



MP PERFORMANCE: DUTY OR CHOICE

*Policy Brief
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Introduction

Separation of powers emphasizes the important role the Parliament enjoys in a democratic state. Parliament and MPs receive legitimacy in the elections from the will of the citizens. Their duty is to determine the political stalemate in the country through consideration, discussion and adoption of laws in order to fulfill the legislative role of Parliament. Parliament as a political institution has two other roles. Control and monitoring of the work of the executive power, in a way that limits it in making decisions that are contrary to the public interest and its most important role, representing the citizens and their voice:

“The Representative represents the citizens and makes decisions in the Assembly in accordance with his/her personal convictions.”¹

Their mandate is general, which means that they represent the people as a whole, not just their constituency. The member of the Assembly shall have the right and responsibility to attend the Assembly sessions and participate in the work and the decision making process.²

How much do MPs take advantage of the space on the Parliamentary rostrum to defend and express the views of the citizens?

This policy brief explores this issue, through the performance of Albanian representatives in the discussion of the Assembly of Republic of Macedonia.

Through this paper I will present the findings of the monitoring process on the activity of representatives from the eighth Parliamentary structure, (2014-2018) conducted by the Institute for Democracy, Civilis- Skopje.³ Within two years, from June 2014 to June 2016, Assembly discussions on various topics and laws were monitored. This policy brief will consider which topics are of interest only to the Albanian ethnic group, with which ethnic Albanian representatives identify, topics that are of interest to all citizens of the State, as well as topics that are not discussed because they do not encourage political debate and do not attract public attention. Finally, we will elaborate on the Inter – community Relations Committee as a separate parliamentary body charged with reviewing issues on **relations between ethnic communities**, give suggestions and opinions on accomplishing their general and specific rights, and thus the development of multiculturalism of the Macedonian society .

Hope I will encourage Albanian MPs to discuss more actively in the Assembly, to be part of the discussion through which legislative decisions that affect the daily lives of all citizens of the Republic of Macedonia are adopted.

1 <http://sobranie.mk/the-constitution-of-the-republic-of-macedonia.nspx>

2 http://sobranie.mk/rules-procedures-of-the-assembly-ns_article-rules-of-procedure-of-the-assembly-of-the-republic-of-macedonia-precisten-tekst-2013.nspx

3 The monitoring was conducted as part of the project “Parliament watch! Strengthening the political debate and deliberative discourse”

Qualitative discussion: How active are Albanian MPs in the Assembly

The 2014 – 2018 parliamentary structure, which was the subject of this monitoring, accounts for 22% ethnic Albanian MPs, 20 MPs from the ruling Democratic Union for Integration (DUI)⁴ and 7 MPs from the opposition Democratic party of Albanians (DPA). In the parliamentary groups of other parties there are no ethnic Albanians. Other ethnic communities make up a total of 78% of the parliamentary composition, ie 1.6% Turks, 0.8% Roma, 1.6%, Serbs, 0.8% Bosniaks, and 74% are Macedonians.⁵ Between the constitution of the Assembly until September 2015, the parliamentary opposition led by the Social Democratic Union of Macedonia (SDSM) boycotted and was not involved in the work of the Assembly. Several changes occurred in the structure of the Assembly, but those changes did not reflected on the ethnic structure, which remained unchanged.

June 2014 - May 2015

In the period June 2014 - May 2015, 2268 parliamentary discussions on various items of the plenary sessions and working bodies were monitored.⁶

4 The MP that received its mandate from NDR, despite the party's decision to boycott the Assembly joined the parliamentary group of DUI.

5 <http://sobranie.mk/content/izvestai/2011-2014/IZVESTAJ%20ZA%202015%20godina.pdf>

6 Committee on constitutional issues; Finances and budget committee; Committee on the political system and inter-ethnic relations; Committee on elections and appointment issues; Committee on local self-government; Committee on European affairs; Legislative committee.

From 2268 discussions 1926 discussions were led by Macedonian MPs, while only 280 by Albanian MPs, ie 85% of the discussions were led by the Macedonian MPs, 12% by Albanian MPs and only 3% by other ethnicities. According to constituencies, most active in the discussion were the MPs from constituency No. 1 with 21% participation rate in the discussion, while most passive were MPs from constituency No. 6 that participated in 8% of the discussion.

Over a period of 11 months, their activity fluctuated depending on the topics in focus, but in no way proportionate to their representation of 22% in the Assembly.

