

04.07.2017

Government of the Republic of Macedonia
Plan 3-6-9

The course of the reforms proposed by the Government of the Republic of Macedonia, presented in the "Plan 3-6-9", are based on the Government Work Program 2017-2020, and take into account the Political Agreement of Przin and the recommendations of the high-level meetings with the representatives from the EU institutions, the guidelines from the European Commission in the Urgent Reform Priorities (2015), The recommendations of the group of senior experts on the systemic issues of the rule of law regarding the interception of communications (2015), as well as series of recommendations to the Government from the previous years by the Council of Europe (Venice Commission, GRECO), the recommendations by OSCE/ODIHR, the findings and recommendations from the European Commission's annual reports, including the High Level Accession Dialogue, the conclusions of the Ministerial Dialogue on the Economic Reform Program, the conclusions of the regular meetings of the bodies of the Stabilization and Association Agreement, the document prepared by the group of civil society organizations entitled "Proposal for Urgent Democratic Reforms" (Blueprint), and the results based on the consultations with the civil society.

The proposed measures of the first group contained in this Plan, should be fulfilled until the local elections. The remaining measures, which will be elaborated in detail by the competent institutions, will be included in the second and third group of measures to be implemented by November / December or before the Council of EU in December, as well as those that will have to be implemented before March next year, or until the publication of the next regular European Commission Report on Macedonia.

The measures will be guided by the following objectives and principles

In the area of the elections, the Government accepts the recommendations of the OSCE/ODIHR and the Venice Commission and will implement them in the short, medium and long term. On short term, the measures will be focused on supporting the State Election Commission and its internal consolidation and strengthening its capacities in view of preparations for the local elections, including the updating of the Voters' List, education of the election administration and voters.

- Adoption of Declaration by the Government indicating that, in regard to the elections, intimidation and pressure on the administration will be not allowed, with encouragement to report possible cases of pressure to the competent authorities, whereby suspension of the managerial staff will follow if abuse is determined
- If the next OSCE/ODIHR Report on the election process notes an unbalanced coverage, it will be a condition for dismissal of the Director of the Public Broadcasting Service - Macedonian Radio Television
- Staffing the legal department in the State Election Commission (SEC) in order to be able to give timely opinions on the submitted complaints
- Staffing the departments for Voters' List and IT in the SEC in order to increase the efficiency of the Commission
- The SEC to prepare a report on the complaints filed during the election process as a basis for evaluating the complaint system
- Adoption of instructions for ban on using state resources by the participants and candidates during the election period
- The Government will take measures in order to prevent the participants and candidates from using state resources during the election period (use of official vehicles, representation allowances, official premises and

administrative capacities)

- Successive adoption of the necessary by-laws in line with the recommendations of the OSCE/ODIHR and the Venice Commission expert
- It is recommended that SEC sessions should be open to the public in order to increase the transparency of its work
- Adopting a Decision for ensuring permanent solution for the SEC premises
- SEC in cooperation with the Ministry of Interior to continue with the ongoing updating of the Voters' List

In respect to the work of the Assembly, the Government will focus on full support for all measures for restoring the democratic ambiance in this key institution, through political dialogue and cooperation with all parliamentary parties and especially with the opposition. The Government will make its contribution in order to provide the conditions for full implementation of the agreed Recommendations following the unpleasant events of 24/12/2012, in relevance to the violent events of 27/04/2017. The Government, the coalition partners and the majority in the Assembly, in open and sincere cooperation with the opposition, will ensure that the oversight function of the Assembly and parliamentary bodies, over the work of the Government and its security and intelligence services, is regular and routine work with the highest possible degree of transparency and involvement of representatives of the civil society.

- For strengthening the accountability, the Government proposes to the Assembly, in addition to the regular, also to introduce thematic sessions for questions by MPs once a week in duration of one hour
- Compulsory elaboration of legislative proposals by the Government, at expert level, before the parliamentary bodies
- Strengthening the role and participation of representatives of civil society, in the work of the parliamentary bodies
- Restoring the crucial oversight role of the Committee for Oversight of the Work of the Security and Counter-Intelligence Directorate and the Intelligence Agency through regular meetings at which the UBK and the Intelligence Agency will be actively involved
- Restoring the crucial supervisory role of the Committee for Oversight of the Implementation of the Special Investigative Measure for Interception of Communications by the Ministry of Interior, the Financial Police, the Customs Administration and the Ministry of Defense through regular meetings at which all competent institutions will participate
- Involvement of the parliamentary intelligence oversight committees in the Intelligence and Security Services Reform Project
- Reactivation of the Club of Women MPs
- Reactivation of the Standing Inquiry Committee for Human Rights
- Increasing the role of the opposition in the work of the Parliament through enabling a majority in and chairing of a considerable number of parliamentary committees

The Government will do everything necessary on its behalf, to ensure cooperation (**cohabitation**) with the **President of the Republic of Macedonia**, as well as smooth functioning of all state institutions with full respect for the defined constitutional and legal obligations and their competences.

