

IV. Facts of the contribution/complaint

ABOUT THE RIGHTS OF SELF – DETERMINATION FOR NAME AND IDENTITY FOR REPUBLIC OF MACEDONIA AND ETHNIC MACEDONIANS

- 1. The question here is, how is it possible a country (Republic of Macedonia) to be recognized by the World with 2/3 of states (the absolute majority) in the General Assembly of the United Nations, and, still, to be compelled to appear under the name the Former Yugoslav Republic of Macedonia (FYROM) instead of the Republic of Macedonia?**
- 2. Here, setting up ahead a possible solution: UN to pass a resolution (or some other type of regulation) according to which the Right of Veto is prohibited under the terms of Article 1 of the International Covenant on Civil Rights Policy, i.e. – The right to self-determination.**

Historical facts

In 1913, with the *Treaty of Bucharest*, after the Second Balkan War, 52% of the Macedonian territory was annexed by Greece, and parts were taken by Bulgaria and Albania, while the Vardar area (present Macedonia) was appointed under the rule of Serbia.

Even after the victory over fascism, Tito managed to return the Vardar part of Macedonia to the Macedonians, but it is only 50% of the whole Macedonian territory.

Macedonia was recognized within the SFRY and the Macedonian language was one of the three official languages.

The Republic of Macedonia has existed from 1943 like a federal State, federal unit, first as a Federal Republic of Macedonia, then like a Socialist Federal Republic of Macedonia in Ex-Yugoslavia. The Republic of Macedonia gained independence of the Ex-Yugoslavia, as a Republic of Macedonia in 1991, because **an independence referendum took place in Macedonia on September 8, 1991 and this name – the Republic of Macedonia and sovereignty was approved by 96.4% of the citizens' votes, with a turnout of 75.7%, and its existence from 1943.**

The **Macedonia naming dispute** is raised up in 1993 as a political dispute regarding the use of the name Macedonia between Greece and the Republic of Macedonia.

Since 1993, after a request for admission to the United Nations, an ongoing issue in bilateral and international relations ~~has been~~ started, and an ongoing of **a totally injurious process of forcing the Republic of Macedonia to deny itself by Greece to change the name which existed for almost 100 years (since 1943), all with support of mediators from the international community.**

Even before, during the ruling of the Ottoman Empire, Macedonia existed as an autonomous region – vilayet, under the same name – Macedonia, for more than 500 years, until the *Treaty of Bucharest* in 1913.

On April 8, 1993 (by acclamation at the General Assembly of the United Nations) Macedonia was admitted as the 181st full-fledged UN member. However, due to opposition from Greece, and its right to the Veto, the UN accession was carried out under the interim reference of the Former Yugoslav Republic of Macedonia (Greece uses FYROM), **which is not the constitutional name of the Republic of Macedonia.**

The Republic of Macedonia become the only country in the world (world precedent) that has been denied the right to be admitted a member of the UN under its constitutional name, only because of the Veto of Greece.

Because of Greece's VETO in 1995, UNPROFOR sent troops to Macedonia, since Greece and Serbia entered the territory of the Republic of Macedonia in order of subdivisions.

Such a right of Greece, also, prevented Macedonia's accession in NATO in 2008, and, until today, in the EU.

The dispute has escalated to the highest level of international mediation, involving numerous attempts to achieve a resolution.

In 1995, the two countries formalized bilateral relations and committed to start negotiations on the name issue, under the auspices of the United Nations. Until a solution is found, the provisional reference "the Former Yugoslav Republic of Macedonia" (sometimes unofficially abbreviated as FYROM) is used by international organizations and states which do not recognize translations of the constitutional name the *Republic of Macedonia* (Република Македонија, *Republika Makedonija*).

UN members, and the UN as a whole, have agreed to accept any final agreement on a new name resulting from negotiations between the two countries. **By doing so, the United Nations derogated themselves as a World organization for human rights and the purpose for which they were founded, which is the protection of fundamental human rights and freedoms, antifascism and fight against denial of identities.**

Under the mediation of [Matthew Nimitz](#), who has worked on the issue since 1994, the Republic of Macedonia is accused of appropriating symbols and figures that are historically considered part of the Greek culture, such as the Vergina Sun and Alexander the Great, and of promoting the irredentist concept of a United Macedonia, which incorporates territorial claims on Greece, Bulgaria, Albania, and Serbia.

