The Ohrid Agreement: The Travails of Inter-ethnic Relations in Macedonia

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Abstract This article provides an overview of some of the key changes brought about by the groundbreaking Framework Agreement (known as the Ohrid Agreement) in Macedonia since its signing in 2001. A power-sharing arrangement, it saved Macedonia from the brink of civil war. This article describes how the Ohrid Agreement restored peace by addressing the constitutional status of minorities, their equitable representation in the public sector and issues connected with higher education in the 2002–2006 period. It further assesses the merits of decentralization as a remedy for safeguarding a unitary state in a multi-ethnic environment. It consequently argues that the Ohrid Agreement and the ensuing reforms have been important steps in the right direction revitalizing Macedonia by empowering not only the sizeable Albanian population but other less numerous communities as well. However, daunting challenges remain ahead. The perception and language gap between the two main ethnic communities hinder efforts for a truly functioning multi-ethnic state. Moreover, the new government formed after the July 2006 general elections has stirred controversy and caused tensions affecting its Euro-Atlantic perspective. To what extent this will affect Macedonia's multi-ethnic democracy remains to be seen.

The Macedonian–Albanian relationship has been a defining feature of Macedonian politics. This dynamic has been especially amplified since Macedonia's independence in 1991. The Albanian population's dissatisfaction with its political status and with the Macedonian nation-building process lies at the heart of this dynamic. The root cause of this situation is the adoption of the 1991 Constitution of the Macedonian state, which denied the non-majority communities equal status both on paper and in reality. During the socialist period and in the 1990s, minorities suffered from hidden or overt discrimination that was institutionalized. Against a background of a mix of domestic factors and external circumstances, the accumulation of ethnic

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resentment led to the Albanian uprising of 2001, bringing Macedonia to the brink of civil war. Intensive international mediation produced the groundbreaking General Framework Agreement of August 2001, better known as the Ohrid Agreement. This deal put an end to the armed conflict and transformed the inter-ethnic political framework by effectively turning Macedonia into a multi-national entity.

The demands by Albanian political parties were "reform of the Constitution, greater representation of Albanians in the civil service sector, provision of university education in the Albanian language, and the decentralization of state power."[1] The Ohrid Agreement addressed all of the above demands, placing an emphasis on transforming Macedonia into an inclusive state, regardless of ethnic or religious beliefs. The purpose of this article is to take stock of "Ohrid" reforms and changes in key issues such the constitutional status of minorities, their equitable representation in the public sector and the right to education. I argue that post-Ohrid Macedonia has achieved significant improvements for the status of Albanians. While the Ohrid negotiations were a Macedonian–Albanian affair under international supervision, less numerous minorities (Turks, Serbs, Roma, Vlachs etc.) have benefited from the Ohrid process as well. They have benefited with regard to their post-Ohrid constitutional status and their empowerment on the municipal level. However, as it will be pointed out in the conclusion, Ohrid's main challenge will be to withstand the test of time proving that it is a viable framework that can effectively solve problems in an institutional and peaceful manner. This article focuses on the reforms made during the first post-Ohrid coalition government from 2002 until July 2006 with a post-script highlighting certain developments after the July 2006 elections.

In this article, I use the term Albanian to designate the Albanian population living in Macedonia excluding Albanians from Albania proper or Kosova. The term Macedonian refers to ethnic Macedonians.

The Constitutional Status of Minorities: Who Owns the State?

The Constitution of Macedonia was adopted on 17 November 1991. Albanian representatives in the National Assembly boycotted the vote, and the Albanian population did not vote in the referendum on Macedonia's independence. These developments shaped the political context that would mark Macedonia in the 1990s: constant tensions in inter-ethnic relations marked by sporadic violence culminating in the armed insurgency in March 2001.

The constitutional issue became a serious point of contention in inter-ethnic relations as it relegated Albanians to an inferior status vis-à-vis the majority. Albanians complained of the "tyranny of the Macedonian majority." This act was furthermore a clear downgrading of ethnic Albanian constitutional status as the 1974 Constitution of Socialist Federated Republic of Yugoslavia (SFRY) had granted them (as well as Turks) constitutional equality with the Macedonians.

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[1] Zhidas Daskalovski, "Language and Identity: The Ohrid Framework Agreement and Liberal Notions of Citizenship and Nationality in Macedonia" in *Journal on Ethnopolitics and Minority Issues in Europe*, Vol. 3, Issue 1 (2002), p. 14.