September 2015 - November 2015

During this period, the monitoring of plenary sessions and working groups⁷ focused on topics like rule of law, human rights, democracy, freedom and public finances.

From 1660 monitored discussions, 94% discussions were led by Macedonian MPs, 4% by Albanian MPS and 2% from other ethnic groups. According constituencies, most active in the discussion were MPs from constituencies No.4 and No.3, with 28% and 24% respectively, and as most passive again,

7 Finances and budget committee, Committee on the political system and inter-ethnic relations, Standing inquiry committee for protection of civil freedoms and rights, , Inquiry Commission on wiretapping scandal, Committee on oversight of the implementation of the special investigation measure interception of the communication by the Ministry of interior, the Financial police management, Customs management and the Ministry of Defense and Committee for supervision the work of the security and counter-intelligence directorate and the implementation of the special.

were MPs from constituency No. 6, who participated in the discussion only 5% of the time.

Comparatively with other monitored periods Albanian MPs this period were the most passive. They participated in the discussion 5.5 times less than they are represented in the Assembly.

December 2015 - April 2016

In the period December 2015 - April 2016, in total 1542 discussions of MPs in plenary sessions and working bodies were analyzed, focused on topics such as the rule of law, human rights, democracy, freedom and public finances.

On the monitored sessions, Macedonian MPs accounted for 91% of the discussion, the Albanian MPs up to 7%, while MPs from other ethnic groups with 2%. MPs from electoral constituencies No. 1,3,4 and 5 were active accounting at at least 20% of the discussion, while MPs from constituency No. 6 took part in only 6% of the time.

Compared with the previous period, this time they are more active, but their activity is only a third of their representation of 22%.

April 2016 - June 2016

In the latest report on the monitoring, as the most active again, appear the Macedonian MPs who led 91% of the discussions, the Albanian MPs led only 7% of the discussions, while MPs from other ethnic groups led 2% of the discussions. Most active in discussions were MPs from constituency No. 1 leading 23% of the discussion, while MPs from constituency No. 6 accounted for only 9% of

the discussions. The monitoring was focused on the topics of rule of law, human rights, democracy, freedom and public finances.

In this monitored period once again we are faced with their passivity in most of the discussions in the Assembly and working bodies.

Despite the fact that Albanian MPs in the eighth parliament structure represented by 22%, in the deliberations of the Assembly most of the time they were passive, that their activity is much lower than their representation. They largely neglect their duty to discuss in the Assembly, a body where deliberation is one of the most important tools for a democratic state.

EU integration, language and budget - Topics in focus of Albanian MPs

Topics on which Albanian MPs are the loudest, are related to the integration process in the European Union, where in the discussion on the Report on the activities of the National Programme for the Adoption of the EU law, 50% of the discussions were led by Albanian MPs, 25% by Macedonian MPs and 25% by other ethnic communities. Another topic of their interest are the discussions led about language policies, while DPA MPs are loudest when it comes to the state budget. They accuse the most that budget allocations in Macedonia are not equal, but often are faced with silence by other MPs.

On the other hand, the Albanian MPs are minimally or do not participate at all in sessions that discuss legislation and issues relating to sport, child welfare, social security, health, reports of state authorities, pension insurance, the sessions dedicated

to parliamentary questions, penal code, the commission for verification of facts etc. Often for these issues they have speeches on the the Assembly rostrum, but they are rarely involved in replies and counterreplies.

During the monitoring process in front of the Assembly there were several issues that prompted interest in the general public, but topics that have sparked the most discussion in the Assembly are the Amendments to the Law on Higher Education, the issue of responsibility of the President of the Republic of Macedonia, while parliamentary questions as the most important controlling tool of the work of the executive, as we shall see below, is also one of the most unused tools.

Amendments to the Law on Higher Education

Amendments to the Law on Higher Education is an issue of concern to all citizens of Macedonia, thus every change should be discussed publicly in the Assembly with the involvement of all representatives. But when the latest changes were announced, did Albanian MPs, who usually pose as representatives of the Albanians in the Assembly discuss on this subject which affects all young people, including young Albanians in Macedonia?

According to the monitoring process, Albanian MPs were part of 19% of the discussions, while 81% of the discussions were led by Macedonian MPs. In discussions on these changes, the most active MPs were from the first constituency, 45%, while the least discussions were from MPs from the sixth constituency, 5%.

This topic is one of the most discussed topics by the Albanian MPs. They were active roughly in proportion to their representation

in the Assembly. They participated actively in the discussion, believing that this issue is in the interests of their constituents and that the final decision will influence citizens.