Then, the Republic of Macedonia was forced by the international community to change the symbols the Macedonians have used for centuries, the Vergina Sun, on its state flag.

Link of the site where you can find proofs for the usage of the Macedonians symbols – the LION and the VIRGINA SUN centuries ago:

Proof>

<http://www.historyofmacedonia.org/Macedoniansymbols/MacedonianLion.html>

Meanwhile, Macedonia's constitutional name is recognized by four (4) permanent members of the

Security Council - the USA, Russia and China and the United Kingdom, and Macedonia has established diplomatic relations with more than 170 countries.

At the meeting of the EU in Zagreb in 2005, Macedonia was granted the status of a candidate country for EU membership, but, because of the name dispute imposed by Greece, the country has not been given yet a date for negotiations with the Union.

In 2008, it had to be admitted to NATO, but was not, again, because of the Greece Veto.

In November 2008, Skopje instituted proceedings against Athens in front of the UN's International Court of Justice for what it described as "a flagrant violation of [Greece's] obligations under the Article 11 of the Interim Accord signed by the Parties on September 13, 1995". The alleged violation was referring to the blockade by Athens to Macedonia's bid for NATO membership. Following the submissions of memorials and counter-memorials, and the public hearings, the legal positions of the parties were as following:

The Republic of Macedonia requested that:

1. The Greek objections to the jurisdiction of the Court should be rejected,
2. The Court should adjudge and declare that Greece has violated the obligations under the provisions of the Interim Accord, Article 11, paragraph 1, and
3. The Court to order Greece to immediately take all necessary steps to comply with the obligations under the above provisions, and to refrain from objecting in any way, directly or indirectly, to the membership of the Republic of Macedonia in NATO and/or any other "international, multilateral and regional organizations and institutions" if the Republic of Macedonia applies for such membership under the name "Former Yugoslav Republic of Macedonia".

The Hellenic Republic requested that the Court:

1. Should find that the case does not fall within the jurisdiction of the Court and to reject it as inadmissible;
2. In the event that the Court finds that it has jurisdiction over the case submitted by the Applicant, to find those claims as unfounded.

The Court delivered its judgment on December 5, 2011. In its judgment, which is final, without possibility for appeal, and binding on the parties, the ICJ found that:

- 1. It has jurisdiction to process this case; the Hellenic Republic, by objecting to the admission of the Former Yugoslav Republic of Macedonia to NATO, has breached its obligation under the Article 11, Paragraph 1, of the Interim Accord of September 13, 1995 and rejected all other submissions made by the Former Yugoslav Republic of Macedonia.**

The ICJ decision was welcomed by the Macedonian Minister for Foreign Affairs [Nikola Poposki](#), who stated that Macedonia remains "strongly committed to finding a lasting, mutually

acceptable solution to the difference with Greece over the name". On the other hand, the response of the Ministry for Foreign Affairs of Greece was that they were reviewing the decision and that "Greece will continue to pursue negotiations in good faith to reach a mutually acceptable solution on the name of the Former Yugoslav Republic of Macedonia". The court, however, did not grant Macedonia's request that it instructs Greece to refrain from similar actions in the future, nor that there has been a to-date a change in the EU's stance that Macedonia's accession negotiations cannot begin until the name issue is resolved.

By December 2011, 133 countries have recognized Macedonia as the Republic of Macedonia [3], which represents over 66% of the total number of the UN member states, which means that Macedonia has two-thirds majority in the United Nations.

Just some months ago, Malta was the 138th country that established diplomatic relations with the Republic of Macedonia under its constitutional name. In recognition of the diplomatic relations with Malta, Cyprus is the only EU member with which Macedonia has no diplomatic relations, and the main reason was the refusal of the authorities for the Republic of Macedonia to use its constitutional name, due to the opposition from Greece.