The Preamble to the 1991 Constitution determined the following majority–minorities relationship:

> Proceeding from the historical, cultural, spiritual and statehood heritage of the Macedonian people and their centuries-long struggle for national and social liberty and the creation of their own state, and particularly from the statehood and legal traditions of the Kruševo Republic and the historic decisions of the Anti-Fascist Assembly of the People's Liberation of Macedonia, from the constitutional and legal continuity of the Macedonian state as a sovereign republic within Federal Yugoslavia, from the freely expressed will of the citizens of the Republic of Macedonia in the referendum of September 8th, 1991, as well as from the historical fact that Macedonia is established as a *National state of the Macedonian people*, which guarantees the full civic equality and permanent coexistence of the Macedonian people with the Albanians, Turks, Vlachs, Roma and the other nationalities.[2]

The Preamble to the Constitution, while professing to uphold equality among its citizens, symbolically establishes a hierarchy of ethnicities assigning Macedonians state ownership. Zhidas Daskalovski describes below the ethnic "pecking order":

> Symbolically then we have a classification of peoples into three categories, the Macedonians as the primary bearers of the right to the state, the members of the four mentioned minorities as peoples with equal rights but not being the primary claimants to the right to the state, and the members of the nations not even mentioned in the Preamble specified as 'others.'[3]

Thus, this three-tiered constitutional order was a source of crisis in the majority–minorities relationship in the 1990s to the point that Albanian politicians regularly referred to the Constitution as the "generator of crises."[4] In addition, the 1991 Constitution broke with the 1974 Constitution of SFRY by denying Albanians their right to university education in their native language and declared Macedonian written in the Cyrillic alphabet the only official language of the country.[5]

The primacy of the Macedonians also translated into the superiority of the Macedonian Orthodox Church over other religious communities. Thus, the section of the Constitution referring to "the Macedonian Orthodox Church and other religious communities and groups," lends the Macedonian Church a clear symbolic advantage over the Islamic, Catholic and other religious communities.[6]

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[2] Constitution of the Republic of Macedonia at *www.president.gov.mk/prilozi/dokumenti/165/Constitution%20of%20RM.pdf*.

[3] Daskalovski, "Language and Identity", p. 15.

[4] Kim Mehmeti, "Futile Dialogue Exposed," Institute for War and Peace Reporting, *Balkan Crisis Report no. 228* (21 March 2001), at *www.iwpr.net* [last accessed on 1 April 2007].

[5] Borjan Tanevski, "The Problem Between the Macedonian and Albanian Ethnic Groups in the Republic of Macedonia and its Future" in *The New Balkan Politics*, Issue 9 (2000), pp. 6.

[6] Daskalovski, "Language and Identity," p. 18.

Despite the mono-ethnic Preamble and certain articles, it ought to be mentioned that the Constitution was a mixture of civic and national concepts. However, it is the exclusive ethnic Macedonian state ownership that stirred tensions with the less numerous communities, particularly the Albanians.

Polls conducted in the early 1990s revealed that Albanians felt alienated in the post-socialist constitutional order. "In 1993, 86 percent of Albanians polled considered themselves second-class citizens... for the Roma the figure was 35%, while the Turks did not consider this an issue at all".[7] Moreover, the same poll conducted a year later shows that it was the Albanians who felt the most discriminated against (87% of respondents) compared to half of Roma and only 4% of the Turks.[8] A European Stability Initiative report on the political economy of inter-ethnic relations in the area of Kičevo (Kërçova) describes "a diversity of economic and social patterns"; Macedonians have traditionally relied on the state, while Albanians depended on labor migration and small trade for survival. This diversity of experience has shaped different attitudes towards the Macedonian state.[9]

In light of this context, the Ohrid Agreement of 2001 set out to address the discrimination of non-majority communities, especially the more numerous Albanians. Its first task was to rectify the legal status of minorities transforming Macedonia from a mono-ethnic to a civic state. The Agreement called for an ethnically neutral and liberal Constitution, thereby eliminating all references to specific ethnic groups. In this vein, the agreed amendment of the Preamble was an unambiguous step in the liberal direction:

> *The citizens of the Republic of Macedonia*, taking over responsibility for the present and future of their fatherland,..., equal in rights and obligations towards the common good–the Republic of Macedonia, (...).[10]

In the ensuing parliamentary debate, the deputies from the Macedonian parties argued that they could not accept the provision that excluded from the Constitution

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[7] Natasha Gaber "The Muslim Population in FYROM (Macedonia): Public Perceptions" in Hugh Poulton and Suha Taji-Farouki (eds.) *Muslim Identity and the Balkan State* (Washington Square, NY: New York University Press, 1997), pp. 111.

[8] Ibid., p. 111. Despite the small number of Turks feeling discriminated, still 56% had grievances concerning state discrimination on the local level. That Turks felt less discriminated could be explained by the longstanding Macedonian policies of favouring Turks over Albanians and providing incentives for Albanians to declare themselves as Turks to reduce the former demographic weight.

[9] "Ahmeti's Village: The Political Economy of Interethnic Relations in Macedonia", *European Stability Initiative* (October 2002), p. 3.

