The Ohrid Framework Agreement in North Macedonia between its institutional implementation and political instrumentalization

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ABSTRACT
This article focuses on the peace agreement reached through international mediation in North Macedonia, known as the Ohrid Framework Agreement. In 2001, this agreement successfully brought together the conflicting parties: the government of the Republic of Macedonia (now North Macedonia), and the armed Albanian forces under the emblem of the National Liberation Army (UÇK). This agreement prevented the escalation of conflict on the scale of the Bosnian and Kosovo War, contributing to the easing of interethnic relations in North Macedonia. It aimed to advance the rights of non-Macedonian ethnic groups, particularly the rights of Albanians, who constitute numerically the second largest ethnic group in North Macedonia at around 30%, according to the latest population registration in 2022. This agreement was intended to be implemented within five years after its signing in 2001. However, even after 22 years, it remains unrealized concerning the fair representation of non-Macedonian ethnic groups within the state structure. Furthermore, it continues to be used as a discriminatory tool by the North Macedonian state. Worse yet, it has become a political instrument for achieving votes through employment, primarily favoring individuals closely associated with the ruling parties, party militants, and relatives of party leaders. This has resulted in the creation of a caste of state political administrators. On the other hand, it has led to unprecedented segregation among Albanians in North Macedonia, with the slogan: ‘This one belongs to us, that one not.’ Consequently, those who are not considered ‘ours’ are compelled to emigrate abroad in search of better living conditions. Over time, this has resulted in a significant exodus, primarily among young people, with official statistics estimating up to 700,000 individuals.

Keywords: North Macedonia, Ohrid Framework Agreement, Armed Conflict, Political, Segregation, Exodus.
INTRODUCTION

North Macedonia is a country where many ethnicities live together: Macedonians, Albanians, Serbians, Bulgarians, Turkish, Romans and Wallach. It is the best example of natural multiculturalism, which has been historically manipulated through the politics and led the country towards a steady conflict.

The culmination of the ethnic conflict in Macedonia was in 2001 when ethnic Albanians were seeking for more rights and the Macedonian government would not accept granting more rights due to the long tradition of Serbian policy towards Albanians in the whole region of Ex-Yugoslavia.

For the first time after Macedonia became an independent country in 1991, the new government experienced instability and the country slipped into an armed conflict for about six months. In the beginning of the 21st Century, the international community failed to step in to prevent the numerous massacred, and genocides in Bosnia and Herzegovina and Kosovo. During this conflict, the international community acted at the right time, preventing a civil war. As a compromise, the Ohrid Framework Agreement was created, which saved the country and established peace.

THE HISTORICAL AND POLITICAL CONSTELLATIONS OF THE ACHIEVEMENT OF THE OHRID AGREEMENT

The Ohrid Agreement was a special and historic agreement for the alleviation of interethnic tensions and the achievement of peace in Macedonia, today North Macedonia, but also throughout the Balkan region. The agreement addresses the root causes of ethnic tensions without using territorial division. It was also a model for diplomatic cooperation between the United States and the European Union.

Of course, achieving the peace agreement after the 2001 conflict in Macedonia between the state security forces and the Albanian National Liberation Army (UÇK) soldiers was not easy. It was based solely on the compromise imposed by the USA and the European Union. Compromise was not pleasant for either party that was involved in the conflict. The entire complex process of achieving this peace agreement, but also backstage, is very well described by James Pardew, the US-appointed special negotiator, in his book Pacemakers. American Leadership and the End of Genocide in the Balkans (2018).

After the presentation of the draft agreement by the international parties, the president of the state, now deceased, Boris Trajkovski, at a press conference on July 4, 2001, declared that the government agrees to a negotiation process. However, even the government of Macedonia was not compact in its positions; on one hand, President Trajkovski supported the peace process, while Prime Minister Ljubco Georgievski was tougher, especially Interior Minister Ljube Boshkovski, who, despite the start of the negotiation process for peace, continued with his paramilitary activities in the areas inhabited by
Albanians. Under his command, the massacre of Luboten on the outskirts of Skopje also took place, where innocent Albanian citizens were killed, for which act he was also accused by the Hague Tribunal, but in the end, was acquitted as innocent. “At first I didn’t understand how much danger he (read: Boshkoski, my note) could pose to the peace process,” Pardew writes in his book (Pardew, 2018, p. 286).

