедно

Daja zor.Lokalnikane.Jekha jek

Act.Local.Together

Birlikte.Yerel.Hareket ediyoruz

Lucrãm.Local.Deadun

Veprojmë.Në nivel lokal.Bashkë

Делујемо.Локално.Заједно

FIFTH 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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National Roma Centrum
str. "Done Bozhinov" 11/5,
1300 Kumanovo, Macedonia
Phone: +389 31427558
E-mail: info@nationalromacentrum.org
Website: www.nationalromacentrum.org
www.ednomagazine.com



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

Period: 01 April – 31 August

INTRODUCTION

This report was prepared within the project activities “Improving participation of small(er) communities at the local level” with the support of Delegation of the European Union and Insok. 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 and Tetovo.

Association National Roma Centrum from Kumanovo (NRC) together with the Association of Roma Avena Kocani, starting from April the 1st till August 31st, year 2017 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 fifth report which refers to the period from April the 1st till August 31st, year 2017.

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, KOCANI, PRILEP and TETOVO

Constitution

Constitution 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.

Amendment 5 is amending Article 7 of the Constitution which introduces that on the whole territory 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, Kocani, Prilep and Tetovo

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.

The statute of municipality of Prilep adopted on 14.07.2003 year has no provisions involving the smaller communities and it is not necessary that the votes belong to smaller communities for the council to be able to decide in full right.

In the Statute of the municipality of Tetovo adopted on June 9, 2011, Article 23, paragraph 3 stipulates that the regulations referring to the culture, the use of languages and letters spoken by less than 20% of the citizens in the municipality, the establishment and use of the back and flag of the municipality shall be adopted by a majority vote of the present members of the Council, and there must be a majority of the votes of the present members of the Council who belong to the communities that are not the majority population in the municipality. Article 40 foresees the establishment of a Commission for Inter-Community Relations that will consist of an equal number of representatives from each community represented in the municipality of Tetovo. The commission will review issues related to the relations between the communities represented in the municipality and will give opinions and suggestions on the ways of their resolution that the municipal council is obliged to consider and decide in relation to them. Article 151 foresees that the back and the flag of the municipality are elected by a majority of councilors, and a majority of councilors belonging to non-majority communities is also required.

METHODOLOGY OF MONITORING

The monitoring includes 8 sessions of municipal councils in Kumanovo, Prilep and Tetovo:

Kumanovo

- 05.04.2017
- 19.04.2017
- 19.06.2017
- 12.05.2017
- 03.07.2017

Prilep

- 12.05.2017
- 31.07.2017

Tetovo

- 31.07. 2017

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 attend on any meetings of the council of municipality of Kumanovo.

Council of municipality of Kumanovo consists 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 Prilep consists of 27 councilors of which sixteen are from Coalition VMRO-DPMNE and eleven from Coalition SDSM, the council has one representative of the Roma community.

The Council of the municipality of Tetovo consists of 31 councilors, of which twelve are from DUI, ten are from DPA, five are from VMRO-DPMNE Coalition, one from NDP, one from SDSM Coalition, one from TDP and one from VMRO People's.

FINDINGS OF THE MONITORING

At the meeting held on April 5, 2017, at the session of the council of municipality of Kumanovo was not found a single point on the agenda on the rights of the smaller communities in the municipality of Kumanovo. The councillor of the Coalition VMRO-DPMNE from the Roma community proposed a draft point on the agenda, about the information in a way in which PC "Cleanness and Greenery" manages the private land in the ownership of the religious council of Roma from the city of Kumanovo. After the voting of the councilors, the president of the council concluded that the proposal would not be an integral part of the council's agenda.

