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Use of the provisional reference "the former Yugoslav Republic of Macedonia" at the Council of Europe

Information report
Rapporteur: Mr Pedro AGRAMUNT, Spain, Group of the European People's Party

Summary

"The former Yugoslav Republic of Macedonia" is not a name. It is a provisional reference created in 1993 for the specific use of the United Nations, pending resolution of the dispute which pits "the former Yugoslav Republic of Macedonia" against Greece over the use of the constitutional name "Republic of Macedonia". Later, the United Nations provisional reference was adopted by other international organisations, including the Council of Europe, pending a solution of the dispute.

This information report tries to illustrate the positions of the two parties as regards the name issue and the state of the negotiations to achieve a solution. It concludes that this dispute, which is often trivialised by those who are not directly concerned, raises many matters on which the Parliamentary Assembly should focus its attention, such as the concepts of nationhood and national minority; the rise of nationalism; the interpretation and manipulation of history for political purposes and the teaching of history.

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1. Introduction

1. “The former Yugoslav Republic of Macedonia” is not a name. It is a provisional reference created in 1993 for the specific use of the United Nations, pending resolution of the dispute arising from the constitutional name “Republic of Macedonia”, which this country chose for itself upon becoming independent. Later this provisional reference, initially intended for use by the United Nations, was adopted by other international organisations, including the Council of Europe, the European Union and the Organization for Security and Co-operation in Europe (OSCE). This dispute pits “the former Yugoslav Republic of Macedonia” against Greece.

2. To my knowledge, it is the first time in history that the choice of a name has created a bilateral dispute. The only European examples which occur to me which could have created a similar case are that of Luxembourg, which is the name of a sovereign state as well as the name of a province in Belgium, and that of Moldova, which is a sovereign state as well as a region in Romania. The similarities, however, stop there, because as far as I know there is no political contention concerning the use of those names.

3. The dispute between Greece and “the former Yugoslav Republic of Macedonia”, instead, is a very heated one, and is strongly felt by the populations of both countries. It is also very long lasting: over fifteen years.

4. It should be very clear from the outset that the dispute over the use of the name “Macedonia” is in no way an attempt to call into question the existence of “the former Yugoslav Republic of Macedonia” as a sovereign state. For a young independent state, however, the name is of great importance in the context of the consolidation of its standing in international relations and of its own sense of national identity.

5. The vast majority of states having diplomatic relations with “the former Yugoslav Republic of Macedonia” recognise it under its constitutional name, either *de jure* or de facto. This now applies to 115 states, including (in Europe) Bosnia and Herzegovina, Bulgaria, Croatia, Hungary, Moldova, Montenegro, Poland, Romania, the Russian Federation, Serbia, Slovenia and Turkey. Within multilateral organisations, however, even those states still use the conventional, provisional title.

6. Other states, including most members of the European Union, recognise it under the name “the former Yugoslav Republic of Macedonia”, even if, as in Germany and Italy, there have sometimes been parliamentary initiatives calling for a change.

2. The position of the countries concerned on the name issue

7. I will try to describe the position of the parties to this dispute, as explained to me during my visit in October and November 2007.

2.1. Greece

8. *Usurpation of Greece’s cultural and historical legacy.* Greece considers the use of the constitutional name “Macedonia” as usurpation of a name belonging to Greek history and heritage, which, moreover, have nothing to do with the culture and legacy of the current inhabitants of “the former Yugoslav Republic of

Macedonia", who are descended from Slavs that settled in the region in the 6th century, long after the ancient Kingdom of Macedonia. The Macedonians of the Kingdom of Macedonia, instead, were Greeks, who spoke Greek and took part in the Olympic Games, which was a prerogative of Greeks and denied to all foreigners.

9. For Greece, this historical clarification is crucial, since the name issue is only the tip of the iceberg: in its opinion, the authorities of "the former Yugoslav Republic of Macedonia" are engaging in a very dangerous exercise of rewriting history, which – more or less deliberately – encourages their citizens to believe they are descendants of the ancient Kingdom of Macedonia, that is, of a non-Greek Macedonian ethnic group that settled in the region before the Slavs arrived. This rewriting of history extends to provocative gestures, such as the Gruevski government's decision to rename Skopje airport "Alexander the Great" in 2007, and numerous other initiatives which started with independence and have come thick and fast since 1997. Moreover, Greece considers "the former Yugoslav Republic of Macedonia" responsible for failing to discourage acts by private entities or individuals which could result in animosity, hostility and violence, including abroad.

