

**2008 HUMAN DIMENSION IMPLEMENTATION MEETING  
Warsaw, 29 September – 10 October 2008**

**Working Session 1  
Rule of Law, 29 September 2008**

**Statement of the Delegation of the Republic of Macedonia**

**Madam Moderator,**

The Annotated agenda for today's session on the Legislative transparency begins by mentioning the OSCE commitments for making the process open and transparent. Indeed this characteristic is deemed as highly important to make the law-making process as much inclusive as possible and also understandable to the public in general. This second feature is significant since laws are made by the people and for the people i.e. by informing the citizens on their rights and duties in certain spheres the laws are brought closer to them.

The reality has shown that besides government representatives the involvement of civil society, legal representatives and politicians into the law-making process is inevitable. Only such a comprehensive approach could give good results by adoption of laws that reflect the requirements of all the concerned parties.

Incorporating international standards into our national legislation has been and will continue to be our constant aim. Harmonization of the Macedonian legislation with the European aquis is an ongoing process in fulfilling criteria for EU accession. Perhaps it is needless to state that the implementation of the OSCE commitments in this regard is part of the process of transposing the European legislation into the national one. Macedonian authorities have relied on the international expertise in the law-making process with the intention to better comply with the OSCE commitments regarding the rule of law and with internationally accepted standards. Let me mention the recent involvement of the ODIHR in the expertise of the Draft-Law on Elections and on Anti-Discrimination legislation. Here, I would also like to mention the valuable assistance of the Venice Commission of the Council of Europe.

In this context let me present what the Macedonian Government has done, among many other things, to improve the law-making process. Namely, the request for assistance has been made to ODIHR recently by the Ministry of Justice and the General Secretariat of the Government. Consequently, during Ambassador Strohál's visit to Macedonia in January 2008 he presented the ODIHR Project on Legislative management which is a comprehensive study of the national situation as it is. It explains the formal procedures and existing practice in the law making process, in all of its phases - in planning, elaboration, adoption, publication and information

dissemination. The Project elaborates ways of improving the law-making process, identifies shortcomings and recommends ways of bridging the gaps. It is seen by the Macedonian authorities as a useful tool in improving the quality of legislation and strengthening the rule of law. Recently, the OSCE Mission to Skopje, together with the national authorities, has organized Workshop on the implementation of the Project.

Madam Moderator,

Let me say few words on the sub-theme "Independence of Judiciary", which will provide some answers to the questions raised in the intervention of the representative of Freedom House.

The reform activities for designing policies, drafting and proposing laws and other acts in the area of the justice system continue, as well as the monitoring of the implementation of regulations, for the purpose of ensuring independent and efficient judiciary, rule of law and facilitated access to justice for citizens.

In order to ensure continuity of judicial reform, and with the aim of further strengthening the established principles of independent and professional judiciary, the competent authorities will continue the implementation of the Law on Courts and the Law on the Judicial Council which are reformed peaces of legislation where all the relevant standards securing independence of judiciary are incorporated.

The Law on Judicial Service was adopted in July 2008.

In August 2008, the Law on Judicial Budget was adopted, whereby the management of the financial assets is transferred into the competence of the Judicial Council of the Republic of Macedonia.

The Council on Justice System Reform will continue to work in the period 2008-2011 and its primary task will be to follow the implementation of the reforms and give basic guidelines for their application.

Thank you.