The discussion on the issue of responsibility of the President of the Republic of Macedonia

On April 12, 2016, Macedonian President Gjorge Ivanov in an address to the nation, saying he wants to defuse the political crisis, revealed that he had signed abolition decisions for 56 people from the government and the opposition related to the political crisis caused by the wiretapping scandal. With this action, Ivanov greatly obstructed the political agreement of Przino⁸ which solved the political crisis and obstructed the work of the Special Prosecutor, a body that resulted from that agreement. The opposition decided to initiate the procedure of impeachment, or for determining the responsibility of the President, because it believed that, with the abolition he violated his authority and powers.

The overall led discussion about the responsibility of the President which lasted 3 plenary and 4 sessions of the commissions, Albanian MPs took part in only 6% of the discussion, while the Macedonian MPs were active with 94% of the discussions.

The most active were the MPs of the first constituency with 26%, while the most passive were MPs from sixth constituency who participated in only 5% of the discussions.

8 The Przino agreement was signed between the leaders of the four major political parties in Macedonia for the resolution of the crisis of Macedonia https://en.wikipedia.org/wiki/Pr%C5%BEino_Agreement

Unlike about the previous topic, about this issue Albanian MPs did not feel a duty to discuss, because the ruling party DUI, does not recognize the current president of RM, Ivanov as legitimate representative of the Albanian citizens in Macedonia, while MPs from the opposition DPA hardly participated in the discussion. DUI MPs in most of their speeches only emphasized their position on this question, while in the part of replies and counterreplies they mainly preferred not to participate.

Parliamentary questions

Throughout the monitoring period (June 2014 to June 2016) on the sessions for parliamentary questions Albanian MPs activity was minimal. In the first monitored period, which lasts 12 months (June 2014 - May 2015), they took part in 13% of the discussion, in the second period (1 September - 30 November 2015) of the three held sessions for parliamentary questions they were part of just 5% of the discussion, in the third period (December 1, 2015 - April 7, 2016), they were active only 3% of the led discussion in the sessions for parliamentary questions, while in the fourth observed period the Assembly held only one session devoted to parliamentary questions on 30 June 2016, which unlike on the previous ones, Albanian MPs were the most active with their questions, leading 19% of the discussion.

Most of the questions raised by Albanian MPs, are by MPs from the opposition DPA, also most were aimed at ministers from the coalition partner in power, DUI. Also, they were the most active with questions only on the last meeting held on 30.06.2016, while in the other sessions, which were held each month, from September 2015 to March 2016, their activity was even less than a third of their representation in the Assembly.

*Bearing in mind the fact that their voices influence the final decisions in the Assembly, they, through discussion, should and also have the opportunity to demonstrate that they worthily represent the citizens and deserve their seats. It is also important for MPs to bear in mind that in addition to representing the views and policies of their party, they should primarily be guided by the interests of citizens. They **can and should** discuss topics they consider are important to citizens.*

The passivity of the Inter-community Relations Committee from the start of its term in 2014

On 16 November 2001 the Assembly of RM adopted the amendment XI with which the Council for Inter-Ethnic Relations was established, Article 78, which in 2007, was amended by section 1 of Amendment XII, with which the Inter-community Relations Committee was established, in accordance with the Ohrid Framework Agreement.⁹

As a parliamentary body the Committee is composed of representatives of all communities in Macedonia, its incumbent President is MP Ejup Rustemi from the parliamentary Group of DUI, and Vice President is MP Blagoja Despotoski of the parliamentary group of VMRO-DPMNE.

The main task of the Committee is to review issues on inter-community relations in Macedonia and to give suggestions and opinions for their solution.

⁹ <http://sobranie.mk/the-constitution-of-the-republic-of-macedonia.nsp>
<http://sobranie.mk/2014-2018-other-bodies.nsp>

The Inter-community Relations Committee in its last term after the 2014 elections to August 2016 held only three sessions that, in general, were focused on technical issues:

- Election of the President and Vice President of the Inter-Ethnic Relations Committee;
- Determining the agenda of activities for 2015;
- Review of the draft work program of the Inter-Ethnic Relations Committee;
- Information on the implementation and realization of the Ohrid Framework Agreement, prepared by the Secretariat for Implementation of the Ohrid Framework Agreement - item that was not discussed at all.

In the meantime, the public witnessed several events worthy of discussion in the Committee.

Events like the armed attack in Kumanovo on May 9, 2015, a case for which there is a trial going on. There were a lot of speculations and reactions in the public that affect interethnic relations, but in no time the committee decided to lead a discussion event.

