

The ICJ's decision is beneficial for Macedonia but fails to bring a resolution to the dispute with Greece any closer

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The International Court of Justice (ICJ) on 5 December passed a verdict concerning the complaint brought by Macedonia against Greece. The ICJ found that Greece by opposing Macedonia's accession to NATO in 2008 breached the interim agreement the two countries signed in 1995. Greece undertook not to block Macedonia's membership of any international organisations in Article 11 of this agreement. The two countries have been engaged in a dispute since 1991 over the name of the state, the Republic of Macedonia, which the government in Skopje is using in bilateral relations with most countries. As a consequence of the agreement of 1995, Greece agreed to recognise Macedonia's independence under the name 'the Former Yugoslav Republic of Macedonia' (FYROM) on condition that changes in the state symbols and constitution of Macedonia were introduced. Macedonia was also accepted into most international organisations as FYROM. The dispute was to be resolved through further negotiations, which however have been unsuccessful. In 2008, Greece, in its attempt to force Macedonia to make concessions, blocked its accession to NATO and the launch of its accession negotiations with the EU. The actions taken by Greece gave rise to more tension in relations between the two countries, and Macedonia decided to sue Greece in the ICJ in November 2008.

Commentary

- The ICJ's verdict is legally binding, but the Court has no instruments to force Greece to change its stance on Macedonia's accession to NATO or the EU. Only strong pressure from members of these two organisations could make Athens change its policy. This is rather unlikely given the present situation. Most EU and NATO member states believe that Macedonia should resolve its dispute with Greece through negotiations before it can be offered membership.
- The ICJ's verdict will not facilitate a compromise between the two countries being reached. Neither Greece nor Macedonia is willing to make concessions at present. The expert government in Greece, which has low public support and is forced to implement a radical austerity programme, will not take the risk of increasing public dissatisfaction which concessions to Macedonia would cause. The government in Skopje will probably toughen its stance in effect of its victory at the ICJ, even more so because it has been building its political position at home since 2008 on its uncompromising policy towards

Greece and drawing on nationalist rhetoric.

- Macedonia is likely to make attempts to use the ICJ's verdict to convince the member states via diplomatic channels to change their stance and put pressure on Greece. However, this strategy is unlikely to be successful.