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INTRODUCTORY NOTE TO FINAL AGREEMENT FOR THE SETTLEMENT OF THE DIFFERENCES AS DESCRIBED IN THE UNITED NATIONS SECURITY COUNCIL RESOLUTIONS 817 (1993) AND 845 (1993), THE TERMINATION OF THE INTERIM ACCORD OF 1995, AND THE ESTABLISHMENT OF A STRATEGIC PARTNERSHIP BETWEEN THE PARTIES

BY ANNA VENTOURATOU*

[February 12, 2019]

The "Final Agreement for the Settlement of the Differences as Described in the United Nations Security Council Resolutions 817 (1993) and 845 (1993), the Termination of the Interim Accord of 1995, and the Establishment of a Strategic Partnership Between the Parties," most commonly known as the Prespa Agreement, is the final settlement of an intricate dispute between Greece and (now officially) North Macedonia over the former Yugoslav Republic's name, which has troubled the relations between the two states for almost three decades.[1] Following a carefully choreographed process, the Prespa Agreement (Agreement) entered into force on February 12, 2019. This Note provides a brief overview of the background of the dispute and the main provisions of the Agreement.

Background of the Prespa Agreement

In 1991, the Socialist Republic of Macedonia declared independence from the Socialist Federal Republic of Yugoslavia and sought international recognition under the constitutional name "Republic of Macedonia" (Republika Makedonija). The use of the name "Macedonia" has created a long-lasting dispute with the neighboring country of Greece. "Macedonia" is the name of an administrative region in northern Greece and originates from the ancient Greek kingdom of Macedon (Makedonía), which constitutes a very important component of Greek history. National (and nationalistic) sentiment runs high on both sides, one of the main reasons that the naming controversy has spiraled into such a long-standing international dispute.

The dispute first escalated after the declaration of independence of FYROM (former Yugoslav Republic of Macedonia), when Greece opposed its recognition by the European Community, arguing that its name, use of symbols associated with the Greek cultural patrimony (such as the Sun of Vergina), as well as a number of provisions in its Constitution implied territorial claims over Greek Macedonia. Greece similarly opposed the entry of the newly independent state to the United Nations.[2] Despite its objections to any change of its name,[3] the new state was finally admitted to membership in 1993 under the provisional designation "former Yugoslav Republic of Macedonia," pending settlement of the difference between the parties.[4]

The dispute has since seen several further escalations. In 1994 Greece imposed unilaterally a trade embargo against FYROM that notably led to the European Commission instituting proceedings against Greece.[5] Against this backdrop, attempts were made to normalize the relationship between the two states, leading to the adoption of an Interim Accord in 1995.[6] The Accord provided, inter alia, for Greece's non-opposition to the accession of FYROM to international organizations under its provisional name. Greece's opposition to FYROM's accession to NATO in 2008 lead to the ICJ 2011 judgment, that, by fifteen votes to one, found Greece in breach of its obligations under the Interim Accord.[7]

Having admittedly lingered for way too long, the dispute has now reached its final settlement.[8] On June 12, 2018, Athens and Skopje announced that they had reached an agreement and published its content. Following the announcement, the two governments have faced furious backlash. The then president of North Macedonia, Gjorge Ivanov, rejected the deal point-blank. The Greek opposition submitted a motion of no confidence against the then prime minister, Alexis Tsipras, and his government, which failed to carry late on the night of June 16, 2018, a few hours before the signing of the Agreement. The Agreement was eventually signed on June 17, 2018, in a highly symbolic ceremony at the edge of Lake Prespa, where the borders of Greece, North Macedonia, and Albania meet. The Agreement described a sequence of further actions by both parties for its entry into force.

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Despite the strong opposition and protests on both sides throughout the process, the landmark deal between the two states entered into force on February 12, 2019.

The Agreement

The New Name and its Erga Omnes *Character*

The mutually agreed name under Article 1.3.a of the Agreement is "Republic of North Macedonia" or "North Macedonia" (Severna Makedonija). The new name shall be used *erga omnes*: in relation to everyone and for all uses and purposes, both domestic and international. The Agreement provided the obligation to adopt the new name not only by virtue of the Agreement but also by virtue of the state's constitution, which had to be amended accordingly. The Agreement further required amendment of other constitutional provisions, deemed as potentially implying irredentist claims.[9] Article 1.3.g further stipulates that such internal procedure will be not only binding but also irrevocable. This is one of the most distinctive and telling elements of the agreement—it is not often that a peacetime treaty explicitly requires one of the parties to proceed to constitutional reform for the fulfilment of its obligations thereunder. The means of domestic implementation are usually left to the discretion of the parties. The parliament of North Macedonia proceeded with the required constitutional amendments in a historic vote on January 11, 2019.