The draft of the agreement, which contained four pages and was prepared by American and European experts, with the review of the Secretary-General of the UN, Javier Solana, and the Quintet of the Security Council, was presented to President Trajkovski and the Albanian party on July 7. The language of the negotiation process would be English. The draft of the agreement was mainly based on the principles of Badinter, where it was recommended (Pardew, 2018, p. 287):

1. strong authority at the local level such as education, language, culture, division of finances, environmental protection, and urbanization;
2. a qualified majority vote at the national level of local authority (a qualified majority is a European procedure, which makes it easier for minorities to block legislation or constitutional changes in various areas of their interest);
3. extensive use of non-Macedonian languages in education and public administration;
4. authority in the use of ethnic emblems at the local level;
5. parameters in reducing discrimination and access of minorities to employment in government; and
6. expansion of minority representation in the Constitutional Court.

As Pardew further asserts (2018), Trajkovski generally agreed with Badinter’s proposal, even enumerating several areas in which Macedonia had made progress. At the parliamentary session that summer, constitutional changes were voted on, confirming the cultural heritage of the Macedonian people and the Macedonian Orthodox Church, and the unitary character of the state of Macedonia was preserved.

The new state TV channel in the Albanian language and the multiethnic “Max van der Stoel” University in Tetovo were obstacles for Trajkovski, while the Albanian University in Tetovo, founded in 1994, was not even allowed to enter the agenda of the negotiations (Pardew, 2018, p. 288). Thus, the Macedonian side “liked the draft without the additions and wanted any change to be limited to 5 percent” while “the Albanian side was not at all satisfied with the agreement […] they wanted Albanian to be an ‘official language’ in Macedonia as well as local police control. They also proposed reforms in the interior ministry, the Macedonian army, judiciary, and the dissolution of paramilitary forces” (Pardew, 2018, p. 288).

In this way, the negotiation process was entering a complicated phase and, from time to time, was accompanied by an exchange of arms between the Albanian National Liberation Army (UÇK) and Macedonian forces, mainly in and around Tetova, which threatened the ceasefire agreement supported by NATO, but also endangered the process of reaching a peaceful agreement. The aim of the Macedonian side was that the basic agreement should not suffer any additions. They wanted Albanians not to
participate in the state pyramid, but to continue to be servants or second class citizens in their own land. As Pardew affirms, President Trajkovski, even on two occasions, threatened to resign if the annexes to the agreement were allowed to be accepted. They, during the first three weeks of the negotiation process, acted as if the Albanian position did not exist at all. Trajkovski, under the constant pressure of Macedonian nationalists, attributed the blame for this precisely to the USA: “The USA created UÇK and Kosovo. You created Ali Ahmeti (Albanian leader of UÇK, my explanation). The United States is destroying my country” (Pardew, 2018, p. 201).

He also asserts that the Albanian side had a long list of demands, but they were rejected by the international community with the reasoning that they needed to “be more realistic and the next day to come up with two or three key priority issues” (Pardew, 2018, p. 201). And these two key priority issues, presented by the Albanian side in the negotiations, were: the Albanian language to be accepted as the official language throughout the territory of the state and control over local police, it is understood that these were two bomb issues for the Macedonian side, who categorically refused the demands of the Albanian side. As Pardew further asserts, initially Mr. Imer Imeri, the representative of the Albanian side in the capacity of the chairman of the Democratic Party for Prosperity (PPD), who had previously had a series of heart attacks, upon hearing this, has begun to feel physically ill during the meeting with international representatives and had abandoned the meeting. Later, another Albanian representative, Arbër Xhaferri and the chairman of the Democratic Party of Albanians (PDSH), had assured Pardew and Leotard that “he could accept a weaker position of the Albanian language and give up the demand for full control over local police” (Pardew, 2018, p. 291).

Thus, “the Albanians accepted the draft text, which made the Albanian language the second official language, but not the first, and their faded desire for full control of local police. I told Xhaferri that if he assured me that all the leaders would accept the new draft, then we would forward the proposal to the president as the best possibility for reaching an agreement. A few hours later, Xhaferri called me and confirmed the comprehensive approval” (Pardew, 2018, p. 291). However, the Macedonian side was not willing to accept the Albanian language even as a second language. Pardew (Pardew, 2018, p. 291) states: “Trajkovski was speechless. He said he did not want to debate. He read the changes and declared them unacceptable, hopeless that they could pass in parliament, but nevertheless, he would present the same to Prime Minister Georgievski and Macedonian opposition leader Crvenkovski.”