[10] Ulf Brunnbauer, "The Implementation of the Ohrid Agreement: Ethnic Macedonian Resentments," in *Journal on Ethnopolitics and Minority Issues in Europe*, Vol. 3, Issue 1, p. 4. The Macedonian Orthodox Church was against the constitutional changes, as it would reduce its higher status. Therefore, "it warned the MPs that... the Church would accordingly declare them outcasts of the faith, it said, and their names would be inscribed on pillars of shame in Orthodox cathedrals across Europe, America and Australia." Vladimir Jovanovski and Lirim Dulovi "A New Battlefield: The Struggle to Ratify the Ohrid Agreement" in Institute for War and Peace Reporting "Ohrid and Beyond: A Cross-ethnic Investigation into the Macedonian Crisis," (2002), pp. 69.

the Preamble about the Macedonian people as a state-forming nation as well as reducing the role of the Macedonian Orthodox Church. Consequently, the original formula agreed in Ohrid was discarded, and the following amendment was adopted:

> The citizens of the Republic of Macedonia, *the Macedonian people*, as well as citizens living within its borders who are part of the Albanian people, the Turkish people, the Vlach people, the Serbian people, the Roma people, the Bosniak people and others,..[11]

According to Daskalovski, this Preamble remains problematic as it "still puts ethnic Macedonians in a superior position vis-à-vis the rest of the population."[12] Nonetheless, this amendment was accepted, as it is in clear departure of the Macedonian monopoly of the state by including the rest of the population as state forming and as "peoples" instead of minorities.

The Ohrid process enacted another important provision enhancing minority rights, viz., Albanian was recognized as an official language on the national level, except in the country's international relations. The law on local self-government stipulates that if an ethnic community numbers more than 20% in the total population within the municipality, its language and alphabet automatically become official. This provision has allowed Turkish, Serbian and Roma to become official languages in certain municipalities. Moreover, the law allows non-majority languages to be declared "official" by a municipality decision. For instance, Turkish was declared an official language in the municipality of Gostivar despite the less than 20% Turkish population.

One of the most crucial advances for the protection of minority rights is the double-majority principle (also known as the Badinter majority) necessary to promulgate laws that "directly affect culture, use of language, education, personal documentation, and use of symbols."[13] A power-sharing feature, it provides a veto power to minorities in the election of a third of the judges of the Constitutional Court, the members of the Republican Judicial Council and the Ombudsman.[14]

The current Constitution has improved the legal status of the non-majority communities by including them as constitutive elements within a multi-national state. However, it represents a lost opportunity to create an exclusively liberal and ethnically neutral Constitution. Viewed from a regional perspective and in comparison to the previous mono-ethnic Constitution, post-Ohrid Macedonia has laid the groundwork for achieving equality among its citizens of various ethnic and religious backgrounds.

Equitable Representation in the State Administration and Decentralization

The amended Article 8 of the Post-Ohrid Constitution stipulates "equitable representation of persons belonging to all communities in public bodies at all levels

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[11] Constitution of the Republic of Macedonia (note 2) Emphasis mine.

[12] Daskalovski, "Language and Identity", p. 25.

[13] Framework Agreement at http://www.president.gov.mk/prilozi/dokumenti/180/FRAMEWORK%20AGREEMENT.pdf.

[14] Brunnbauer, "Implementation of the Ohrid Agreement", 5.

and in other areas of public life."[15] An in-depth look at the official statistics reveals a chronic and acute under-representation of non-majority communities. This trend was especially acute in the period before the implementation of the Ohrid Agreement. According to Ulf Brunnbauer, Albanians and other minorities suspected of being disloyal were kept at arm's length in the state administration and state enterprises because of the symbiotic relationship between the Macedonians and the state. As a result of this special relationship, the state played the role of the ultimate guardian of ethnic Macedonian identity and welfare, granting priority to the dominant community for employment in the public sector.[16]

Despite the Macedonian government's rhetoric and half-hearted efforts to increase Albanian representation in the 1990s, it still remained utterly disproportionate. For example, the Parliamentary Commission on International Relations published a report in May 2000 showing under-representation in state structures and employment in general. The police and the armed forces stood out as particularly unequal-opportunity employers as only 3.1% of these forces employed Albanians.[17] The failure to recruit more minorities within the law enforcement agencies further heightened tensions as Macedonians predominated in law enforcement. This sometimes took the form of inter-ethnic abuse, especially in areas where Albanians dominated in numbers. Police abuse and brutality became a problem in the 1990s, culminating in the killing of three people protesting in Gostivar in 1997.[18] Human Rights Watch published a report on this incident pointing to illegal beating of demonstrators who had offered no resistance.[19] Before this, police brutality against Albanians in Bit Pazar and other incidents had already reinforced the Albanian perception of the police as an oppressive arm of the Macedonian state.

Albanian representation in the state administration and public companies was equally disproportionate. According to Arben Xhaferi, head of the Democratic Party of Albanians (DPA), in the 1990s "ethnic Albanians made up 1.7% of the judiciary... and 2% of the administration."[20] The symphony orchestra and the Macedonian National Opera did not employ a single Albanian in their ranks.[21] Despite the fact that Albanians have been appointed as ministers in four to five ministries since Macedonia's independence, such representation had not followed suit in the senior and mid-level appointments in the state administration and public companies.