10. *Risk of leading to territorial claims.* For Greece, the ultimate risk in this type of process is that of opening the door to future territorial claims. It is well aware that "the former Yugoslav Republic of Macedonia" introduced constitutional amendments in 1992, explicitly renouncing all territorial claims against its neighbours. However, in its view, obfuscating certain historical facts, or even manipulating them in school or military contexts, may well spark a spirit of revenge among the general public. For example, Greece points out that many of the history and geography books[1] used in schools and military academies treat "Macedonia" as a single ethnic and geographical entity. Part of that entity is said to have been partitioned between several states in the region – including Greece – which implies full-scale foreign occupation.

11. Obviously, any suggestion of "occupation" may well provoke irredentist reactions – not necessarily now, but perhaps in the future. During my visit, I was shown a documentary filmed in Skopje's schools, which, the Greek authorities claim, is proof of the confusion surrounding "Macedonia's" ethnic and geographical borders, not just among pupils, but also among teachers.[2] In an unstable and volatile region like the Balkans, the risk of dangerous developments should not be underestimated, especially when ethnic and territorial issues are involved.

12. *Risk of confusion with the Greek region of Macedonia.* In addition, Greece argues that the use of the name "Macedonia" for its northern neighbour creates a risk of confusion with the Greek region of Macedonia and may bring about prejudice to exports of products from this region.

2.2. "The former Yugoslav Republic of Macedonia"

13. *National identity.* "The former Yugoslav Republic of Macedonia" is a newly-independent state, engaged in the process of consolidating its democratic institutions and overcoming possible ethnic tensions through the reinforcement of a sense of civic citizenship among its population. Over time, not only have its borders varied considerably but also its very existence has had no continuity, even as a non-independent political entity, having been completely wiped off Europe's map after the Second Balkan War and incorporated by its neighbours. The existence of a "Macedonian" language is questioned by other Slavic countries, and so is the existence of a "Macedonian" ethnicity. Even the independence of the "Macedonian" Orthodox Church is not consensually accepted.

14. Against this background, it is clear that the recognition of its constitutional name has for "the former Yugoslav Republic of Macedonia" a crucial meaning: it would be the recognition of its international legitimacy as a state and a nation with its own language and heritage. Internally, recognition of the country's constitutional name would help to consolidate its national identity. It must also be stressed that, during my visit, both ethnic Macedonian and ethnic Albanian members of parliament expressed the same views on the name issue.

15. Greek opposition to use of the constitutional name is artificial, and motivated by a desire to deny the existence of a Macedonian minority in Greece. The basic point is that every country is entitled to the name it chooses. Greece never opposed use of the name "Macedonia", when the latter was one of the six federal entities that made up Yugoslavia (1944-91) – but the problem arose when it became independent. This change of attitude is disappointing since Greece, as the new state's neighbour, should have been one of the first to recognise it; on the other hand, it may reflect a simple refusal to recognise the existence of a

1. I was shown many examples by the Greek authorities, which have collected them in an unpublished volume.
2. It should be noted that the authorities in "the former Yugoslav Republic of Macedonia" dismissed this programme as "manipulation" – all the more serious, since it is aimed at children.

"Macedonian" nation, and thus the presence of a "Macedonian" minority on Greek territory. This is why Greece rejects the constitutional name – which expresses nationality – but would be prepared to accept a geographical name, such as "Upper Macedonia".[3]

16. This is also the position of the "Rainbow Party" in Greece, which claims to represent the interests of the country's "Macedonian" minority. This party – which decided not to take part in the last parliamentary elections, and which in the previous ones obtained only marginal support – stresses that the concept of "nation" promoted for centuries by the Greek state sees today's Greeks as an ethnically homogeneous nation, and Ancient Greece's only descendants.[4] It claims that, shortly after "the former Yugoslav Republic of Macedonia" became independent, the Greek authorities started renaming ministries (the Ministry of Northern Greece became the "Ministry of Macedonia and Thrace"), airports (Thessaloníki airport became "Thessaloníki-Macedonia" airport), etc., in order to strengthen the idea that use of the name "Macedonia" was a Greek monopoly. In fact, there is documentary proof that there was a "Macedonian" language in Greece – and thus a community which spoke it – even before 1945.[5]

17. Moreover, the Skopje authorities dismiss fears that recognising the country by its constitutional name might legitimise territorial claims as groundless: this has not only been ruled out by the various amendments to the constitution, but also runs contrary to the foreign policy of "the former Yugoslav Republic of Macedonia", which aims at integration within the Euro-Atlantic structures in a peaceful and co-operative spirit. According to Skopje, even the Badinter Commission acknowledged that no hostile intent underlay the choice of the constitutional name.[6]

18. Use of a reference or acronym is offensive. Skopje argues that using a provisional reference to denote a sovereign state or, even worse, the acronym FYROM is disrespectful.