On April 19, 2017 on the agenda of the council of the municipality of Kumanovo there were some discussions about the rights of the members of the smaller communities. Before the council began to discuss the points that were on the agenda, the councilor from the VMRO-DPMNE Coalition said that in view of the upcoming period of enrollment of students in the first grade, he proposed a new draft point on the agenda for amendment and addition to the reonization from 1972. The head of the education sector said that this point was considered last year also on the request of the councilor the adjustment of the existing decision for reonization with the latest changes and additions in the last 20 years has been made and that today conditions that would be the reason for a new reonization to enroll students in primary education are not changed. The councilor responded to this explanation of the representative from the education and said that last year they did not discuss this issue, but rather about the reonization of the school Naim Frasheri and not for the area Sredorek. After the votes of the councilors on the proposal for a decision to supplement the agenda for reonization with not enough number of votes, the president of the council concluded that that proposal would not be an integral part of the agenda.

As point three on the agenda of the council of the municipality of Kumanovo, a Draft Strategic

Plan for improving intercultural understanding in the municipality of Kumanovo was found, for which a councilor from VMRO-DPMNE Coalition said that the Strategy is a nice plan and contains good activities that will have to be implemented, but it does not cover the results that the municipality has already achieved. In addition, the municipality should be more involved in the activities with the civil sector in promoting intercultural understanding. Regarding the Commission for Inter-Community Relations that does not have a funds and human resources, he said that the municipality as a body that gives consent to the formation of the Commission should allocate funds for the functionality of this Commission. Assistant Head of the Sector said that the Strategy with an Action Plan was prepared through joint meetings and meetings with a civil society organization and the Commission for Equal Opportunities for Women and Men and the Commission for Inter-ethnic Relations and other stakeholders from the municipality of Kumanovo in order to improve intercultural understanding in the municipality of Kumanovo . The councilor from the VMRO-DPMNE Coalition of the Roma community asked the head how the Commission for Inter- Ethnic Relations took part when it is not functional, ie it has no financial resources from the municipality and its operational function is significantly reduced. The assistant head said that CICR representatives and other sectors from this area participated in the meetings, from which meetings the conclusions were entered in the Strategy. Following the voting of the councilors, the president of the council concluded that the council adopted the strategic plan for intercultural understanding of the municipality of Kumanovo.

At the session of the council of the municipality of Kumanovo held on June 19, 2017 in relation to item 3 of the agenda for the Annual report on the movement of infectious diseases for 2016 on the territory of the municipality of Kumanovo, the councilor from the Roma community from the VMRO-DPMNE coalition asked if it is planned to enter the Roma settlement for the vaccination of children, considering that it is a densely populated settlement and the people live in different conditions unlike other settlements in the municipality. The head of the public health department said that the children's dispensary is in charge of compulsory vaccination of children and that they keep records and invite children, especially from the Roma settlement, and during the week of immunization they carry out combing, especially for those unvaccinated children, and they also have communication with civil associations so that this part does not depart from vaccination at other places.

On May 12, 2017, at the council of the municipality of Kumanovo, a councilor from the Coalition of VMRO-DPMNE, a representative of the Roma community, asked that the agenda be supplemented with one more point. A draft point for adopting a strategy for increased participation of Roma and other smaller communities at local level, but the proposal was not passed by the councilors.

At the session of the council of the municipality of Kumanovo held on 03.07.2017 for the point on the agenda under number one referring to a draft program for tourist attraction for improvement of the conditions for stay of tourists for 2017, the councilor from the Roma community from the Coalition of VMRO-DPMNE asked why the flyers were made only in Macedonian and Albanian language, and not the Roma language and the languages of the communities, because over 2000 Roma live outside Kumanovo. Also, from a Serbian community councilor from the VMRO-DPME Coalition, asked the flyers to be made in Serbian as well, because during the summer period a large number of tourists travel through the municipality of Kumanovo to go on holiday, and thus increase the number of tourists in the municipality of Kumanovo. The Roma community councilor from the Coalition of SDSM also said that there are some missing events from the brochure like Roma Tube Fest, and also the brochure should be written in several languages, from which in English language because they as representatives of the municipality of Kumanovo represent the city outside of the state. The head said that if the council agrees, they do not mind and agree to publish the brochure in the languages of the communities. The proposer of the item made a modification in the project, adding a new point for creating brochures in Roma and Serbian language in promotional propaganda. As such, the council adopted a proposal for a tourist attraction to

improve the conditions for stay of tourists for 2017.