The Ohrid Agreement addresses the issue of non-majority communities' under-representation and recognizes the dangers of a strong centralized state in a multi-ethnic environment. It institutes a power-sharing mechanism whereby "local heads of police will be selected by municipal councils from lists of candidates proposed by

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[15] Framework Agreement (note 13).

[16] Ibid.

[17] "Macedonia's Ethnic Albanians: Bridging the Gulf," *International Crisis Group* (August 2000), p. 16.

[18] "Police Violence in Macedonia," *Human Rights Watch* (7 April 1998), at hrw.org/English/docs/1998/04/07/macedo1099.htm [last accessed on 1 April 2007], p. 15.

[19] Ibid.

[20] Tanevski, "The problem between the Macedonian and Albanian ethnic groups" (note 5), pp. 10.

[21] Sabrina P. Ramet, *Balkan Babel: The Disintegration of Yugoslavia from the Death of Tito to the Fall of Milošević,* 4th ed. (Boulder, CO: Westview Press, 2002), p. 189.

the Ministry of Interior."[22] Furthermore, it requires that the authorities transform the police into a professional and multi-ethnic force. As a result, as of December 2004, the Police had increased the Albanian proportion to 13.31%. Yet, more needs to be done regarding Turkish and Roma representation as it remains at paltry 0.59 and 0.65%, respectively.[23] The armed forces have followed up recruiting more non-majority individuals, especially Albanians. In addition, there has been an increase in Albanian representation in both central and local administration reaching 12.28%.[24] In addition, by 2004, most state institutions had outlined plans for "appropriate and equitable representation" of non-majority ethnic communities. Nonetheless, minority employment remains a contentious and unpopular issue in the context of declining living standards.

The Issue of Decentralization

Pre-Ohrid Macedonia was possibly the most centralized state in Europe.[25] A centralized governance in a multi-ethnic society fuels political frustration and resentment among minorities as decisions on important community issues are made by the central institutions controlled by the majority. Decentralization or vertical division of power represented a compromise between Macedonian concerns to maintain the unitary character of the state and the Albanian desire to devolve power closer to the municipalities thereby empowering their community. This notion represents one of the Basic Principles of the Agreement stating that "[t]here are no territorial solutions to ethnic issues."[26]

After the debate on the Preamble, the decentralization issue was heated to the point that it almost derailed the whole Ohrid process. The decentralization package of laws proved difficult for the majority, as it was perceived as threatening to its national identity. Besides the fact that many competencies would be transferred from the national to the local level,[27] it became particularly controversial because the territorial division of municipalities created 25 municipalities out of 80 that would have Albanian as an official language. The issue became emotional for the Macedonians because according to the legislation, even the capital, Skopje, would have had to introduce bilingualism as a result of the fact that more than 20% of the

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[22] Framework Agreement (note 13).

[23] Answers to the Questionnaire for the preparation of the European Commission's Opinion on the application of the Republic of Macedonia for membership of the European Union, (2004), p. 57.

[24] Answers to the Questionnaire, pp. 57.

[25] Brunnbauer, "Implementation of the Ohrid Agreement," p. 6.

[26] Framework Agreement.

[27] Elizabeta Galevska, Градоначалниците не очекуваат глатка децентрализација, [Mayors do not expect a smooth decentralization], *A1TV* (Skopje), 26 April 2005.The decentralization process empowers municipalities by obliging the central government to improve financial capacity of local authorities as well as allow them to raise local taxes and receive 1% of Macedonia's value added tax revenues. The municipalities are enabled to make both short- and long-term loans from domestic and foreign banks. The decentralization plan transferred 489 departments and more than 27.000 employees from the central government to the municipalities.

local population is Albanian.[28] The crisis mounted as the opposition parties, led by VMRO-DPMNE and the anti-reform movements, gathered 300,000 signatures and imposed a referendum that threatened to negate the Ohrid process, thus increasing the prospects for ethnic strife. The referendum failed because of international pressure and the Bush Administration's decision to recognize Macedonia by its constitutional name, sending a signal that the international community would reward efforts aimed at the implementation of the Ohrid Agreement.

The law on decentralization proved beneficial to the smaller minorities as well, as it made Turkish, Serbian and the Roma tongue official languages in five municipalities as a result of the "20% rule" on the municipal level in addition to empowering these communities.[29]

Jenny Engstrom warns that political decentralization "will simply recreate spheres of political dominance by one group or the other, thus creating new possible arenas for conflict."[30] The evidence from the field is that despite initial difficulties, the Macedonian decentralization model, although still implemented, proves that power can be shared effectively in a multi-ethnic environment without causing fear of territorial solutions or secession. [31] Its viability has been noticed in the region. There have been calls for its emulation by the Albanian majority and Serb minority in Kosova and in other multi-ethnic environments.

