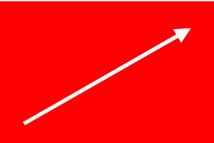




Center for Research and Policy Making



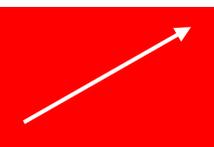
**Policy Brief**

NO: 17

# To Name or Not to Name? Greek Nationalism Ltd.

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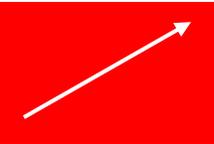




**Center for Research and Policy Making** is an independent, non-profit policy research institute founded in March 2004. CRPM consists of local researchers as well as external consultants in close contact with the organization. It offers timely, provocative policy analysis on the most pertinent issues. CRPM has no 'hidden agenda' but works to promote democratization and economic transformation of the country. It has no party, political or any other organizational affiliation. CRPM develops a new style of policy analysis and serves as a forum for young Macedonians to acquire and apply knowledge and skills for evidence based research and policy analysis. The standpoint from which it approaches certain issues is principled. The organization considers peace and stability as the first principles that should reign in the Balkan countries, and believes that the major political goal of Macedonia is the integration with the European Union.

Center for Research and Policy Making has been formed by a multi-disciplinary team bringing together people with different backgrounds and professional and research interests, and includes considerable experience of the way the Macedonian policy process works. The CRPM members are specialized in project management and policy research and analysis, training and capacity building, and policy advice. They are able to coordinate the planning of activities and inputs in a flexible and effective manner, provide relevant and timely analyses anchored in political and economic realities, paying particular attention to timely mobilization of resources and monitoring of project progress.

CRPM key-departments specialize in research and analysis, program evaluation, training and capacity building, surveying and market research. The team has wide experience and evidence to offer policy advice in the following sectors: EU integration; municipal development; public finances; reform of the education, health and social protection policy areas; youth and cultural policy development; reform of the public administration and creation of public value.



Encyclopedia Britannica notes that literally, "Europa" is thought to have meant "Mainland"...as an appropriate designation of the broadening, extensive northerly lands that lay beyond, lands with characteristics but vaguely known... clearly different from those inherent in the concepts of Asia and Libya, both of which, relatively prosperous and civilized, were associated closely with the culture of the Greeks and their predecessors. Among the lands north of Greece today is also the Republic of Macedonia.

Macedonia was recently denied a NATO membership invitation because of a Greek veto. At the Bucharest summit NATO leaders refused Macedonia an invitation to join the alliance for now after Greece vetoed the decision in a dispute over the former Yugoslav republic's name.<sup>1</sup> NATO Secretary-General Jaap de Hoop Scheffer told a news conference "We have agreed that an invitation to the Former Yugoslav Republic of Macedonia will be issued as soon as a mutually acceptable solution to the name issue has been reached."

The official position of the Greek Foreign Ministry is that "there is no chance of FYROM acceding to the EU and NATO under the name Republic of Macedonia" and that "FYROM Slavo-Macedonians insistence in standing by their intransigent and negative stance towards efforts to resolve the issue."<sup>2</sup> According to Greek Foreign Minister Dora Bakoyannis the name "Republic of Macedonia," ...is linked with the deliberate plan to take over a part of Greek territory that has had a Greek identity for more than three millennia and is associated with immense pain and suffering by the Greek people.<sup>3</sup> Athens insists Skopje must use a compound name such as "New" or "Upper" Macedonia.

The demand on Macedonia to negate itself, in effect, is without precedent and any justifiable cause. In fact, the 'dispute' over the name is a euphemism to the Greek objections, in some cases direct and open and in others indirect and concealed, to the very existence of the Macedonian state and nation. The Greek used labels such as "Slavo-Macedonians", "Skopje people"<sup>4</sup>, "FYROM" and "Fyromians"<sup>5</sup> are ethnic slurs and mirror the blatant disrespect of Greece for human rights and values. They are of equal footing to the label "Nigger" once used in offensively racial contexts against African-Americans. Sadly, in the case of Greece's foreign policy in the 1990's towards Macedonia and the Macedonians, we have even witnessed that not only the academic but also the international community of states, has kept a blind eye to the racist bullying