- Starting consultations with the President of the Republic of Macedonia for filling the vacant positions in diplomatic missions
- Election of a member of the Council of Public Prosecutors upon proposal by the Assembly
- Election of a member of the Constitutional Court whose mandate is to end

In regard to the implementation of the **Ohrid Framework Agreement**, in the spirit of cohesion, the Government has agreed for promotion of the implementation of legislative elements.

- Adoption of a Draft-Law on the Use of Languages by the Government , which will be submitted for consultations to the Venice Commission

The Government will treat **the civil society** as an equal partner and corrector of its decisions, with the full right of the civil society to participate in the policy-making process, to suggest and to criticize. The Government intends to make the dialogue with the civil society continued, transparent and fully inclusive.

- Establishing a functional Council for Cooperation between the Government and the Civil Sector, by amending the Decision on the establishment of a Council for Cooperation and repeating the procedure for election of Council members in consultation with the civil sector
- Assessment of the necessity of the unimplemented measures and activities from the Strategy for Cooperation of the Government with the Civil Sector (2012-2017)
- Increasing the minimum number of days for consultation on ENER (Single National Electronic Registry of Regulations) from 10 to 20 days, by amending the Rules of Procedure of the Government
- Establishing a mechanism to ensure that, primarily, those laws and by-laws that have passed the procedure under ENER and are accompanied by all necessary supporting documents will enter into governmental procedure
- Conducting investigations of the cases of intimidation and pressure on civil society organizations (i.e. to investigate all reports of hate speech, attacks, pressure)
- Establishment of electronic database of the allocated funds for CSOs from the Budget of the Government of the Republic of Macedonia for the period 2012-2016, in which all adopted decisions will be included

In regard to **media**, the Government will build a partnership with the associations and the civil sector in order to relief the media space from any institutional or personal influence, including financial dependence. The Government will stop the commercial advertising, will strengthen and fully professionalize the public broadcaster and will open up all public information of interest for the public.

- Adoption of statement for expressing strong political will and support from the Government and the institutions for the continuous application of the Code of Ethics for Media Reporting
- Adoption of decision by the Government to stop the commercial advertisements in the commercial broadcasters (with the exception of social media) and transferring the communication with the citizens through the public broadcaster
- Publication of all expenditures for advertising of the Government and explanation of the criteria for media selection covering the period 2008-2017, in the format submitted by the European Commission
- Holding of public consultation with the media, media associations and civil society organizations
- Drafting amendments to the Law on Media and the Law on Audio and Audiovisual Media Services, which will ensure the application of the Code of Ethics for reporting during and beyond elections, as well as to strengthen the independence and the capacity of the media regulator and the public broadcaster
- Drafting amendments to the legislation which will ensure the merit based election of the members of the Council of the Agency for Audio and Audio Visual and Media Services (AAVMS)
- Preparing a overview of all previous cases of physical and verbal attacks and pressures, hate speech, etc. on the journalists
- Holding a weekly briefing of the Government with the media

The public administration reform (PAR), in short, medium and long term is one of the key Government priorities, and will start with defining a high quality and widely accepted Strategy for PAR with the aim of creating fully depoliticized and professional public administration and developing a quality and service oriented administration, which will function and work in improved working conditions by using all possibilities of modern access through e-Government, e-services and interoperability.

- The Government will adopt Decision for declassification of all documents of public interest
- Annulment of the decision for setting a compensation for provided information by the public information holders
- Revising the Register of public information holders and persons authorized for free access to public information in all institutions and obliging the institutions to publish the public documents on their websites
- Publishing the Agenda of the Government sessions on the website
- Establishing thematic working groups and starting the revision of the Draft Strategy for Public Administration Reform and the Draft Action Plan with representatives from the institutions and the civil society and in line with the SIGMA comments
- Continuing the process of updating of the Register of employees in the public sector for the purpose of publishing the total number of employees by sectors
- Starting an inclusive dialogue for the Draft Program for Public Finance Management 2018-2021

In the area of **judicial reforms**, the Government accepts the comments and recommendations of the European Commission and the Council of Europe (the Venice Commission and GRECO) and thus is committed to develop independent, impartial, professional and efficient judicial system in the short, medium and long term. In the short

term, the Government will conduct a full revision of the Draft Strategy for reform of the justice sector and will begin to create an environment for free judiciary without political interference, with the objective of ensuring environment for the necessary legal amendments in the medium and long term.

