
THE ROLE AND IMPORTANCE OF THE PARLIAMENT OF THE REPUBLIC OF MACEDONIA FOR THE CONSTRUCTION OF FOREIGN AND SECURITY POLICIES

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Abstract: Through this scientific research it is analyzed the legislation and the impact of Macedonian Parliament in establishing of Foreign and Security Politics. it is done the analyze about essential sources of the definition of position in the Assembly of Republic of Macedonia, beginning from the Constitution, Regulation and Foreign Law of Parliamentary Work, about the law of Foreign Affairs and Law Framework of Security Politics. As well it is explained the role and the work of Parliamentary Commission in the establishing of Security and Foreign Politics such as: the Commission of Foreign Affairs, Commission of Defense and Security, Commission of Secret Services and the Commission of the European Issues, so far is elaborated Cooperation Board with Other Parliamentary Commissions. At the end of the first part, Work Groups of the Parliament of Republic of Macedonia with parliaments of other Countries.

At the first research to International Relationship – Foreign Politics and Security, especially is explored the Relationship and Cooperation with neighboring Countries and with some European South - Eastern, Countries. The role of Parliament of Republic of Macedonia it is analyzed and explained as well and the cooperation with Parliamentarian Assembly of Organization of United Nations (UN), Organization for Security and Cooperation in Europe (OSCE), The Parliament of European Union, Organization of North Atlantic Alliance (OTAN) and European Council.

Keywords: Foreign Politics, Security Politics, Parliamentarism, Cooperation, International Relationship, Regional Cooperation and European-Atlantic Integrations.

1. INTRODUCTION

In this paper has been carried out a research of the role of the Parliament of the Republic of Macedonia in the building of foreign and security policies. The work of Parliament is an activity of particular importance in the proper functioning of state power, or we can emphasize it as a legal entity in general, and in particular as an integral part of the functioning of the legal system of a democratic state. The work of parliament is an activity that follows, verifies and evaluates the compliance of the Rules and the Law of the Assembly with the Constitution of the Republic of Macedonia. The fundamental purpose of parliament is to secure and implement the Principle of Legality and Constitutionality. Parliament's work on executive power, especially government, includes the instruments or competences of the assembly to the legitimacy and efficiency of their work. The implementation of the democratic system means that state citizens, state institutions and bodies, public enterprises, commercial companies, entities, natural and legal persons are subject to legal rules that are established beforehand.

2.CONSTITUTIONAL AND LEGAL FRAMEWORK OF THE REPUBLIC OF MACEDONIA FOR FOREIGN AND SECURITY POLICIES**2.1. CONSTITUTION OF THE REPUBLIC OF MACEDONIA**

The Constitution is the highest juridical-political act of the state that regulates relations between people and power, while the constitutionality defines the ways to respect and ensure the development of those relations, then the position of man and state bodies to exercise power within the Constitutional Framework. In the positive-juridical sense, constitutionality implies compliance of the Constitution with all legal acts, while in the political sense with constitutionality implies the application and limitation of protective measures in the exercise of political power. (BAKI, 2007)In order to guarantee the supremacy of the Constitution as the highest legal act its important tool is the necessity for the establishment of a constitutional justice that would make it possible for the demand to be made so that the state is subject to the highest norms. (OMARI, 2002)Based on the study, it can be concluded that without the Constitution it is difficult to function states as they are today. Its importance is based on the fact that all countries of the world now operate on the basis of their constitutions, with the exception of England.

Constitution of the Republic of Macedonia:

1. Basic Provisions, (Articles 1 to 8)
2. Citizens' Freedoms and Rights: Civil and Political Rights, Economic, Social and Cultural Rights, Freedoms and Fundamental Rights and the Foundations of Economic Relations (Articles 9-60)

3. Organization of State Power: Assembly, President, Government, Judiciary and Prosecution of the Republic of Macedonia, (Article 61-107)

4. The Constitutional Court, (Article 108-113)

5. Local Self-Administration, (Article 114-117)

6. International Relations, Defense of the Republic of Macedonia, State of War and State of Emergency (Article 118-129)

7. Amendment of the Constitution, (Article 129-131)

8. Transitional and Final Provisions, (Articles 132-134)

Constitution of the Republic of Macedonia consists of 134 articles, which strictly regulate the above-mentioned issues.