At the session of the Council of the Municipality of Prilep held on May 12, 2017, a Local Action Plan for inclusion of Roma in the area of housing and education for the period 2017-2020 was adopted. At a session held on 31.07.2017 the Council of the Municipality of Prilep adopted a Strategy for increased participation of Roma and other smaller ethnic communities in the social life and development of the municipality of Prilep for the period 2017-2018. The strategy was developed within the project activities of the project "Improving the participation of small(er) communities at the local level" and resulted as a result of the numerous activities attended by the citizens from the municipality of Prilep. The strategy covers three priority areas in the area of education, employment and culture that the citizens themselves have separated in order to improve the participation of smaller communities at the local level. At the same session was also adopted a Program for work for increased participation of Roma and other smaller ethnic communities in the social life and development of the municipality of Prilep for the period 2017-2018.

The Council of the municipality of Tetovo, on the session held on 31.07.2017, adopted the Strategy and Program increased participation of Roma and other smaller ethnic communities in the social life and development of the municipality of Tetovo for the period 2017-2018. These two documents were also developed within the project activities of the project "Improving the participation of small(er) communities at local level", in cooperation with the citizens from the municipality of Tetovo, the project team and expert. The Strategy covers three priority areas in the area of education, employment and culture that citizens consider would improve the participation of Roma and other smaller communities at the local level.

CONCLUSIONS AND RECOMMENDATIONS

The points on the agenda for the participation of smaller communities at the local level are not on the agenda of the sessions of the councils enough, only in the part of the material discussions the councilors discuss the rights of the smaller communities and improvement of their rights at the local level.

The Commission for Inter-Community Relations was not invited to the sessions of the council of the municipality of Kumanovo. It is necessary for the Commission to be consulted and summoned when issues on inter-ethnic relations are on the agenda and its recommendations and opinions to be taken into account.

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

In the municipality of Kumanovo, there were no points for the smaller ethnic communities on the agenda, but some of the points on the agenda opened discussions that raise issues that concern the smaller ethnic communities. It is necessary that these issues and dilemmas to be placed as points on the agenda of the council as they would receive appropriate explanation in order for timely solution of the problems that affect the smaller ethnic communities in the municipality of Kumanovo.

The Municipalities of Tetovo and Prilep at their sessions adopted the Strategy and Program for

increasing the participation of Roma and smaller communities at local level which would represent as one general memorandum for cooperation between the municipality and the citizens' associations.

SUMMARY

The key findings in the fourth report from the monitoring of the sessions are that during the monitoring period from April 1 till July 31, 2017, at the sessions of the councils in contrast to the previous sessions, there was an increased discussion about the smaller communities and their participation on a local level.

In the municipality of Kumanovo, in place of the president of the council, whose term of office was terminated due to the appointment of a councilor in the Assembly, a new councilor was appointed who is a member and representative of the Roma community.

In the municipality of Kumanovo, the official languages besides the Macedonian language and its Cyrillic alphabet are the Roma language, the Serbian language and the Albanian language.

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

The Commission for Inter-ethnic Relations in the municipality of Tetovo consists of 6 members, out of which two are representatives of the Albanian and Macedonian communities and one from the Roma and Turkish communities.

Commission for Inter-ethnic Relations has not been established in the municipality of Kocani, although in the statute there is a article that enables the establishment of such a Commission, even though this is not a legal obligation.

At the session of the council of the municipality of Kumanovo, held on May 12, 2017, the draft item for amending the agenda for the adoption of the Strategy and Program for increasing the participation of Roma and other smaller communities at the local level was not endorsed by the councilors.

At the Council of the Municipality of Prilep held on 31.07.2017, the Strategy and Program for increasing the participation of Roma and other smaller communities at the local level were adopted which were developed in the frames of the project activities.

Also at the session of the Council of the municipality of Tetovo held on 31.07.2017, the councillors adopted the Strategy and Program for increasing the participation of Roma and other smaller communities at the local level, developed within the framework of the project activities.

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