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<sup>1</sup> <http://www.reuters.com/article/topNews/idUSL0327252820080403>, On the Greek veto see also <http://www.ana-mpa.gr/anaweb/user/showplain?maindoc=6305115&maindocimg=6305032&service=6>

<sup>2</sup> <http://www2.mfa.gr/www.mfa.gr/en-US/Policy/Geographic+Regions/South-Eastern+Europe/Balkans/Bilateral+Relations/FYROM/FYROM+-+THE+NAME+ISSUE.htm>

<sup>3</sup> <http://www.iht.com/articles/2008/03/31/opinion/edbakoy.php>

<sup>4</sup> <http://www.ana-mpa.gr/anaweb/user/showplain?maindoc=6284332&maindocimg=6267967&service=10>

<sup>5</sup> <http://www2.mfa.gr/www.mfa.gr/en-US/Policy/Geographic+Regions/South-Eastern+Europe/Balkans/Bilateral+Relations/FYROM/FYROM+-+THE+NAME+ISSUE.htm>

surrounding the acceptance of the Republic in the UN in the early 1990's and in NATO today.

The Greek foreign policy towards Macedonia is the result of the ideology of ethnic nationalism that has dominated Greek society since its inception. Greece denies the existence of a Macedonian nation and Macedonian minority on its territory because such a recognition would run counter to the templates of ethnic homogeneity and purity that define Greek ethnic nationalism.<sup>6</sup> Macedonians cannot exist for the very simple reason that nobody who is not Greek can properly speaking be said to "exist" in Greece. In Greece, like in most states dominated by the ideology of ethnic nationalism, the "right to exist," like indeed any other right, derives from the person's belonging to the dominant ethnic group and not from his/her participation in the political community, his/her payment of taxes to the State or his/her obedience to the Constitution of the country

Macedonia has a legitimate right to its name and identity. This right is based on various arguments, be that legal, moral, historical, or grounded on liberal-democratic ideas. Self determination is a principle, often seen as a moral and legal right, that "all peoples have the right [to] freely determine their political status and freely pursue their economic, social and cultural development."<sup>7</sup> In the fall of 1991 following a violent summer when fighting erupted first in Slovenia, and then throughout Croatia, Macedonia used its right to self-determination. On September 8th, 1991, a referendum was held in which more than 95 % of those voting, voted for a sovereign and independent state. The referendum turnout was very high at 76%.<sup>8</sup>

The right to ethnicity, nationality and to identity is a fundamental principle of international law, a central tenet of the international order. A nation's existence is... a daily plebiscite, just as an individual's existence is a perpetual affirmation of life.<sup>9</sup> Today, despite all the Greek pressure, surveys show that Macedonian citizens by a very large majority (83%) refuse any changes to their identity and the name of the country even if NATO membership is at stake.<sup>10</sup> Both in 1991 and in 2008 Macedonians have confirmed that the nation's existence as such cannot be questioned.

Historically Greece had no objections to the name of its northern neighbor during Yugoslav times. From 1944 to 1991 the "People's Republic of Macedonia"

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<sup>6</sup> Takis Michas, *The Unholy Alliance: Greece and Milosevic's Serbia during the 1990s*, Texas A & M University Press, 2002.

<sup>7</sup> International Covenant on Civil and Political Rights, Article 1.

<sup>8</sup> See the referendum results in *Ustavno Pravo*, Union Trade: Skopje, 1994, p.359, pp.376-380.

<sup>9</sup> What is a Nation? (Qu'est-ce qu'une nation?) Ernest Renan, Geoff Eley and Ronald Grigor Suny , ed. 1996. *Becoming National: A Reader*. New York and Oxford: Oxford University Press, p. 41.