The Issue of Education

The right to minority university education became one of the most contested political issues that led to turmoil in 1994 and thereafter. The Albanians' right to obtain higher education in their native language had been guaranteed in socialist Yugoslavia. Many Macedonian Albanians educated themselves in nearby Prishtina University during the socialist period. However, this right was curtailed in independent Macedonia as Prishtina University in Kosova was shut down by the Milošević regime, and only primary and secondary education were available in Albanian. There was a great demand by Albanians for university education "for they view education as their primary avenue for social and economic advancement, the great equalizer that can raise their standing relative to other ethnic groups."[32] In addition, the university controversy represented the climax of a series of Macedonian education policies that were resented by the Albanians and the Turks. Specifically, a

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[28] Shkelzen Halimi, "Macedonia to Face Challenges with Protests against Decentralization" Fakti (Skopje), 26 July 2004.

[29] "Macedonia: Make or Break," *International Crisis Group Report,* Europe Briefing no. 33 (3 August 2004), at *www.crisisgroup.org/home/index.cfm?id=2897&&|=1* [last accessed on 1 April 2007].

[30] Jenny Engstrom, "Multi-ethnicity or Bi-nationalism? The Framework Agreement and the Future of the Macedonian State," in *Journal on Ethnopolitics and Minority Issues in Europe*, Vol. 3, Issue 1 (2002), pp 7.

[31] Terry Davis, "The Decentralization Process is implemented successfully," *A1TV* (Skopje), 12 November 2005.

[32] Abiodun Williams, *Preventing War: The United Nations and Macedonia* (Lanham: Rowman & Littlefield, 2000), pp. 118.

law on secondary education passed in 1985 reduced Albanian language class attendance by half, as a result of a stringent condition requiring that at least 30 Albanian pupils be registered for a class to take place.[33] Moreover, inter-ethnic tension ran high as the government outlawed Albanian language education in state universities, effectively closing the pedagogical academy in Skopje University that had prepared teachers for primary and secondary education in Albanian. In sum, these discriminatory policies proved disastrous for the Albanian population that had one of the highest birthrates in Europe with a disproportionately younger population than the Macedonians.[34] In addition, it became a strong source of Albanian nationalism. It also reduced the quality of teaching in minority primary and secondary education institutions.

In 1994, the Albanian intelligentsia established Tetovo University to alleviate the education bottleneck that was created as a result of nationalistic education policies. The government reacted by declaring this institution illegal, calling on the minorities to educate themselves in the existing state universities. In fact, Albanian students made up only 2.3% of the student body in the state universities in 1992–1993, although by 1999, more Albanians were enrolled, reaching 5.5% of the total number of students (see Fig. 1). It should be noted that the refusal of the central government to allow university education in Albanian was not the decision of an isolated elite. Opposition was strong on the grassroots level as demonstrated by the strong outcry of the Macedonian students and intellectuals against the government's decision to reintroduce Albanian in the Pedagogy Department at Skopje University.[35]

In 1998, the VMRO-DPMNE and DPA[36] coalition recognized the potential of the university education controversy to plague inter-ethnic relations. Both parties reached a compromise, assisted by the mediation of the Organization for Security and Cooperation in Europe High Commissioner on National Minorities, Max van der Stoel. The political deal established a private trilingual (English, Macedonian, Albanian) university in Tetovo funded by the international community and tuition fees. While this proposal struck a compromise on higher education in Albanian language, its chief weakness was symbolic: It reinforced Albanian self-perception as second-class citizens as Albanian students had to pay university tuition to educate themselves in their native language, which was not the case for most of the Macedonian students.

The Ohrid Agreement calls explicitly for reforms in this issue, by stipulating that "state funding will be provided for university level education in languages spoken by at least 20 percent of the population of Macedonia, on the basis of specific agreements."[37] Reform of the university education sector represented a high priority

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[33] Tanevski, "The problem between the Macedonian and Albanian ethnic groups," p. 8.

[34] Brunnbauer, "The Implementation of the Ohrid Agreement," p 6.

[35] Ibid.

[36] VMRO-DPMNE stands for Internal Macedonian Revolutionary Organization-Democratic Party for the National Unity of Macedonians. The DPA is established under the leadership of Arben Xhaferi. These two parties formed together with a centrist Macedonian party (the Democratic Alternative) a coalition government in 1998. The armed insurgency started under the watch of this government in 2001.

[37] Framework Agreement.