3. Attempts to resolve the dispute

3.1. Chronology

19. The UN has initiated a mediation process to help resolve the dispute. The following are the main steps taken so far:

7 April 1993

The UN Security Council (UNSC) adopts Resolution 817 (1993), which:

– urges the parties to the dispute to continue to cooperate with the Co-Chairmen of the Steering Committee of the International Conference on the Former Yugoslavia (Cyrus Vance and Lord Owen), in order to reach a speedy settlement of their difference; and

– asks the UN Secretary-General to draft a report for submission to the UNSC and recommends to the UN General Assembly (UNGA) the admission of "the former Yugoslav Republic of Macedonia", with such a provisional reference "pending settlement of the dispute that has arisen over the name of the state".

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3. During my visit to Athens, the Greek authorities emphasised the efforts made by Tito, in constructing a Macedonian ethnic entity, to claim territories situated in neighbouring states. They also stressed that "the former Yugoslav Republic of Macedonia" had a law on scientific and research activities, which subjected all activities relating to nationality and ethnicity to state control. At the same time, it is true that Greece recognises no national minorities on its territory, and has not ratified the Council of Europe's Framework Convention for the Protection of National Minorities.

4. These statements appear in a letter sent to me by Rainbow on 11 November 2007. The same points had been made to Mr Matthew Nimetz a few days earlier (they are available at www.florina.org). I should like to make it clear that I mention the Rainbow Party's and the Skopje Government's positions together only for the sake of intellectual clarity, and that the Rainbow Party is a Greek political party.

5. Rainbow finds this proof in the 1920 census and the 1945 spelling book. It should be noted that the European Commission against Racism and Intolerance (ECRI) has criticised Greece because of the difficulties encountered by the "Macedonian" community, which is not recognised as such (ECRI, "Third report on Greece", 5 December 2003). Also, Greece has signed, but not ratified the Framework Convention for the Protection of National Minorities.

6. Conference on Yugoslavia, Arbitration Commission, Opinion No. 6 on the recognition of the Socialist Republic of Macedonia by the European Community and its member states. Greece, however, points out that the wording of this opinion should be interpreted as imposing an obligation not to pose such a threat, rather than as acceptance that the constitutional name poses no threat.

8 April 1993

"The former Yugoslav Republic of Macedonia" joins the United Nations.

May 1993

Cyrus Vance, who in the meantime has been appointed Personal Envoy of the UN Secretary-General, proposes the name "Nova Makedonija". This proposal is rejected by both parties.

18 June 1993

The UNSC adopts Resolution 845 (1993), which urges the parties to continue their efforts under the auspices of the Secretary-General.

13 September 1995

The parties conclude an interim accord, under which terms:

– they mutually recognise one another;

– Greece lifts the embargo (which has been in force since 1994);

– "the former Yugoslav Republic of Macedonia" relinquishes the flag with the motif of the ancient Star of Vergina, the symbol of the Kings of Macedonia.

The following provisions of the accord, which is still in force, should be mentioned:

– Article 6, which refers to the constitution of "the former Yugoslav Republic of Macedonia" and makes it clear that nothing in that text must be interpreted as legitimising territorial claims against neighbouring countries or interference in their internal affairs;

– Article 7, which requires the parties to prohibit all hostile action or propaganda by state-controlled agencies, and discourage similar activities by private entities;

– Article 11, which allows Greece to object to the "the former Yugoslav Republic of Macedonia's" being admitted to, or being a member of, any international organisation which refers to it by another name;

– Article 21, which stipulates that the dispute concerning the name must be resolved by political negotiation only, and may not be referred to the International Court of Justice or settled by other peaceful means.

21 December 1999

Following Cyrus Vance's resignation, Matthew Nimetz is appointed as Personal Envoy of the UN Secretary General. Talks under his mediation result in Athens dropping its demand that Skopje may not use the name "Macedonia" in any form, in favour of a compound name like "Upper Macedonia"; on its part, Skopje says it is ready to accept a compound name in its relations with Greece but continues to demand recognition of its constitutional name in both multilateral and other bilateral relations.

March 2004

"The former Yugoslav Republic of Macedonia" applies for EU membership.

