I. SHORT HISTORICAL PRESENTATION

The Public Prosecution Office as one of the most vital state organs follows the history of the creation of the stateship of the Republic of Macedonia. With the renewal of the Macedonian state on the Anti-fascist Assembly of the National Liberation of Macedonia (ASNOM), on August 2nd 1944 in the ancient temporary lodgment of the monastery St. Father Prohor Pcinski, once again the foundations of the Macedonian state are built on a part of Macedonian territory.

During 1944 in the framework of the constituting of Macedonia, as a federal unit of Yugoslavia, based on the documents of ASNOM the prosecution office is constituted as a part of the Yugoslav federal hierarchy. The Public Prosecution Office of the Republic of Macedonia consisted of the Public Prosecution Office, District and Regional Prosecution Offices, formally is created on March 31st 1944 when the General Procuror- Prosecutor of Macedonia was nominated.

By the Constitution of the Federal People's Republic of Yugoslavia (FNRY) from 1946 and the Constitution of the People's Republic of Macedonia, and the federal and republic laws, the Public Prosecution Office is constituted as a constitutional category, organ that has a purpose to protect the state and the social- economic system and strengthen the legality. The Public Prosecution Office of the Republic of Macedonia is based on the principles of centralism and hierarchy. The Public Prosecutor and its deputies are nominated by the Public Prosecutor of the FNRY.

By the Constitution of the Socialist Republic of Macedonia from 1963 and the Constitution of the Socialist Republic of Macedonia from 1974 the Public Prosecution Office is defined as an independent organ that is carrying out legal measures against persons who have committed criminal acts and takes other measures and legal means for unified practice of the law. The Public Prosecution Office of the Socialist Republic of Macedonian is an organ that answers to the Assembly of the Socialist Republic of Macedonian, that is consisted of 22 commune, 3 district and The Public Prosecution Office of the Socialist Republic of Macedonian.

In November 1991 the new Constitution of the Republic of Macedonia is adopted, by which the Republic of Macedonia is constituted as a independent, sovereign, democratic and civil state whose fundamental values are based on the principle of the rule of law and the protection of the human freedom and rights. Considering, the Public Prosecution Office of the Republic of Macedonia as unique and independent state body that is carrying out the prosecution of the doers of crimes and other offences determined by the law, rises in to the most important state body for practicing and protection of the fundamental values of the new constitutional order.
II. PRINCIPLES OF ORGANISATION AND WORK

The principles of organization and work of the Public Prosecution Office of the Republic of Macedonia, as well as its position in the system of state power are regulated by the Constitution of the Republic of Macedonia from November 17th 1991. According to article 106 of the Constitution: "The Public Prosecution Office is a single and autonomous state body carrying out legal measures against persons who have committed criminal and other offences determined by the law; it also performs other duties determined by law. The Public Prosecution Office carries out its duties on the basis of and within the framework of the Constitution and law. The Public Prosecution Office is appointed by the Assembly for a term of 6 years and is discharged by the Assembly." The article 107 says: "The Public Prosecutor is granted immunity. The Assembly decides on his/her immunity. The office of the Public Prosecutor is incompatible with the performance of any other public office, profession or membership in a political party."

III. JURISDICTION

The jurisdiction of the Public Prosecution Office of the Republic of Macedonia is regulated by the Constitution and the Public Prosecution Office Act (No.80 from 1992) and its amendments, the Criminal Procedure Act, and part of the jurisdiction derives from the laws that regulate the civil, executive, administrative procedure and the procedure in administrative disputes, etc.

The public Prosecutor's general right and duty is to prosecute criminals. Of crimes, which are prosecuted ex officio, the Public prosecutor is competent:

- to take necessary measures in relation of crimes and criminals and to direct the preliminary procedure;
- to demand investigation;
- to enforce and present the prosecution act i.e. prosecution proposal before the competent court;
- to appeal against court decisions which are not final and to propose extraordinary remedies against final court decisions
- to conduct other activities determined by this Code.

The Public Prosecutor has jurisdiction in the framework of deferent legally regulated procedures:

- to give its opinion in the extraordinary legal remedies - revision in the civil procedure;
- to propose extraordinary legal remedies - demands for protection of legality in the civil, administrative, executive, and administrative dispute procedure;
- to act as a party in the above mentioned procedures in the circumstances provided by law;
- to conduct other activities determined by this Code.
According to the Public Prosecution Office Act article 17/1, the Public Prosecutor of the Republic of Macedonia has a right to submit initiative to start a procedure to decide on the conformity of laws with the Constitution and the conformity of other regulations with the laws and the Constitution, if this question appears in the activity of the Public Prosecutor.

IV. NOMINATION AND CONDITIONS FOR NOMINATION

The Public Prosecution Office of the Republic of Macedonia is a state body that regardless of its independence and autonomy in its work, it is responsible for its activities to the Assembly of the Republic of Macedonia. The Assembly of the Republic of Macedonia appoints the Public Prosecutor and the Deputy Public Prosecutors and determines the number of the deputies in the Public Prosecution Office of the Republic of Macedonia, the High and Primary Public Prosecution Offices.

For a Public Prosecutor and Deputy Public Prosecutor may be appointed a citizen of the Republic of Macedonia that answers to the general conditions to have a job in a state body provided by a law, bachelor of law with a compatible group and passed bar exam, who is honorable in functioning as a Public Prosecutor, or Deputy Public Prosecutor. Except these conditions, considering the level in which the Public Prosecutor or its Deputy is nominated, he/she must have work experience with distinguished results after the bar exam, in legal meters.

For Public Prosecutor of the Republic of Macedonia or Deputy of the Public Prosecutor of the Republic of Macedonia may be appointed a regular or irregular professor at the Faculty of Law who teaches a legal subject for ten years period in the same or lower teaching level.
To achieve professionally and competency in executing the Public Prosecution work, as well as for its independence and objectivity the Public Prosecutor and the Deputies must preserve the status of the function that they do and they must not under take duties or work that are opposite to this function and its status. The Public Prosecutor and the Deputies must not be MPs, representatives or other function in the state bodies, the commune and the city Skopje. The same is incompatible with the performance of political function or membership in a political party or other political association.