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"Social Changes in the Global World"
„Општествените промени во глобалниот свет"

Book of abstracts
Книга на апстракти

Faculty of Law Goce Delcev University
Правен факултет, Универзитет „Гоце Делчев"

Stip, 2026
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XIII МЕЃУНАРОДНА НАУЧНА КОНФЕРЕНЦИЈА

"SOCIAL CHANGES IN THE GLOBAL WORLD"
„ОПШТЕСТВЕНИТЕ ПРОМЕНИ ВО ГЛОБАЛНИОТ СВЕТ“

BOOK OF ABSTRACTS
КНИГА НА АПСТРАКТИ

Faculty of Law, Goce Delcev University
Правен факултет, Универзитет „Гоце Делчев“

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CONSTITUTIONAL PROTECTION OF HUMAN RIGHTS: THE NEED FOR REFORMS AND INSTITUTIONAL STRENGTHENING OF THE CONSTITUTIONAL COURT

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Abstract

The paper analyzes the necessary reforms aimed at enhancing the role and effectiveness of the Constitutional Court in the protection of human rights and constitutionalism. As a key solution, it proposes the introduction of the constitutional complaint (petition), which would provide more comprehensive domestic protection of human rights and ensure the exhaustion of domestic legal remedies before applying to the European Court of Human Rights.

Particular emphasis is placed on the need to adopt a separate Law on the Constitutional Court, which would clearly regulate its competences, proceedings before the Court, the conditions and procedures for the appointment and termination of office of constitutional judges, their immunity, rights and obligations, as well as issues related to the financing of the institution and the status of judicial staff. The paper also highlights the need to prevent constitutional crises through the timely appointment of constitutional judges and by ensuring the uninterrupted and effective exercise of the Court's competences.

Furthermore, the importance of holding public hearings in proceedings concerning the protection of freedoms and rights is emphasized, with the aim of ensuring the proper and comprehensive establishment of facts in individual cases. Finally, the paper proposes that the Constitutional Court assume a more proactive role in protecting constitutional principles, including through acting on its own initiative in cases of serious violations of the Constitution. This would contribute to strengthening the Court's independence and authority, increasing public trust, and enhancing its visibility within society.

Keywords: *Constitutional Court, constitutional complaint, human rights, constitutionalism, constitutional crisis, protection of freedoms and rights.*

УСТАВНАТА ЗАШТИТА НА ЧОВЕКОВИТЕ ПРАВА: ПОТРЕБА ОД РЕФОРМИ И ИНСТИТУЦИОНАЛНО ЗАЈАКНУВАЊЕ НА УСТАВНИОТ СУД

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Апстаркт

Трудот ги анализира потребните реформи за унапредување на улогата и ефикасноста на Уставниот суд во заштитата на човековите права и уставноста. Како клучно решение се предлага воведување на институтот уставна жалба (тужба), со кој би се обезбедила посеопфатна домашна заштита на човековите права и целосно исцрпување на домашните правни лекови пред обраќање до Европскиот суд за човекови права.

Посебен акцент е ставен и на потребата од донесување посебен Закон за Уставниот суд, со кој јасно би се регулирале неговите надлежности, постапката пред Судот, условите и постапката за избор и престанок на функцијата на уставните судии, нивниот имунитет, права и обврски, како и прашањата поврзани со финансирањето и статусот на судскиот кадар. Воедно, се укажува на потребата од спречување на уставни кризи преку навремено пополнување на составот на Судот и обезбедување непречено функционирање на неговите надлежности.

Дополнително, се истакнува значењето на одржувањето јавни расправи во постапките за заштита на слободите и правата, со цел правилно и целосно утврдување на фактите. Конечно, се предлага Уставниот суд да презема поактивна улога во заштитата на уставните начела, вклучително и преку самоиницијативно постапување при груби повреди на Уставот, со што би се зајакнале неговата независност, јавниот имиџ, довербата на граѓаните и неговата видливост во општеството.

Клучни зборови: *Уставен суд, уставна жалба, човекови права, уставност, уставна криза, заштита на слободите и правата.*