2005

Matthew Nimetz proposes the name "Republika Makedonija – Skopje". Greece does not accept the proposal but considers it as a basis for constructive negotiations; "the former Yugoslav Republic of Macedonia" rejects the proposal and puts forward instead a double formula where the international community would use "Republic of Macedonia" and Greece use "the former Yugoslav Republic of Macedonia".

October 2005

Matthew Nimetz launches a second proposal: "Republika Makedonija", in the Latin alphabet for international institutions and organisations. Greece could use "Republika Makedonija – Skopje". Macedonia finds the proposal a good basis for solving the dispute while Greece rejects the proposal.

Matthew Nimetz visits both countries to relaunch the negotiations, this time without making any prior proposals. Until now, no agreement has been reached.

3.2. Scope of the negotiations

20. It is even more a matter of concern that the two parties disagree on the scope of the negotiations: Athens holds that once a mutually agreed name is found, it should be accepted by all the UN states on the grounds that the very referral of the issue to the UN Security Council proves that it is an issue of international concern, and that Resolution 817 (1993) states that this issue must be resolved in the interest of maintenance of peaceful and good-neighbourly relations in the region. In its opinion, it is clear that if "the former Yugoslav Republic of Macedonia" had been admitted in the United Nations under a provisional name pending a solution of the dispute, after a solution is found the new name should be used. Skopje, instead, is prepared to accept the name resulting from the negotiations in its relations with Greece, but still demands that its constitutional name be recognised, both in its multilateral and in its other bilateral relations.

3.3. Attitudes and constraints of the parties

21. The impression that the UN negotiations produced no result is not entirely accurate: while Greece initially opposed even inclusion of the term "Macedonia" in the new state's name, it did eventually accept it as part of a composite name. For its part, "the former Yugoslav Republic of Macedonia" relinquished the flag it had chosen on independence, and amended its constitution to allay Greek concerns.

22. That said, the chances of the negotiations' succeeding appear, so far, to be limited: in Greece, several surveys[7] have led the government to conclude that public opinion would accept no further compromise, beyond acceptance of the name "Macedonia" as part of a composite name. To understand the political importance of the whole name issue, one needs to remember that Greek Macedonia has a population of about 2 million (much the same as that of "the former Yugoslav Republic of Macedonia", that is to say, 2.1 million) – which gives it considerable weight in parliament, and corresponding influence on the stability of any government (especially the current one, which has a very slim majority and a prime minister of Macedonian origin).

23. The Greek authorities believe that "the former Yugoslav Republic of Macedonia" is not prepared to accept any compromise on the name issue, and is not fully committed to the negotiations. This, they say, is even contrary to the values underlying the European process, joining in which is one of Skopje's priorities. On the other hand, they point out, "the former Yugoslav Republic of Macedonia" has made considerable diplomatic efforts to obtain secure recognition of its constitutional name at bilateral level. In this connection, American recognition of the constitutional name in 2004 – according to Greece, the price of military support in Iraq and involvement in the unlawful inter-state transfer of detainees[8] – allegedly made Skopje more intransigent on the name issue. American recognition is even more striking when set against the words of Secretary of State Stettinius in 1944: "This government considers talk of 'Macedonian Nation' … to be unjustified demagoguery representing no ethnic or political reality".

24. For its part, "the former Yugoslav Republic of Macedonia" rejects Greece's version of the reasons for American recognition of its constitutional name, and points out that the terms of the interim accord do not prevent it from seeking such recognition on a bilateral basis. Moreover, the fact that numerous states have recognised it under its constitutional name shows, in its view, that this is a problem only for Greece, which has made it a unilateral issue. Indeed, when the number of recognising states reaches two thirds of the UN's membership, the possibility of a general assembly resolution recognising the constitutional name cannot be ruled out.

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7. Including the ALCO survey published in *Proto Thema* on 28 October 2007.
8. As detailed by Mr Dick Marty, Rapporteur of the Committee on Legal Affairs and Human Rights, in his report (Doc. 10957).

4. Consequences of the dispute

4.1. On bilateral relations

25. Despite high passion on the two sides of the border, the dispute on the name issue has not as yet seriously affected bilateral co-operation and the two countries deal pragmatically with each other. After the end of the commercial embargo in 1995, Greece has become one of the main foreign economic partners and investors for its northern neighbour, to such an extent that it is currently its third biggest trading partner and the first foreign investor. According to the Greek Foreign Minister, it is estimated that Greek investment has helped to create 20 000 jobs in "the former Socialist Republic of Macedonia". Moreover, Greece is the main regional investor in EU projects aimed at reconstruction of the Balkans' economy and infrastructure. According to Ms Bakoyannis, if tension over the name issue increased, the pressure of public opinion would make it hard to maintain this high level of financial commitment.