2.2. CONSTITUTION IN INTERNATIONAL CONSTRUCTION CONNECTIONS

With the Constitution of the Republic of Macedonia, on November 17, 1991, number: 08-4642 / 1, with its amendments and additions in 2001, International Relations are regulated by these articles;

Pursuant to the Constitution of Macedonia Article 118, provides that: International Agreements, which are ratified in accordance with the Constitution and which are part of the domestic legal order, which can not be amended by Law. Institutions or bodies competent for International Agreements on behalf of the Republic of Macedonia through Article 119 which provides that the same may be concluded between the President and the Government of the Republic of Macedonia, when this is stipulated by the Law.

Whereas, with Article 120, issues of a proposal for adherence to the alliance or in association with other states or for the exit from the alliance and the community with other states are regulated by the President of the Republic, the Government or at least forty (40) Members of the Assembly . The decision to join or to leave the alliance or from the community with other states shall be taken by the Assembly by a two-thirds majority of the total number of deputies and through Article 121, where it is foreseen that the decision is adopted if in a referendum they have most voted out of the total number of voters.

In the beginning will be highlighted some of the fundamental competencies of the Assembly of the Republic of Macedonia that the Constitution of the country provides under Article 68:

- Issues and changes the Constitution
- Issues laws and makes their authentic interpretation
- It sets public obligations
- Issues the Republican Budget and the Final Budget Account
- Issues Spatial Plan of the Republic of Macedonia
- Ratifies International Agreements
- Decide on war and peace
- Decides on changing the borders of the Republic of Macedonia
- Make a decision to join and exit from union or community with other states
- Announces a referendum
- Decides on the reserves of the Republic of Macedonia
- Elects the Government of the Republic of Macedonia
- Elects Judges of the Constitutional Court of the Republic of Macedonia
- Makes the election, appointment and dismissal of other holders of public functions and other functions set forth by the Constitution and the law
- Exercises political control and oversight over the Government and other public function providers who are accountable to the Assembly
- Give amnesty
- In addition, the Assembly of the Republic of Macedonia for the performance of its tasks from its, (SALIU, 2007)competence issues decisions, declarations, recommendations and conclusions

3. CHALLENGES CONCERNING PARLIAMENTARY SUPERVISION IN THE FIELD OF SECURITY

At least three aspects of security represent parliamentary oversight:

1. Laws on secrecy can hinder efforts to increase transparency in the security field.
2. The security field is very complex; parliaments should oversee issues such as arms procurement, arms control and armed readiness.
3. Underlining international security co-operation can exert influence over the democratic transparency and democratic legitimacy of the security policy.

Security Services must account for each of the major branches of the state:

1. The legislature exercising parliamentary oversight by passing laws that define and regulate security services and their competencies and by adopting appropriate budgetary means, including the appointment of a People's Advocate or a parliamentary commission that may undertake investigations related to appeals the public
2. The executive exercises direct control from the central, regional or local government levels, determines the budget, general guidelines, and priorities of security service activities
3. The judiciary monitors the security area and legally follows the violations of the military, as appropriate, through judicial, civil and criminal proceedings

Documents or tools that parliament can use to ensure democratic oversight in the security field. They can be classified as follows:

