

# Toward a More Perfect Union: Ten Years of the Ohrid Framework Agreement

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This year marks the tenth anniversary of the Ohrid Framework Agreement (OFA), which ended the conflict between the ethnic-Albanian National Liberation Army (NLA) and Macedonian security forces. After NLA fighters attacked a police station in the village of Tearce in January 2001, killing a police officer, clashes quickly flared up in other areas across Macedonia. The potential of another Balkan war was averted when US negotiator James Pardew and his EU colleague François Léotard mediated an agreement between the ethnic-Albanian and ethnic-Macedonian sides. The OFA was signed on August 13, 2001.

The OFA's stated aim is to "promote the peaceful and harmonious development of civil society while respecting the ethnic identity and the interests of all Macedonian citizens." Under the Agreement, the NLA surrendered its arms to NATO forces under *Operation Essential Harvest*, and has since integrated itself as a mainstream political party, the Democratic Union for Integration (currently part of the governing coalition). The objectives outlined in the OFA include cessation of hostilities, non-discrimination, equitable representation of all communities in the civil service, decentralization, greater parliamentary rights for non-majority communities, universal education standards, greater use of languages other than Macedonian in official contexts, respect of cultural emblems, and return of internally displaced persons. The United States, the European Union, NATO and the Organization for Security and Cooperation in Europe are widely considered to be informal guarantors of the OFA, based on their roles in resolving the conflict and implementing the OFA. Today, the "Security Principals"—EU, NATO, OSCE and the US through their Missions in Skopje—continue to monitor progress on implementation. International assistance and development efforts, including ours, often have an OFA component.

Despite its success in averting all-out civil war, today the OFA is often criticized as an imperfect instrument favoring one party or the other. There continue to be shortcomings in its implementation, not to mention a lack of political will on all sides to go beyond the OFA in spirit to promote greater ethnic harmony. Yet today it is largely thanks to the OFA that Macedonia can celebrate itself as a diverse, multi-cultural, interethnic, and inter-religious country. As partners in its creation, the United States and our European allies continue to have a vital interest in the success of the OFA as crucial to the long-term peace and prosperity of Macedonia and indeed the wider Balkan region. One need look no further than the recent history of the region to see the consequences of failure.

## Implementation of the Agreement

Prior to the 2001 conflict, ethnic Albanians in the Republic of Macedonia had demanded recognition equal to that of ethnic Macedonians. Under the Socialist Federal Republic of Yugoslavia, three equal “nationalities” (with “national” rights including the right to education in the mother tongue and proportional representation in state institutions) were recognized in the constitution of the Socialist Republic of Macedonia: ethnic Macedonians, ethnic Albanians, and ethnic Turks. However, Macedonia’s post-independence constitution, written in 1991, declared Macedonia to be a “national state of the Macedonian people.” This implied lack of equal status was specifically cited by ethnic Albanians during the run-up to the 2001 conflict, and was dropped from the constitution in 2002 in keeping with the OFA.

Immediately following the signing of the OFA, Macedonia conducted a census to determine the ethnic composition of the population and used the results to redefine municipal boundaries to rectify ethnic inequities within the municipalities. The number of municipalities was reduced from 124 to 84, increasing the size of their respective populations with the goal of mitigating economic disparities as well. Moreover, the Agreement called for a legislative framework that delegates more power and financial authority to local governments to ensure individual municipalities have adequate levels of influence over local policy and resources. Today, a decade later, municipalities have taken over significant responsibilities in the areas of finance, education, social services, and culture, but still struggle with inadequate resources and a lack of competent human resources to handle these issues.

Additionally, the Agreement outlined specific rights to be granted to all ethnic communities pertaining to equitable representation in government, use of language, and parliamentary procedure. The OFA dictated that the personnel of government institutions must equitably represent the ethnic make-up of the country. This resulted in a significant increase in the hiring of ethnic Albanians for government jobs, which was tasked to a newly created government entity: the Secretariat for the Implementation of the Ohrid Framework Agreement (SIOFA). This process is ongoing, and not without predictable controversy.

The Agreement also specified conditions for any language spoken by a certain percentage of the population in particular localities to be considered an official language in those localities. Parliamentary procedures were established under the Badinter Mechanism, which requires a “double-majority” on issues pertaining to local-self government, culture, use of language, education, personal documentation and the use of symbols: an outright majority as well as a majority of those claiming to belong to non-majority ethnic communities in the country: Albanians, Turks, Vlachs, Roma, Serbs, and Bosniaks. Furthermore, the Agreement mandated equitable school and university funding, the availability of education in languages spoken by more than 20 percent of the population, and the application of positive discrimination in state university enrollment.