Percentage of University Students by ethnicity in Macedonia (1992-2005)
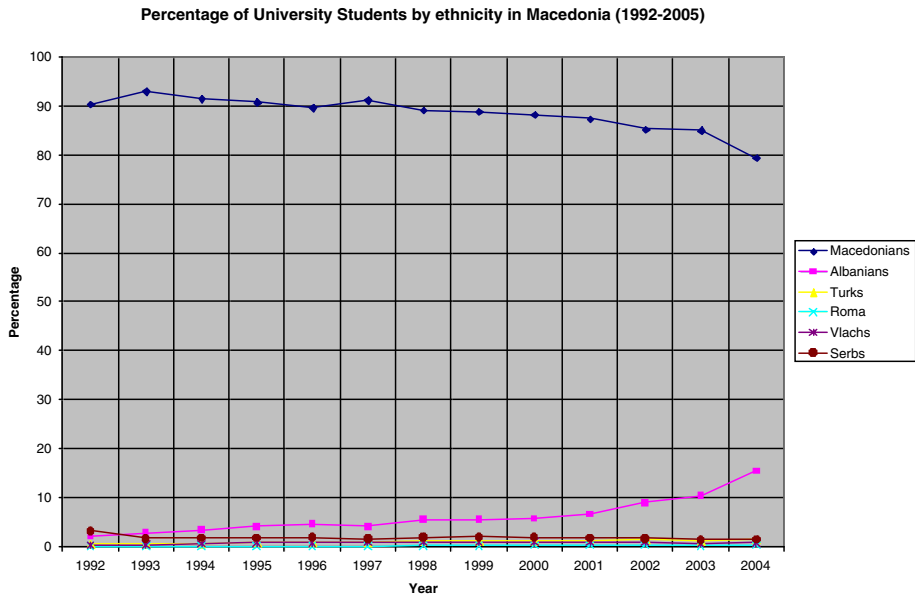

Fig. 1 Students by ethnic affiliation in Macedonia (1992–2005). Source: Questionnaire of Republic of Macedonia for the European Commission (2005)

for the Albanian coalition partner in the 2002–2006 government, the Democratic Union for Integration (DUI), which insisted on the nomination of an Albanian to the post of the Minister of Education. In line with the Ohrid Agreement, Tetovo University was legalized in September 2004 and started to get funding from the state budget. However, only five of its departments have been accredited so far.[38]

Despite substantial reforms and achievements in the field of education in general, serious challenges remain. The European Commission against Racism and Intolerance in its most recent report points out that dropout rates for minority children are high in primary education (ethnic Macedonian 5%, ethnic Albanian 46%).[39]

Public education can play a strong role in bringing the ethnic communities together. Borjan Tanevski notes that primary and secondary school curricula do not teach Macedonian students about Albanian history, culture and literature.[40] The segregated nature of public education has also minimized interaction between communities, leading to divergent interpretations of the country's 2001 conflict.[41]

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[38] Тетовскиот стана трет државен универзитет, [Tetovo University accredited as the third state university] *A1 TV* (Skopje) 28 September 2004 and Положани сака да ги легализира непризнаените малоречански факултети, [Pollozhani (Education Minister) wants to legalize the unaccredited Tetovo University departments] *A1 TV* (Skopje) 25 April 2006.

[39] Balkan Human Rights Network: Yearbook 2004,(Gostivar: Balkan an Rights Network, 2004), p. 165.

[40] Tanevski, "The problem between the Macedonian and Albanian ethnic groups," p. 10.

[41] Violeta Petroska-Beska and Mirjana Najcevska"Macedonia: Understanding History, Preventing Future Conflict," *United States Institute of Peace,* Special Report no. 115 (February 2004), at *www.usip.org/pubs/ specialreports/sr115.htm.* [last accessed on 1 April 2007].

Another important obstacle to integration efforts is the weak proficiency of non-majority students in Macedonian. The lack of linguistic proficiency in Macedonian hinders members of the non-majority communities from finding employment in the public sector. Professor Mirjana Maleska of the Southeastern European University in Tetovo points how unsatisfactory language skills can hamper the education process and create communication problems between the different communities.[42] On the other hand, the tendency of Macedonians not to learn Albanian, especially those living in Albanian-majority areas, creates inter-ethnic communication problems. The following paragraph summarizes how learning another community's language is perceived:

> Language is the main impediment to bridging the gap between the Macedonian and Albanian ethnic groups. The second, very pressing reason for the project was a prevalent resentment for learning the language of other ethnic groups. This resentment is evident not only among ethnic Macedonians but also among ethnic Albanians. Learning the language of "the other" is perceived as an act of weakness, of surrendering to the "stronger" group and yielding to the imposition of its will and culture. The phenomenon of being forced to learn the other group's language can even be seen as a sort of weapon used to show who is "the boss" in a certain area. There is no occasion where language acquisition is upheld as an advantage or a virtue. Language is not perceived as a means of communication but rather in terms of differentiation and separation.[43]

Current education reforms have not gone far enough to introduce bilingual curriculum in primary and secondary education, at least, for Macedonians who live in Albanian dominated areas. On the other hand, the quality of instruction in Macedonian for non-majority communities needs to be strengthened to improve inter-ethnic communication.

The Ohrid Agreement has made ground-breaking improvements regarding the issue of education. The Ohrid process opened the way for better access to education not only for the Albanians but also for other communities.[44] Implementation so far has produced results; however, many challenges remain, especially increasing the quality of non-majority primary and secondary education as well as higher education as a prerequisite for economic development. Improving the quality of primary and secondary education in addition to promoting bilingual education would be the right step in the direction of facilitating inter-ethnic communication at the grassroots level.