26. Among the consequences of the dispute, however, are the limited diplomatic relations between the two countries.

4.2. In the multilateral context

27. So far the name dispute has not prevented the accession of "the former Yugoslav Republic of Macedonia" to a number of international organisations of which Greece is also a member and in which the UN provisional reference is used. "The former Yugoslav Republic of Macedonia", however, is very well aware that the unresolved dispute could create obstacles or delays to its current policy priorities such as NATO and above all EU membership aspirations.

28. This seems to be confirmed by several statements by high-ranking Greek representatives, including the Greek Foreign Minister, Dora Bakoyannis, who said that "... the Hellenic Parliament, under any composition, will not ratify the accession of the neighbouring country to the EU and NATO if the name issue is not resolved beforehand".[9] This question may arise in the very near future as "the former Yugoslav Republic of Macedonia" is likely to be invited, in April 2008, to join NATO.

29. The EU, for its part, has clearly stated that it will not play a role in the name issue and that "renewed efforts are needed, with a constructive approach, to find a negotiated and mutually acceptable solution …, under the auspices of the UN, within the framework of UN Security Council Resolutions (EEC) No. 817/93 and (EEC) No. 845/93, thereby contributing to regional cooperation and good neighbourly relations".[10]

5. The use of the reference "the former Yugoslav Republic of Macedonia" by the Council of Europe

30. The motion for a recommendation[11] which originated this report describes in full detail how the Council of Europe decided to adopt the reference "the former Yugoslav Republic of Macedonia", as well as the various statements by Parliamentary Assembly members in favour of a change of this decision:

– Resolution (95) 23 adopted by the Committee of Ministers on 19 October 1995 invites the concerned state to become a member of the Council of Europe and emphasises that it will be "provisionally referred to as 'the former Yugoslav Republic of Macedonia'";

– although a number of Parliamentary Assembly members, including rapporteurs, have expressed themselves in favour of a change of the name policy by the Council of Europe, this has always been done in memoranda or proposed amendments, which, respectively, are either not binding on the Assembly, or have been rejected in the plenary.

31. I should recall that according to the motion originating this report, the Assembly should take the initiative and propose that the Council of Europe adopt for the country concerned its constitutional name, also in light of:

– the long duration of the dispute, which is going well beyond the common meaning of "provisional";

– the fact that the word "Yugoslavia" no longer refers to any existing entity; and

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9. Answer of Foreign Minister Ms Dora Bakoyannis regarding the FYROM name issue, 29 August 2006, www.greekembassy.org.

10. Conclusions of the General Affairs and External Relations Council, 25 and 26 April 2005.

11. Doc. 10538, "The provisional name of the Republic of Macedonia in the Council of Europe", motion for a recommendation presented by Mrs Petrova-Mitevska and others, 3 May 2005.

– the principles of the Council of Europe, which should guarantee the freedom of citizens, and consequently of their states, to express and affirm their identity.

6. Conclusions

32. The name issue is often underestimated, trivialised and misunderstood. Perhaps also due to the length of the controversy, it has led to a certain fatigue in those who are not directly affected, with the result that the two sides' motives, and the state of the negotiations, are not fully grasped. I am sure few people realise that Greece is prepared to accept the name "Macedonia", but only as part of a composite name. Similarly, few know that the country's constitutional name has been recognised by 115 states at bilateral level, including a small number in Europe. Even fewer are aware that the parties disagree on the scope of the negotiations.

33. Having given this matter careful thought, I do not wish to recommend that the Assembly propose to the Committee of Ministers that it adopt the constitutional name to refer to "the former Yugoslav Republic of Macedonia". This might create a situation in which one Council of Europe member state – Greece – might question another's membership of our Organisation on the basis of the interim accord. In my opinion, it would also constitute interference by our Organisation in a dispute which should be resolved within the political process already undertaken.

34. The name issue conceals many other matters which, in a difficult regional context, are far more complicated, namely:

– the concepts of nationhood and national minority, and application of these concepts;

– the rise of nationalism;

– the interpretation and manipulation of history for political purposes;

– the teaching of history.

35. I believe that these are the issues on which the Council of Europe's Parliamentary Assembly should instead focus its attention.