Meanwhile, Trajkoski had sent four letters to President Bush, but never received a response from him. Even during those hot summer days, President Bush had visited the Bondsteel camp in Kosovo, but ignored Macedonia. On February 17, 2001, Solana, Robertson and the German Foreign Minister, Joschka Fischer called Trajkoski to support the international proposal. Shortly after, Secretary of the State Department, Powell, called to support the agreement and later said that he would see what he could do to
move towards a resolution. In a way, this gave courage to President Trajkoski, and appeared on Macedonian national television to attack the international proposal of the agreement despite opposition from international negotiators Pardew and Leotar. He was followed by Prime Minister Georgievski and the entire Macedonian public and media opinion, who would continuously talk negatively about international negotiators Pardew and Leotar.

The situation became so tense that Prime Minister Georgievski asked President Trajkoski to take the situation into his own hands and establish order through the army in Macedonia. On the other side, the KLA threatened to continue fighting. On July 25\textsuperscript{th}, President Trajkovski tried to establish order, calling for public calm and emphasizing that Pardew and Leotard had come to Macedonia at his request to find a solution. That day he would ask international negotiators to prepare another draft on the language issue, which would be reviewed by his experts (Pardew, 2018, p. 298).

Because the situation was quite tense, Trajkovski decided to move the negotiations from Skopje to Ohrid. Even in Ohrid, the plenary session of the negotiations would open with the issue of the officialization of the Albanian language, and by the end of the day on July 29, 2001, the Albanian side would accept that Albanians would gain the status of an official language in local levels, however, it would not be specified as such in the agreement, while the Macedonian side would not agree with this either, demanding strict limitations on the use of the Albanian language, but in the end, they would also agree with this (Pardew, 2018, p. 302).

As for the second “hot” issue, local police control, in the end, after many sporadic fights on the ground, it was achieved that the police would be controlled by the interior ministry, while the Albanians would be represented by their people, 1000 troops in 2003, and the full reform would follow in 2004 (Draft of Ohrid Framework agreement, see www.pravda.org).

Thus, with great pressure from the Macedonian side and the abandonment of the basic demands of the Albanian side, on August 13, 2001, the Ohrid Framework Agreement was signed between the conflicting parties at the presidential residence, supported and guaranteed by the international community.

3 THE SOCIO-POLITICAL IMPACT, THAT WAS TO BE ACHIEVED IN MACEDONIA THROUGH THE OHRID FRAMEWORK AGREEMENT.

As Pardew himself asserts: "The Ohrid Agreement put an end to the armed ethnic conflict in Macedonia and paved the way for a democratic political system that protects the rights of minorities and respects the cultural identity of the people" (Pardew, 2018, p. 310). Despite the Ohrid Framework Agreement being proclaimed as a historic achievement for the Albanians by the political party that emerged from the war, the Democratic Union for Integration (BDI), it did not manage to advance the
Albanian issue in Macedonia. This stands in contrast with the ideal of equality for Albanians in Macedonia and with communiqué number 6 of Albanian National Army (UÇK), which made it clear that the aim of the war was not the division of Macedonia, but the democratization of the country, which would guarantee an equal life for all ethnicities.

It was expected that the Ohrid Framework Agreement would stimulate a new political consensus and flatten the unitary character of the state, turning it into a multiethnic state as Macedonia truly is. However, even after 23 years, Macedonia continues to be a mono-ethnic state. If we seek the reasons why such a thing happened, the answer is very simple: The Ohrid Framework Agreement was not used for its primary purpose, which is the construction of a civic state, but it was instrumentalized for the purposes of daily politics.

4 THE INSTITUTIONAL NON-IMPLEMENTATION OF THE OHRID FRAMEWORK AGREEMENT DUE TO POLITICAL INSTRUMENTALIZATION

The implementation process of the Ohrid Framework Agreement was supposed to be completed in 2004, three years after its signing, to level out divisions and social marginalization and to create the premises for a democratic and equal society. However, even after 23 years, it has not been fully implemented.

Initially, the implementation of this peace agreement found the Albanians unprepared both politically and socially. During the time of communism, harsh policies were implemented against Albanians everywhere, all forms of state repression, depriving them of basic human rights such as: the right to use symbols, language, and culture, but also the most fundamental right, such as the right to higher education in Albanian language. In fact, in 1994 the University of Tetovo was established, but it was not recognized by the government of Macedonia, because the state did not want the Albanians to be educated, because the less educated a people are, the easier it is to govern. The state even used all means, including police violence on the days of its establishment, to extinguish the University of Tetovo and the Albanians continued to live in centuries-old darkness.