<sup>10</sup> See the survey results at

<http://www.crpm.org.mk/Papers/Surveys/Changing%20the%20name%20or%20NATO%20membership.htm>

and later the "Socialist Republic of Macedonia" was one of the six constituent units of federal Yugoslavia. Once Yugoslavia disintegrated, however, using its might Greece blocked international recognition of the Republic of Macedonia despite the fact that in 1992, Macedonia met all the conditions for recognition imposed by the European Community.<sup>11</sup>

To ameliorate the Greek concerns that the name of the country implies territorial claims against Greece, Macedonia adopted two amendments to its Constitution on January 6, 1992. They assert that Macedonia "has no territorial claims against any neighboring states"; that its borders can be changed only in accordance with the Constitution and "generally accepted international norms"; and that, in exercising care for the status and rights of its citizens and minorities in neighboring countries, it "shall not interfere in the sovereign rights of other States and their internal affairs." Macedonia accepts the existing borders and it has no territorial claims against any of its neighbors. Even though some extreme Macedonian nationalists may dream about or continue to voice the dream of Great Macedonia, the state does not possess the means to threaten any of its neighbors, let alone challenge the existing territorial status quo. It has publicly, formally, and repeatedly disavowed any territorial claim on Greek lands since the Greeks first made their accusations.

The admission of Macedonia to UN membership in April 1993 by the General Assembly Resolution 47/225 (1993), was associated with the provision that it be "provisionally referred to for all purposes within the United Nations as the former Yugoslav Republic of Macedonia, pending settlement of the difference that has arisen over the name of the State." Under pressure, Macedonian governments have committed to adhere to a UN process to discuss a possible solution to the "name dispute." Yet the additional conditions related to the name of the state constitute violations of the Article 4(1) of the UN Charter interpreted by the Advisory opinion of ICJ, of 28 May, 1948 (which was accepted by the General Assembly Resolution 197/III of 1948).<sup>12</sup>

The preamble to Security Council Resolution 817, by which Macedonia was recommended for admission, recognized that "the applicant fulfils the criteria for membership laid down in Article 4 of the Charter of the United Nations." According to Admission of a State to the United Nations and General Assembly

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<sup>11</sup> In its Report of 15 January 1992, the European Arbitrage Commission, headed by Robert Badenter, presented the opinion that Macedonia and Slovenia completely fulfill the conditions for independence and international recognition, in pursuance with the criteria governing international recognition of states-successors to the SFRY contained in the European Community Declaration of 16 December 1991. Contrary to this recommendation, the recognition was delayed, as a result of the opposition of Greece, presenting the explanation that the name Republic of Macedonia allegedly is a threat to its territorial integrity and an appropriation of the Hellenic cultural heritage.

<sup>12</sup> See Igor Janev's "Legal Aspects of the Fuse of a Provisional Name for Macedonia in the United Nations System," *American Journal of International Law* 93 (1): 155-160, 1999, and "Legal Responsibility of the United Nations for Unlawful Admission of Macedonia to UN Membership", *Macedonian Affairs* 3 (1): 53-88, 2001.

Resolution 197, this statement means that the applicant has fulfilled all the required conditions for admission to membership in the United Nations and that **no other conditions** may be imposed.<sup>13</sup>

The invalidation of part (b) of the UN Resolution 47/225 (1993) can be done by a new resolution, which would also affirm the use of constitutional name of Macedonia within the UN system.

At that time the Macedonian Government strongly objected to the use of this provisional name, stating that “under no circumstances” was it prepared to accept that designation as the name for the country. Nevertheless, the text of the resolution remained unchanged and talks went underway until February 1994 when the Greek government imposed a trade embargo on Macedonia. Two months later the European Commission “asked the European Court of Justice for an injunction against the Greek embargo as a serious breach of EU law.” Greece and Macedonia eventually normalized bilateral relations in an Interim Accord signed in New York on 13 September 1995.

Under the agreement, Athens had agreed to lift the one-sided blockade towards its northern neighbor while Macedonia in a bona fide concession renounced its 16-ray-shaped sun - the symbol of the first flag of independent Macedonia for which Greece claimed to possess historical copyright and amendment Article 3 of the Constitution which envisages that it “has no territorial claims against neighboring states.” Both countries committed to continuing negotiations on the naming issue under UN auspices while Greece agreed not to obstruct the Republic’s applications for membership in international bodies as long as it did so under its provisional UN appellation.<sup>14</sup> This opened the door for the Republic to join a variety of international organizations and initiatives, including the Council of Europe, OSCE and Partnership for Peace.

