THE INTERNATIONAL INVOLVEMENT AS A KEY SINE QUO NON FOR MANAGING INTERNAL THREATS TO MACEDONIA`S STATEHOOD

ARLINDA MEMETAJ

Prof. Assoc. Dr. University FON

Abstract - Following its independence, the Republic of Macedonia was faced with two major challenges during the 1990s, including "preserving its territorial integrity in the face of external threats and the potential spillover of violence from other Balkan conflicts" and "addressing the inter-ethnic tensions that existed within the country between ethnic Macedonians and the ethnic Albanian minority". Both questions were de facto potential conflict risk factors for the new state having a weak economy and very fragile state institutions in that period of time. The next wave of crises in the country occurred in 2007 and in 2012, both of which ended with an internationally / EU-brokered deals. The so-called Przino Agreement in 2015 and its extension in 2016 were reached with the engagement of several MEPs and the personal involvement of the Commissioner for European Neighborhood Policy and Enlargement Negotiations, Johannes Hahn. On the basis of those documents the latest extraordinary parliamentary elections took place in December 2016 and the new Macedonian Government was finally established in June 2017**.**

Keywords - Challenges, Capture State, Conflict Prevention, Inter-Ethnic Tensions, Dialogue, EU, Mediation, Macedonia, NATO, Diplomacy, Pribe Reports, Przino Agreement, Threats.

I. INTRODUCTION

The task of preventing the spill-over of other regional conflicts and deterring acts of aggression from Macedonia's neighbors was primarily undertaken by the United Nations, which established in December 1992 their first (and only) preventive force, the Preventive Deployment in Macedonia (UNPREDEP)[1], following a request from the country's then President, KiroGligorov[2]. The 'military pillar' of the mission had responsibility for monitoring and reporting to the OUN`s Secretary General any developments in the border areas with Albania and the Federal Republic of Yugoslavia (Serbia and Montenegro) that could pose a threat to the country, and was also tasked with deterring any such threats and preventing clashes between external elements and Macedonian forces.In carrying out its mandate UNPREDEP was undoubtedly an efficient deterrent. At a time when the rest of the former Yugoslavia was overwhelmed by protracted and bloody armed conflicts, UNPREDEP contributed significantly to Macedonia's peaceful transition from former Yugoslav republic to an independent state. Indeed, in the absence of any national military capacity, the presence ofa UN force gave a sense of confidence and security to the fledgling state and its citizens. In addition, one should also remind that given the small size of this UN deployment and the fact that it was not mandated to use force, had a large-scale Serbian incursion occurred it was highly unlikely that UNPREDEP would have been able to stop it[3].

The above outlined international military tools were clearly suited to deterring external threats toMacedonia, defusing inter-ethnic tensions between ethnic Macedonians and the ethnicAlbanian minority was a task better suited to diplomatic, confidence-building anddevelopment tools. These tools were used mainly by the International Conference on the Former Yugoslavia (ICFY) Working Group on Ethnic and National Communities and Minorities (the ICFY Working Group) and the OSCE (including the High Commissioner on National Minorities [HCNM]). The ICFY Working Group was the first preventive actor to begin work in Macedonia in October 1991 as part of the Conference on Yugoslavia. The also contributed to a number of gains in minority rights issues in the 1990s including its attempts to increase Albanian participation in the Macedonian Cabinet, the military and the civil service as well as contributing to progress in other areas such as increases in minority-language media coverage, increases in the number of secondary school classes taught in Albanian[4], and an agreement allowing the Albanian national flag to be displayed on Albanian holidays[5].UNPREDEP also carried out a limited amount of developmental and peace-building work through its **'human pillar'**, such as economic and social development, institution building and good

[1] S.C. Res. 795, U.N. SCOR, 47th Sess., 3147th mtg., U.N. Doc. S/795 (1992) authorizing the United Nations Protection Force to establish a presence in Macedonia.

[2]Initially, UNPREDEP in Macedonia was a part of UNPROFOR (the United Nations Protection Force in Croatia). However, it became an independent mission in 1995.

[3]Ackermann A (2003) 'International Intervention in Macedonia: From Preventive Engagement to Peace Implementation', in Siani-Davies P (ed) (2003) *International Intervention in the Balkans Since1995,* London: Routledge.