Even during the process of negotiations for the achievement of the Ohrid Framework Agreement, the Albanian side strongly demanded the inclusion of the issue of recognizing the Albanian University of Tetova in the agenda, but the refusal was categorical from the Macedonian side (Pardew, 2018, p. 278-313).

Only later, due to the political consensus and the continuous pressure of the international factor, the changes to the Law on Higher Education in the Republic of Macedonia were imposed in 2003, which law envisaged the right to education in higher education also to non-Macedonian communities. After the recognition of the University of Tetova by the state was made in 2004, with the Article 198 of this Law,
it was made possible for all civic student initiatives to be incorporated into the state higher education system and a deadline was given until December 31, 2015 for the transfer of studies, which was then postponed until December 31, 2008, with which all students who had completed their studies at the University of Tetovo since 1995 would have their studies recognized. This was a political precedent in the North Macedonia, because nowadays there isn’t a possibility by the Law to establish a university only in Albanian Language anymore. In this way, the graduates of the University of Tetova began to fulfill the professional positions in the state pyramid: police, public administration, judiciary, etc., which was envisaged in the adequate representation of Albanians in accordance with the spirit of the Ohrid Peace Agreement. But, unfortunately, this university, born from the Albanian national sacrifice, over time was appropriated by the Albanian party in power (BDI) and turned into an institution of employment of party cadres and collection of votes, which continues even more strongly today, with the installation of the leadership structures of the University, strictly controlled by this political party.

However, as it was noted, the Agreement got stuck in its implementation, a deadlock that is evident even today in some points, especially in the fair representation, the institutional use of the Albanian language, in the lack of trust-building and the budgetary discrimination.

On this occasion, it should be emphasized that the main blame for the non-implementation of the Ohrid Agreement lies with the Albanian political representatives, who deliberately politicized and partisanized the issue. They began to control the process of employment in the state administration, installing activists and party militants in state institutions and creating in this way a wild clientelist system. They skilfully exploited the situation created by the representation of Albanians in the state pyramid in the spirit of the Ohrid Agreement and the fact that the main employers in North Macedonia continues to be the state, thus raising a power pyramid through employment controlled exclusively by them. Therefore, politics was driven by what was technically possible and not by what was essential for a society, therefore the Ohrid Agreement was transformed into a political instrument, empowering only the parties in power and in no way serving the public interest. The phenomenon of appropriation of public property by politics affected all spheres of society, not only state institutions such as: education, health, sports, culture, and even the private sector. School directors, something that had not happened even in monism, were appointed, and continue to be appointed by politics, the selection of teachers is also done with party membership cards.

Anyway, partisanship did not affect only education, as one of the most important pillars of society. The same logic was applied also in the judicial system and the police. The heads of courts, judges, prosecutors, police chiefs were appointed by politics and not according to the principle of meritocracy, who created the 'untouchability' of politicians and powerful people and became rich, powerful and took hostage the state and society.
The same model was applied also in the spectrum of culture, art, and sports, where people close to the party in power were installed, to absorb funds for culture, science, art, and sports, which is visibly affecting the stagnation of these spheres and the impossibility of competing in the international level. Albanians of North Macedonia have not yet created a poet or writer, scientist, artist, or athlete, who can be internationally recognized. Likewise, non-governmental organizations and media, as important social pillars, that should create balance in a well-being society and correct politics, were created by politics, to serve it in spreading propaganda and creating a general positive opinion.

All these were mentioned only as examples of the social deconstruction, which left fatal consequences in the entire society in North Macedonia. This is also proved by the constant reactions of the foreign embassies in the country, the Helsinki Committee, the Report of the US State Department, the Progress Reports of the EC, etc., but also the daily public discourse among the Albanians of North Macedonia proves this, which implies that this is already a public secret.

5 CONCLUSIONS

As we can see in this paper, the Macedonian state and politics did everything to prevent the implementation of the Ohrid Framework Agreement, which has the construction of a civic society as its thematic axis. Seeing that Albanian politics was focused on other priorities (corruption, enrichment, power) and not on the advancement of the Albanian national issue, also implemented many projects that strengthened even more the spirit of Macedonian nationalism such as the Encyclopedia of the Academy of Sciences and Arts of Macedonia by the academic author Blaze Ristevski (2013), which aimed to discriminate Albanians historically, the bastardization of school books, ethnic segregation, etc., all in the spirit of belittling and degrading the Albanian language, culture, history and being.
REFERENCES