Lastly, majority ethnic groups in any municipality were permitted to place emblems representing their cultural identity alongside the emblem of the State. For instance, ethnic Albanian mayors insisted on raising the Albanian flag in front of municipal buildings. Under the Agreement, they have the right to do this in municipalities that are a majority Albanian so long as it is hoisted alongside the flag of the Republic of Macedonia.

### The Way Forward

While the government is rightly planning activities to commemorate the OFA anniversary, much work still remains on implementation of the Agreement, both in letter and spirit. The issue most often raised by our ethnic Albanian interlocutors is the language pillar of the OFA. In 2008, parliament adopted a language law to address this issue. This law dictates that citizens who speak a language spoken by at least 20 percent of the population can use that language in their communication with the government, including parliament, ministries, law enforcement, prosecution and courts; the government does not fully enforce this law. Furthermore, representation of the smaller ethnic communities (particularly the ethnic Turks and ethnic Roma) in the civil service still remains low.

Decentralization, another pillar in the OFA, deserves more attention from the national government, and indeed from the public. Currently municipalities derive a significant proportion of their revenue from the central government through VAT receipts. But currently only 3.7 percent of these receipts are set aside for local governments. While the parliament has agreed to increase this percentage to 4.5 percent by 2013, municipalities are still significantly underfunded, and are unable to operate effectively and provide such basic public services as utilities, sewage management, repairing roads, and constructing new schools. Ironically, poor funding of municipalities by the national government affects all ethnic communities. In my travels throughout the country, nearly every mayor I have met has expressed a concern about inadequate funding.

While the ethnic Albanian community insisted that the right to be educated in its native language be a pillar of the OFA, the result has unfortunately contributed to de facto segregation in schools in Macedonia, ostensibly along linguistic lines but in fact along ethnic lines. Currently, many schools in mixed communities are broken down in shifts: one for the curriculum taught in Macedonian and the other in the Albanian language. Under this system, students in mixed communities rarely, if ever, interact with members of the other ethnic community, ultimately dividing the students on ethnic grounds. To remedy this problem, the government in 2010 approved an Integrated Education Strategy to bring together students of different ethnicities in both curricular and extracurricular settings, including giving students the opportunity to learn the “language of their neighbor.” The Organization for Security and Cooperation in Europe, through its High Commissioner for National Minorities, has worked closely with the Macedonian Ministry of Education and Science, with strong support from others, including the US Embassy and the European Union Mission. Unfortunately, the strategy faces enough political resistance that its implementation is far from certain.

## The Road to Euro-Atlantic Integration Runs Through Ohrid

Those negotiating the Agreement benefited from previous experiences with such conflicts in the region; indeed, one critical difference between the OFA and the Dayton Accords—and one that has served Macedonia well—is its central tenet that Macedonia remains a unitary state. The OFA has also had concrete results: the police, military and government administration dramatically increased the number of minority community workers within their ranks, and there are now two publicly accredited and state-funded universities with a majority of ethnic Albanian students. And while some may still question how well it has been implemented, the fact remains that the Ohrid Framework Agreement prevented full-scale civil war in Macedonia, and served as the blueprint for moving the country forward. In a region once torn along ethnic and religious lines, despite many challenges Macedonia today can serve as a model for multi-cultural tolerance.

To a large extent, the arguments about whether the Framework Agreement has been fully implemented are beside the point, because the Agreement is just that: a framework in which progress can be made. As the Preamble of our own Constitution states, its purpose is “to form a more perfect union.” Achieving that more perfect union is an ongoing process rather than an endpoint. Similarly, here in Macedonia implementation of the OFA is a process—one which is vital to the country’s future. It is a key to Macedonia’s Euro-Atlantic integration, the primary political goal shared by all political parties and almost the entire population share, regardless of ideology, religion or ethnic affiliation. The United States, along with our European partners, will continue to support Macedonia’s aspirations in a variety of ways, including through support for the Ohrid Framework Agreement, so that Macedonia and all its citizens can share greater stability and prosperity as a multi-ethnic democracy in a Europe whole, free, and at peace.