1. **General Competence:** initiate, amend or re-establish laws, address questions to executive members, call executive members to report to parliamentary meetings, call staff members of the armed forces and civil servants to report at parliamentary meetings, civilian experts to report to parliamentary meetings, obtain executive documents, conduct parliamentary investigations, and hold hearings.
2. **Budget control may be:** to have all budget documents available, the right to review and change the budget of defense and security budgets, budget control is exercised at the level of program projects and line issues and the right of approval or refusing any proposal for supplementary budget for protection and security.
3. **Peace missions, deployments abroad and parliament's right to approve or reject:** participation in decision-making before sending troops abroad, mission mandate and securing the UN mandate, the dangers of participating military personnel, the rules of engagement, the chain of command or control, the duration of the mission and the right to visit troops sent to the mission.
4. **Procurement:** the executive's obligation to inform parliament about procurement decisions, the right to approve or reject contracts, review procurement stages, and specify the need for new equipment.
5. **General Defense and security policies, the right to approve or reject them:** the concept of security policy, the concept of crisis management, force structure, strategy and military doctrine.
6. **Security and Defense Personnel:** the right to approve or refuse the organization, the right to determine the ceilings for the party's effectiveness and the right to be asked for an opinion on the highest ranking appointments (5, 2003)(such as Chief of Staff).

4. REGULATION ON THE WORK OF THE PARLIAMENT OF THE REPUBLIC OF MACEDONIA

Another normative act is the Regulation of the Assembly of the Republic of Macedonia No. 130/2010, which was adopted on September 29, 2010, which functions in accordance with the Constitution of the country and its role in the building of foreign and Security, ie international co-operation. The procedure, the work, the content and the competencies for the ratification of international agreements are made through the Rules and the Law of the Assembly, where the procedure for the bill containing the text of the International Settlement Agreement for their ratification is raised by the Government. Reasoning of the draft law contains the constitutional basis, the reasons for ratification, the assessment whether the international agreement requires the adoption of new laws or amending the laws in force and the engagement of funds from the budget of the Macedonian Parliament for its implementation. The provisions of this Regulation relating to the procedure for reviewing the draft law by an expedited procedure shall also apply mutatis mutandis to the procedure for reviewing the draft law on the ratification of the international agreement, where no changes or additions are made in their text. The Laws on the Ratification of International Agreements and their source text are published in special sections in the "Official Gazette of the Republic of Macedonia", International Agreements.

4.1. Pursuant to the Rules of Procedure of the Parliament of the Republic of Macedonia, the competences of the Assembly of the Republic of Macedonia regarding the international cooperation are also defined:

- The Assembly for the realization of international cooperation establishes permanent delegations to the International Parliamentary Assemblies, members of which are the Assembly, groups of deputies for cooperation with other parliaments and working groups mixed with other parliaments, international organizations and international institutions, delegations of temporary and other forms of cooperation.
- Delegations, working bodies, parliamentary groups for cooperation, mixed working groups and MPs for internationally accomplished activities submit a report to the Speaker of the Assembly, which disseminates them to the deputies or, as appropriate, to other state bodies and institutions. A special feature of International Assembly Co-ordination planning is provided by Article 224, which is implemented within the framework of calendar activities of organizations and institutions in which the Assembly adopts or cooperates and on the basis of expressed and harmonized interests for bilateral cooperation. In the Republic of Macedonia issues related to international relations

are regulated by the Rules of Procedure of the Assembly, which, based on the study of the functioning of neighboring parliaments and beyond, is not the same thing.

5. CONCLUSIONS

The improvement of the functioning of the Assembly in exercising its constitutional function through a dialogue, more genuine and serious political parties and strengthening dialogue between the position and the opposition, and not to be taboo-themes that occur in our institutional practices. The rules that need to be applied to improve efficient work in the Assembly and in general for the state, I think that the impartial direction of the Assembly should be ensured by the President and the leading structures and the creation of spaces and opportunities for opposition MPs, as well as the improvement of parliamentary procedures guaranteeing independence of state institutions.

Establishing a balance between the legislature and the executive, which may be to ensure the exercise of parliamentary autonomy, budget allocation and control, and staffing to be qualified rather than party based as it happens to us and establishing practices to strengthen systematic control of links.

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