



INTERNATIONAL COURT OF JUSTICE

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The former Yugoslav Republic of Macedonia institutes proceedings against Greece for a violation of Article 11 of the Interim Accord of 13 September 1995

THE HAGUE, 17 November 2008. The former Yugoslav Republic of Macedonia today instituted proceedings before the International Court of Justice (ICJ) against Greece for what it describes as “a flagrant violation of its obligations under Article 11” of the Interim Accord signed by the Parties on 13 September 1995.

The former Yugoslav Republic of Macedonia seeks “to protect its rights under the Interim Accord and to ensure that it is allowed to exercise its rights as an independent State acting in accordance with international law, including the right to pursue membership of relevant international organisations”.

The Applicant contends that in accordance with Article 11, paragraph 1, of the Interim Accord, Greece “has undertaken a binding obligation under international law ‘not to object to the application by or the membership of [The former Yugoslav Republic of Macedonia] in international, multilateral and regional organizations and institutions of which [Greece] is a member: however [Greece] reserves the right to object to any membership referred to above if and to the extent [The former Yugoslav Republic of Macedonia] is to be referred to in such organization or institution differently than in paragraph 2 of the United Nations Security Council resolution 817 (1993)’”, i.e. as “The former Yugoslav Republic of Macedonia”.

The former Yugoslav Republic of Macedonia contends that the Hellenic Republic violated its rights under Article 11 by objecting, in April 2008, to its application to join NATO. The former Yugoslav Republic of Macedonia contends, in particular, that Greece “veto[ed]” its application to join NATO because Greece desires “to resolve the difference between the Parties concerning the constitutional name of the Applicant as an essential precondition” for The former Yugoslav Republic of Macedonia’s membership of NATO.

The Applicant argues that it has “met its obligations under the Interim Accord not to be designated as a member of NATO with any designation other than ‘the former Yugoslav Republic of Macedonia’” and it affirms that “the subject of this dispute does not concern — either directly or indirectly — the difference [that has arisen between Greece and itself over its name]”.

The former Yugoslav Republic of Macedonia requests the Court to order Greece to “immediately take all necessary steps to comply with its obligations under Article 11, paragraph 1” and “to cease and desist from objecting in any way, whether directly or indirectly, to the

Applicant's membership of the North Atlantic Treaty Organisation and/or of any other 'international, multilateral and regional organizations and institutions' of which [Greece] is a member . . .".

As a basis for the jurisdiction of the Court, The former Yugoslav Republic of Macedonia invokes Article 21, paragraph 2, of the Interim Accord of 13 September 1995 which provides that "[a]ny difference or dispute that arises between the Parties concerning the interpretation of implementation of this Interim Accord may be submitted by either of them to the International Court of Justice, except for the differences referred to in Article 5, paragraph 1".

The full text of The former Yugoslav Republic of Macedonia's Application will be available shortly on the Court's website (www.icj-cij.org).

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