[4]Ackermann A (2000) *Making Peace Prevail: Preventing Violent Conflict in Macedonia*, Syracuse: Syracuse University Press.

[5] Ibid.

governance[6].In addition, what is to be particularly stressed in this context is also the fact that in his first report the OUN`s Secretary-General also recommended that "UN civilian police (UNCIVPOL) be sent to keep an eye on the Macedonian border police because of increased ethnic tensions caused by the killing of several ethnic Albanians who had attempted to cross the border illegally"[7]. "However, unlike the military deployment, that proposal had not yet been accepted by the authorities of the former Republic"[8].The Macedonian government contested the need for the UNCIVPOL, arguing that "the internal situation was stable and ethnic concerns were being dealt with through dialogue and negotiation"[9]. The lack of enthusiasm the government had for solving internal problems consistently hampered the international community's efforts to conduct peacemaking operations in Macedonia[10].

It is important that in this was also the UN Secretary-General Boutros-Ghali who early realized that "the internal [ethnic] situation in [Macedonia] . . . could prove to be more detrimental to the stability of the country than external aggression". Rather than playing a merely passive and monitoring role, Secretary-General Boutros-Ghali thus recommended that **the Security Council authorize a good offices mandate to Macedonia**. Under advisement from the Secretary-General, the Security Council then adopted its Resolution 908 in March of 1994, "encouraging the Special Representative of theSecretary-General for [Macedonia] . . . to use his good offices as appropriate to contribute to the maintenance of peace and stability in that Republic."[11] An important legal limitation of the good offices role was, however, that "[l]legally and politically [Macedonia's] request for, or at least acquiescence in, United Nations action [was] a sine qua non."[12]"The government was not enthusiastic about the good offices mandate. It viewed "good offices" as a menacing formula for the UN to interfere in the country's internal affairs. Nonetheless, the Macedonian government resigned itself to the good offices mandate as the price it had to pay for the political legitimization and security provided by UNPREDEP.[13]

The above illustrated interethnic tensions in the country finally erupted into violence in late January 2001 when an ethnic Albanian rebel group, the National Liberation Army (NLA) led by Ali Ahmeti, launched an insurgent attack against the Macedonian Government. Unlike Bosnia's Dayton Agreement, the OFA aimed to foster 'institutional inter-ethnic integration and accommodation in a unitary state.Despite the potential for confusion, international organizations worked together coherently both at the highest levels and on the ground in order to execute a successful preventive intervention. Not only did this save lives, but it also forestalled the need for expensive military action at a later stage[14].The signing of the OhridFramework Agreement (OFA) did not however signal the end of international involvement in Macedonia. On the contrary, in the post-conflict period the international community has continued to play a critical role in preventing the country from sliding back into conflict, maintaining a durable peace and assisting the Macedonian government to implement the OFA reforms. Namely, it was the very OFAwhich specifically "invited" the international community to assist in its implementation and as a result there has been a significant amount of external diplomatic activity in the country since 2001[15].

Since Macedonia was granteda status of an EU candidate state in December 2005,the EU's focus in Macedonia has moved away from crisis management and reconstruction and towards ensuring that Macedonia is able to fulfil the Copenhagen criteria necessary for EU accession. In this regard, the EU Commission was primarily focused on structural political reform and in line with the five key priorities, all of which were linked to the OFA:judicial reform, public administration reform, police reform, anti-corruptionand political dialogue.From 2005 onwards the EU mission in Skopje has had a double-hatted leadership with ErwanFourere representing both the Commission as head of delegation (HoD) and the Council as EU Special Representative (EUSR). The first EUSR, Francois Leotard, was appointed by the Council in April 2001 and tasked with helping to consolidate peace in the Country and to ensure the full implementation of the OFA, thereby facilitating the

[6]Sokalski H (2003) *An Ounce of Prevention: Macedonia and the UN Experience in Preventive Diplomacy*, Washington: United States Institute of Peace.

[7] 1992 U.N.Y.B. 386, U.N. Sales No. E.93.I.1.

[8] Ibid. See also S.C. Res. 795, *supra* note 10.

[9]Report of the Secretary-General on the FYROM, supra, Annex 1.

[10]**Williams Abiodun**, PREVENTING WAR: THE UNITED NATIONS AND MACEDONIA 1–2 (2000).