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[42] Mirjana Maleska, "Project of Hope" Eurozine (http://www.eurozine.com/articles/2004–01–27-maleska-en.html).

[43] Mirjana Najcevska, "Bilingulism in a Kumanovo Kindergarten" (pp. 87–101), *Local Government and Public Service Reform Initiative* (New York: Open Society Institute, 2000), at *lgi.osi.hu/publications/2000/26/08/pdf* [last accessed on 1 April 2007].

[44] Framework Agreement. "The principle of positive discrimination will be applied in the enrolment in State universities of candidates belonging to communities not in the majority in the population of Macedonia until the enrolment reflects equitably the composition of the population of Macedonia."

Five Years After Ohrid: Beyond Ethnicity?

The majority of bills required by the Ohrid Agreement were passed by 2005. As the legal framework has been put in place to ensure integration of non-majority communities, has reality matched the Ohrid reform goals?

The reality is that most of the political elite have toned down their political vocabulary in line with the "Ohrid process." The emphasis is put on the citizens rather than ethnic groups. Pro-Ohrid parties have done well in the last parliamentary elections; most parties focused on economic issues in the parliamentary elections in July 2006.[45] Overall, reforms in the police and the state administration have followed up on promises to increase the representation of the Albanian and other non-majority communities. The equitable representation principle has been applied in appointing Ambassadors abroad. For example, a national coordinator for North Atlantic Treaty Organization (NATO) has been an Albanian and an Albanian represents Macedonia to the EU.

The real question is whether the implementation of the Agreement is getting ownership on the grass-roots level. The findings by the *United Nations Development Programme* (*UNDP*) *Early Warning Report* published in March 2006 portray a mixed picture.[46] The report registers a gradual improvement of inter-ethnic relations. In general, while Macedonians have a tendency for a bleaker perception, Albanians are more optimistic. It is encouraging that only 4.4% of respondents ranked ethnic problems as the main preoccupation in their lives in addition to a negligible 0.4% considering them as the most important ones. Moreover, polls indicate these concerns declined over 2 years from September 2004 (16.6%) to April 2006 (4.4%).[47]

The polls also suggest a shift of popular attitude among the Albanian community in general and especially with regards to the ethnic Macedonian community and the state. The report registers an optimistic attitude on Albanian perception of inter-ethnic relations as 41% of the Albanians consider interethnic relations "very good" or "excellent." More important is the conclusion that the number of Albanians who express loyalty to Macedonia has increased significantly to 79% marking a 27% rise from the previous year. However, it should be mentioned that up to a third of ethnic Albanians consider the use of violence justified in achieving political objectives, a result linked to the armed uprising of 2001.

On the other hand, the UNDP report takes note of the general disappointment of Macedonians, which is a result of their win–lose perception of the Ohrid Agreement. While overall ethnic Macedonians describe ethnic relations as neither bad nor good, it is interesting to note that the most optimistic Macedonians are found in the Polog, Skopje and Ohrid areas, which are ethnically mixed regions. Macedonian support for the Ohrid Agreement is still low at 11%. This trend is fuelled by the dichotomist perception of the Ohrid Agreement and as a perceived threat to their political and economic primacy.

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[45] Mile A. Risteski, "Политичките предизборни програми насочени пред се на економијата," [The party electoral programs focused mainly on the economy] *A1 TV* (Skopje), 22 April 2006.

[46] "Early Warning Report: Macedonia", *United Nations Development Programme* (New York, March 2006), p. 31.

[47] Ibid., p. 33.

The smaller communities are supportive of the Ohrid process. In general, the conclusion is that they are "more dissatisfied than satisfied with the interethnic relations in the country."[48] Nevertheless, there is no doubt that post-Ohrid Macedonia is more conducive to their interests than before. As mentioned above, all non-majority ethnic communities can effectively safeguard their interests through the double-majority voting requirements. The languages of smaller communities have become official on the municipality level. An interesting case in point is the decision of the Gostivar municipality to recognize Turkish as an official language despite the Turkish share of population being below 20%.[49] The proportional election system that was enacted as a byproduct of the Ohrid process allowed for the first time three Turkish deputies to be elected in the 2002 parliamentary elections in addition to being part of the ruling coalition.[50] Nevertheless, smaller ethnic communities have expressed concerns of exclusion, as especially no political representative from these communities was included in the Ohrid negotiations.[51] These communities have also complained that equitable representation efforts for them have not proceeded as quickly as they had expected.

Macedonia's EU membership aspirations are a crucial factor in the inter-ethnic equation. The carrot of EU and NATO membership was an important incentive that brought the 2001 conflict to an end and facilitated the implementation of the Ohrid Agreement. EU conditionality has become a strong democratizing force in Macedonian politics. The EU eventually rewarded the laborious reform process by granting Macedonia the status of a candidate country in December 2005, thus increasing its chances for EU accession. As a result, this has had a positive impact on the reform process, as EU and NATO accessions are associated with multi-ethnic Macedonia. Nonetheless, signs of "enlargement fatigue" after the rejection of the European Constitution in 2005 and launching ideas for a privileged relationship, which casts doubt on the Balkan's membership prospects, can have ramifications for Macedonian inter-ethnic consolidation.