The incident with the cross in Butel occurred on 27.02.2016, the day of the consecration of the cross, but it spilled with a series of events and protests during the month of March, also even before the consecration there was a strong disagreement in the public from different groups. The most roaring reaction came from the coalition partner of the government, DUI, a party that has 5 members in the Committee, including the president of the Committee. The protest organized by this party against the placement of the cross, led to the camping of its adherents to where the cross was to be placed. On 04.03.2016 the biggest escalation of the incident happened, where at the location where the cross was to be

put, a group of Macedonians and supporters of DUI met. In the incident three people were slightly injured.

The Constitutional Court on 28.09.2016 decided it was not competent to rule on the constitutionality and legality of the decision on setting a cross in Butel. But even after this decision the Inter-community Relations Committee did not decide for discussion.

One of the cases that awakened many discussions on social networks, was the murder of the four year old boy from Kumanovo, Almir. He, on June 25, 2016 together with his parents was deliberately run over. The media in Albanian language informed the public about the murder of Almir, who was an ethnic Albanian, while for some days, the media in Macedonian language, hardly informed the public or maybe not at all. Neglect of this information by the media in Macedonian caused numerous questions about ethnic bias of the media in Macedonian language in the treatment of this tragic event. The case was mostly discussed on Facebook forums, where you can find countless discussions of citizens of different ethnicities. Also, the event culminated with a protest on 07.04.2016, which demanded justice for Almir, but the event did not get to the doors of the Committee.

During this two year period, many other smaller events occurred, but none has attracted the attention of the Committee, which by law should comment on these events and also give opinions on their resolution. Furthermore, the Committee as a body must constantly take care of relations between the communities, to not leave space for these events to escalate. The Committee as a body should take care of the daily problems of the communities in Macedonia, establishing a direct link with the communities in

Macedonia at local level.

Recommendations to law-makers for more active participation in the discussion of the Assembly

According to the Rules and Procedures of the Assembly of the Republic of Macedonia each member of the Assembly shall have the right and **responsibility** to attend the Assembly sessions and participate in the work and the decision making process.¹⁰

Effective discussion is one of the most important tools for a functioning democracy. During the last term Albanian MPs did not use this tool effectively - they should be an active part of the work of the Assembly on all topics. It is important all views on an issue to be taken out on the parliamentary rostrum, because the decisions adopted by the Parliament affect all citizens of the Republic of Macedonia proportionally and the discussion in the Assembly helps make these decisions more sensible.

To strengthen the role of Parliament as a place for discussion and dialogue - not just as a place to express views on the rostrum. **Replies and counterreplies** are a very important factor in developing a discussion between members of the parliament from all political parties. MPs from all ethnic groups in the Parliament should be involved in the exchange of arguments.

The presidents of the two Albanian parties in the Parliament, DUI and DPA – should more often attend sessions of the Assembly. In the period from January to June according to the My MP¹¹ report, they were absent the most, with the leader of DUI being present at only 4 sessions, while the leader of DPA did not attend any sessions. With this they smooth the path for other MPs from the ranks of their political parties, to be a passive part of the Assembly.

Albanian MPs should be more vocal when it comes to constitutional violations - the provisions of the Constitution of the Republic of Macedonia apply to all citizens, any violations should be seriously discussed in the Assembly by all MPs.

In a multiethnic society, it is important to strengthen the role of bodies such as the Inter-community Relations Committee - fulfilling its duty the Committee could be strengthened as a place where citizens could safely feel that their representatives will discuss ethnic issues and that ethnic problems have room in formal state bodies.

One way on how the Committee could strengthen its role, is to intensify its meetings and to discuss about more issues – it should set a minimum number of sessions that would be held annually.

10 http://sobranie.mk/rules-procedures-of-the-assembly-ns_article-rules-of-procedure-of-the-assembly-of-the-republic-of-macedonia-precisten-tekst-2013.nsp

11 [http://www.sobranie.mk/content/%D0%9C%D0%BE%D1%98%D0%BE%D1%82%20%D0%BF%D1%80%D0%B0%D1%82%D0%B5%D0%BD%D0%B8%D0%BA/mp17mk\(1\).pdf](http://www.sobranie.mk/content/%D0%9C%D0%BE%D1%98%D0%BE%D1%82%20%D0%BF%D1%80%D0%B0%D1%82%D0%B5%D0%BD%D0%B8%D0%BA/mp17mk(1).pdf)

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