[11]See more at Ostrowski Stephen T., *PreventiveDeployment of Troops as Preventive Measures: Macedonia and Beyond*, 30 N.Y.U. J. INT'L L. &POL. 793 (1998). S*ee also* Thomas M.Franck & Georg Nolte, *The Good Offices Function of the UN Secretary-General, in* UNITEDNATIONS, DIVIDED WORLD: THE UN'S ROLES IN INTERNATIONAL RELATIONS 143, 174(Adam Roberts & Benedict Kingsbury eds., 2d ed. 1993).

[12] *Supplement to an Agenda for Peace*.

[13] WILLIAMS, *supra* note 4, at 109–10.

[14] In above context, one should also add that in terms of international military tools, on 27 August 2001, just two weeks after the OFA had been signed, NATO deployed Operation *Essentia Harves*t. The 30-day mission had a strict mandate and was limited to collecting weapons voluntarily surrendered by the NLA. *See at* Laity M (2008) 'Preventing War in Macedonia: Pre-Emptive Diplomacy for the 21st Century',*RUSI, Whitehal Paper* 68, London:Royal United Services Institute.

[15] Also the UN Security Council unanimously adopted its Resolution 1371 (2001) supporting the full and timely implementation of the Framework Agreement.

country's progress towards EU accession[16].The EUSR played a crucial political crisis-management role in the post-conflict period Negotiating new–often highly contentious–laws, mediating between political parties and defusing political crises. More importantly, Macedonia was also the location for the EU's first military mission under the ESDP. Operation "Concordia" took over military control from NATO's Operation Allied Harmony on 31 March 2003[17]. Instead of moving progressively on its path towards its both EU and NATO membership, the above illustrated period of successful stories was followed occasionally by domestic (ad hoc) major crises including both the one of 2007, and the one of 2012 both of which finally ended with an EU-brokered deal.Taking all of this into account, the overall assessment was that 'democracy and the rule of law continued to be a challenge for the country, where narrow party interests continued to prevail'[18]. The new government has published the program of reforms they aim to undertake in the first 9 months of their governance in the plan 3-6-9[19].

CONCLUSIONS

Following its independence, the Republic of Macedonia was faced with two major challenges during the 1990s, including "preserving its territorial integrity in the face of external threats and the potential spillover of violence from other Balkan conflicts" and "addressingthe inter-ethnic tensions that existed within the country between ethnic Macedonians and the ethnic Albanian minority". These two challenges were de facto potential conflict risk factors for the new state. Yet during the 1990s in Macedonia conflict was avoided due to the concerted activities undertaken by a number of international actors playing an important role in ensuring that peace prevailed during this period. Throughout the last decade, Macedonia has suffered from many other governmental crises, but none of them was larger (and more dangerous not only for the country but also for the wider Balkan region) than the one which started in 2014 and escalated in 2015 with the announcement of the wiretapping scandal. The EU, in cooperation with the USA, has been deeply involved in the resolution of this crisis too. Unlike the period during 2001, the most recent experience in Macedonia has however shown that the lack of any enforcement mechanism deployed by the EU to ensure a serious follow-up of all the commitments contained in the successive mediated Przinoagreements may bea major factor in their ineffectiveness.

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[16] See European Union (2009a) 'Mission of the European Union to the Former Yugoslav Republic of Macedonia', available at www.delmkd.ec.europa.eu/en/about-us/role.htm , as well as European Union (2009b) 'Council Joint Action 2009/129/CFSP of 16 February 2009, extending the Mandate of the European Union Special Representative in the former Yugoslav Republic of Macedonia (FYROM)', in *Official Journal of the European Union (L46/40),* available at http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2009:046:0040:0042:EN:PDF .

[17] This operation was in December 2003 was replaced by a new EU Police Mission named *"Proxima"*, being tasked with monitoring, advising and helping to develop Macedonia's police force in line with EU standards. Proxima's mandate expired on 15 December 2005 and it was replaced by an EU Police Advisory Team (EUPAT), the mandate of which has expired in May 2006.

[18]EUROPEAN COMMISSION (2016). Commission Staff Working Document – The former Yugoslav Republic of Macedonia 2016 Report accompanying the document 'Communication on EU Enlargement Policy'. (EC: Brussels), p.8. available at: https://ec.europa.eu/neighbourhood-nlargement/sites/near/files/pdf/key_documents/2016/20161109_report_the_former_yugoslav_republic_of_macedonia.pdf

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