- Annuling the Law on the Council for establishing facts and disciplinary responsibility of judges and drafting amendments to the Law on the Judicial Council for the purpose of transferring the competences to the Judicial Council
- The Government encourages the Judicial Council to encourage the judges immediately to inform on all possible cases of political or other type of pressure to the Judicial Council, the Association of Judges and to the media. In case the pressure is coming from a public prosecutor, immediately to inform the Council of Public Prosecutors and the media. If the pressure comes from a member of the Judicial Council, to inform immediately the President of the Judicial Council and the media
- Establishing a working group for amendments to the Law on Courts and the Law on the Judicial Council in the area of the procedure for disciplinary responsibility of judges, the basis for disciplinary responsibility, disciplinary measures and evaluation of judges
- Establishing a new working group for revising the Draft Strategy for Justice Sector Reform in line with the recommendations of the European Commission, the Venice Commission and GRECO
- Holding regular consultations with the EC related to the text of the Draft Strategy
- Organizing public debate related to the Draft Strategy for Justice Sector Reform and adoption of the Strategy
- Establishing a Council for implementation of judicial reforms
- Conducting control and insight in the system for court cases management of (ACCMIS) in order to identify possible abuse and responsibility
- Full institutional support for the work of the SPP in accordance with the appropriate laws
- Establishing working group for preparation of draft amendments to the Law on Whistleblower Protection in line with the recommendations of the Venice Commission and the EC
- Preparation of a new Draft Law for Witness Protection
- Establishing working group which will review the recommendations of the Venice Commission related to the Law on Protection of Privacy, whereby proposals and recommendations for future activities will be prepared
- Strengthening the human resources of the Ombudsman

The Government believes that the **reform of the intelligence and security services** is more than necessary. Considering the fact that this is a comprehensive reform, the Government will ensure transparent and inclusive debate, with proper process of consultations. The reforms will be conducted concretely and in the field, once we have a clear vision, plan and dynamic of the required changes, by which we will remove the reasons for the obvious weaknesses in the security mechanism and security and intelligence services and will restore the public trust in these services.

- Starting inclusive discussion in the Assembly for selection of the model to reform the system for interception of communications
- Developing a plan for implementation of the recommendations of the Senior Expert Group for the systemic issues in the area of rule of law related to the interception of communications (2015), with list of legal acts, administrative and technical measures and financial implications
- Operationalization of the National Coordination Center for Fight Against Organized Crime
- Defining a model and legal framework for external, independent oversight mechanism for the work of the police in cooperation with the Council of Europe and the Ombudsman
- Establishing the National Committee for combating violent extremism and radicalization which leads to terrorism and appointing its members
- Appointment of a National Coordinator for Prevention of Violent Extremism and Fight against Terrorism and his deputies

The Government will ensure that the fight against organized crime and corruption will be transferred from paper into practice by freeing the mechanisms from political influence and pressure. We will define and implement reforms which will ensure impartial and professional approach towards every reported case of corruption with equal treatment and application of the laws for all citizens of the Republic of Macedonia. We will do this in a transparent manner and with full respect of all recommendations which are coming from the domestic and foreign experts and from the civil society.

- Starting a reform of the Unit for Fight against Corruption in the Ministry of Interior
- The Government calls upon the State Commission for Prevention of Corruption to prepare detailed analytical Report on all initiated procedures and investigations for corruption in the last 5 years based on the format of the EC
- Strengthening the Financial Police and establishing inter-ministerial working group with the objective of strengthening the capacity and expertise for conducting investigations and confiscation of assets on a more systematic basis
- Providing equipment/access and necessary staff for interception of communications to the Customs Administration and the Financial Police depending on the model which will be selected for reform of the intelligence services

In the area of **migration**, the Government will start the negotiations with the European Commission for the Status Agreement for (FRONTEX) the European Agency for Border and Coast Guard because it believes that this is of mutual interest both for us and for the EU.

- Establishing a negotiation team, adoption of negotiating positions and starting negotiations for the Status Agreement with the European Agency for Border and Coast Guard
- Initiating technical meetings with the EC for aligning the national system with the relevant requirements of the

EU and Schengen rules

- Establishing a special task force for fight against human trafficking and migrant smuggling, composed of representatives from the Basic Public Prosecution for fight against organized crime and corruption and the Ministry of Interior
- Organizing a regional workshop for fight against human trafficking with participation of the national coordinators from the countries of the Western Balkans and the EU
- Revising the Law on asylum and temporary protection according to the recommendations of the EC expert

In addition to these priorities, we will definitely not forget the **other undertaken obligations** and we will work in parallel on their implementation for the interest of all citizens of the Republic of Macedonia.