In Bucharest, Greece exercised a veto to stop Macedonia’s invitation to NATO membership. Greece has broken the Interim Accord. Moreover, Athens threatens to use its EU membership to influence Macedonia’s EU accession talks. This is irresponsible behavior and must be prevented. Informing Macedonia that it should find a solution to the “name dispute” is telling Skopje to accept changes of its name and identity, a step that no Macedonian government can make without being accused of treason. Siding with Greek nationalism amounts to declaring the Copenhagen Criteria are not important

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<sup>13</sup> Ibid.

<sup>14</sup> Article 11 states that: 1. Upon entry into force of this Interim Accord, The Party of the First Part agrees not to object to the application by or the membership of the Party of the Second Part in international, multilateral and regional organizations and institutions of which the Party of the First Part is a member; however, the Party of the First Part reserves the right to object to any membership referred to above if and to the extent of the Party of the Second Part is to be referred to in such organization or institution differently than in paragraph 2 of the United Nations Security Council resolution 817 (1993).

for the accession of Macedonia to EU, that the most important factor is an additional criterion that has nothing to do with democracy or rule of law. The public opinion will turn against EU. Nationalism and ethnocentrism will be on the rise. As a result this or any subsequent Macedonian government will not have much incentive to continue the needed reforms.

On the other hand, the leverage of EU on Macedonian politics will decrease. What is more important, the possibilities for further soft mediation of Macedonian- Albanian political disputes will diminish. Macedonian nationalism will grow but so will the ethnic Albanian one. Radicals among the Albanians have anyways been encouraged by the recent declaration and recognition of Kosovo's independence. Supporting the Greek position signals to nationalist around the Balkans that Macedonia is not yet a "normal" country, a state that has a secure and prosperous future in the EU.

With Kosovo's independence and Serbia's objections already complicating Balkan realities the EU does not need another crisis. Macedonian stability is crucial as any new conflict there could cause a wider conflict including Bulgaria, Turkey, and Albania. At the moment the US seems to understand this and pledges support to Macedonia. The time is ripe to do more. Denying the existence of Macedonians and their country as such did not help solve the Macedonian problem and did not contribute to Balkan stability in the past, and it will not do so in the future. Only a settlement that recognizes the Macedonians and respects their national rights will be of lasting value and contribute to stability and tranquility in Southeastern Europe.

#### Recommendations:

- Macedonia cannot negotiate changes of its own name and identity. The international community must not make the mistake of continuously supporting Greek nationalism, by denying Macedonian identity. Doing so threatens the stability of Macedonia and the region.
- The government of Macedonia must stop the UN talks and ask for a new resolution which would also affirm the use of constitutional name of Macedonia within the UN system.

Alternatively,

- Macedonia should request the General Assembly to question before the International Court of Justice the legality of resolution of 47/225 (1993) and Security Council resolution 817 (1993) in their parts related to the imposition of additional conditions on Macedonia regarding its name for

- its admission in UN membership (i.e. their compatibility with the provisions of Article 4(1) of the Charter).<sup>15</sup>
- The US and the EU must support one of these alternatives placing Greek nationalism in a *fait accompli* position. This resolution of the name issue would be face saving for Athens as well.
  - Macedonia must not lose time and should continue the socio-economic reforms aimed at EU and NATO membership.

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<sup>15</sup> As Mr. Janev argued the General Assembly cannot “obstruct such a request for an advisory opinion of being put before the Court because the requested opinion is related to the legality of its own act. Such an obstruction (based on whatever reasons) would essentially mean that the General Assembly, as political organ, is imposing its own response to the question regarding the legality of its own act, or, imposing its own judgment in a case in which it is itself a ‘party’ (representing the Organization). This would be incompatible with the basic legal principles of juridical equality and bona fide, and with the mission and the duty of the UN Organization regarding the respect of international law.” See his “Legal Responsibility of the United Nations for Unlawful Admission of Macedonia to UN Membership”, *Macedonian Affairs* 3 (1): p.83, 2001.