Conclusion

This article has provided an overview of key changes as stipulated by the Ohrid process. In the first section, it argues that Macedonia missed the opportunity to change focus by placing more emphasis on individual worth rather on collective rights. Nonetheless, as a result of the Ohrid Agreement, the constitutional status of non-majority communities has improved on-par with the majority, which has stabilized the country as most of its citizens feel part of the state. In addition, strong checks have been instituted guaranteeing vital community interests. A non-majority

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[48] Ibid., p. 36.

[49] J.T. "Stip Council Rejects Vlach Request for Second Official Language," *Vest* (Skopje), 5 December 2005.

[50] "Turkey welcomes results of Macedonian election, success of ethnic Turks," *Anatolia News Agency* (Ankara), 17 September 2002.

[51] Steven Burg, "Macedonia: The Next Stage" (Princeton, N.J.: Project on Ethnic Relations, 2005), at *www.per-usa.org/reports/MavrovoIV.pdf* [last accessed on 1 April 2007], p. 13.

community language has become official on the national level. Other languages have acquired administrative sanction on the municipal level. In addition, representation in the public sector has shown increasing trends for the non-majority communities, especially for the Albanians. The expectations are that public sector representation will reflect the ethnic breakdown of Macedonia. Moreover, strides have been made in the field of higher education for Albanians as an Albanian language university was integrated in the state university system. In addition, additional quotas and fair access mechanisms have been established in the state universities to accommodate the other less numerous communities. As explained, challenges in education remain. The most important problems remain difficulties in inter-ethnic communication as a result of deficient language skills in Macedonian and lack of interest to learn each other's language.

The Ohrid process has had a heavy ethnic Albanian imprint. This is normal as the Albanians led the political process that produced this agreement. Nonetheless, other small communities have felt the benefits of the Ohrid process, especially as the decentralization process has empowered all the communities on the local level and the double-majority mechanism designed to protects their interests.

The "Ohrid process" faces many challenges. First, as explained above, it suffers from the perception by the Macedonians that it was a defeat for them imposed by the international community. Second, the ethnic distance has not decreased despite lower inter-ethnic tensions. Stereotypes, suspicion and distrust still dominate inter-ethnic perception. Third, the under-performing Macedonian economy is struggling to allocate scarce resources creating resentment among the communities. Fourth, the risk of ethnic outbidding, inherent in multi-ethnic politics, can disrupt the process of trust building as opportunistic politicians attempt to exploit dissatisfaction for electoral gain.

The Ohrid Agreement is a living document. It is a framework for harmonious inter-ethnic relationships that in course of time will address outstanding issues in a peaceful and democratic manner. Therefore, the key to its success is to explain the benefits and instill ownership among the citizens to make them stakeholders in a stable post-Ohrid Macedonia.

Post-Scriptum: The Ohrid Agreement and the Aftermath of the July 2006 Election

The aftermath of the parliamentary elections in July 2006 caused renewed turbulence in inter-ethnic relations prompting leading analysts to consider that the Ohrid Agreement had failed. Tension started to run high as the prime minister designate, Nikola Gruevski, did not include the dominant Albanian party, the Albanian Democratic Union for Integration (BDI), in the government, preferring the traditional partner, the DPA. This raised a number of questions regarding governance in a unitary yet multi-ethnic country, especially government formation. In other words, should the winning Albanian party automatically become coalition partner with the largest Macedonian party for the sake of legitimacy or does the prime minister have the right to choose his partner regardless of the election outcome among Albanian parties. This issue was not covered by the Ohrid Agreement prompting DUI to demand that the winner of elections in the Albanian side automatically become part of the government.

Furthermore, the rise to power of Nikola Gruevski, who as the opposition leader had campaigned against key Ohrid laws, has raised fears among Albanians on the further implementation of the Ohrid Agreement. A key law required by EU political criteria, the bill on the police, was a test case whether the new coalition would govern by consensus in line with the Ohrid Agreement. As the current government lacks the Badinter majority, it passed the bill without it causing the opposition BDI to boycott the parliament and threatening to cut off any institutional links between the central authority and the 14 municipalities it controls.

The consequent lack of dialogue among the government and the opposition has affected Macedonian accession efforts to the EU and NATO triggering criticism from Brussels. One Member of European Parliament unofficially even suggested that had the EU a mechanism to withdraw candidate status, it would have been applied to Macedonia. The resulting sterile political situation augurs ill for its membership prospects in NATO in 2009 and the beginning of negotiations with the EU in 2008. Hence, the extent of ramifications for Macedonia's democratic development remains to be seen.

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