North Macedonia shall use the new name exclusively both domestically and in its external relations[10] and shall request that all international organizations, institutions, and fora, as well as all UN member states, adopt and use the new name and related terminologies for all usages and purposes.[11] Naturally, in accordance with Article 34 VCLT,[12] and as reaffirmed in Article 20.7 of the Agreement itself, the treaty does not create obligations for third states without their consent. Rather, North Macedonia itself will be internationally responsible to ensure the proper use of its new constitutional name in the conduct of its public affairs.

Nationality and language

Article 1 provides that the nationality of North Macedonia shall be "Macedonian/citizen of the Republic of North Macedonia." Further, the language spoken in North Macedonia shall be the "Macedonian language," a name already recognized by the Third UN Conference on the Standardization of Geographical Names, held in Athens in 1977.[13] However, Article 7 of the Agreement explicitly qualifies the use of the terms "Macedonia" and "Macedonian" under Article 1. According to the Agreement, the history and culture of Greece and the Greek region of Macedonia, from antiquity to present day, are "distinctly different" from that of North Macedonia. For the avoidance of doubt, Article 7.4 explicitly specifies that the Macedonian language is within the group of South Slavic languages and that all attributes of North Macedonia "are not related to the ancient Hellenic civilisation, history, culture and heritage of the northern region of Greece." In other words, according to the Prespa Agreement, citizens of North Macedonia may call themselves Macedonians and their language Macedonian but they may no longer claim to be the "sons and heirs" of Alexander the Great.

Symbols and Historic, Archaeological, and Educational Matters

To further buttress the aforementioned clear distinction, Article 8 of the Agreement provides that North Macedonia shall review the status of monuments, public buildings, and infrastructure on its territory and make sure that they do not refer in any way to ancient Hellenic history and civilization.[14] Moreover, Article 8 explicitly prohibits the use of the Sun of Vergina by North Macedonia and requests the removal of the symbol from all public sites and usages within six months from entry into force of the Agreement.

Another innovation of the Agreement is the establishment of a Joint Inter-Disciplinary Committee of Experts which, notably, will be in charge of ensuring that no school textbooks or auxiliary material contains any irredentist/revisionist references.[15] Quite remarkably, this provision was the only one subject to provisional application and took effect within one month from signature.[16] The Committee was established in September 2018 and began its work in November of the same year.

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Commercial Names, Trademarks, and Brand Names

The Agreement does not itself settle the issue of commercial names, trademarks, and brand names, but Article 1.3.h describes the process for such determination. The parties undertake to support and encourage their business communities to engage in good faith negotiations on the matter in order to reach mutually accepted solutions. This process shall be assisted by an international group of experts in the context of the EU, with representatives of both parties and the contribution of the United Nations and the International Organization for Standardization. The group shall be established within 2019 and conclude its work within three years. In the meantime, each party may continue to use their existing commercial names.

Admission to International Organizations

According to the Prespa Agreement, North Macedonia shall seek admission to international organizations under its new constitutional name and Greece undertakes not to object to such membership.[17] With regards to the EU and NATO, Greece specifically undertook to support the opening of accession negotiations under the agreed terminologies already before entry into force of the Agreement. Nonetheless, Greece had no obligation to ratify any accession instrument before the entry into force of the Agreement.[18] The Greek Parliament ratified North Macedonia's NATO accession protocol immediately after the Agreement in February 2019.

Dispute Settlement Provisions

Failing negotiations for the settlement of possible disputes under the Agreement, the parties may request the good offices of the UN Secretary General. If no resolution is reached through such means, the dispute may be submitted to the International Court of Justice in accordance with Article 36.1 of the ICJ Statute. The provision of Article 19.3 is interesting in stating that the two parties shall endeavor to bring any dispute to the Court "by joint submission," failing which each party can submit a dispute to the ICJ individually. The compromissory clause providing for the compulsory jurisdiction of the ICJ (which appeared already at the Interim Accord between the two states, albeit without requiring prior recourse to the UN Secretary General or providing for joint submission) is a great achievement of the Agreement, securing recourse to effective means of dispute settlement by either party.

Entry into Force

Articles 1.4, 1.11, and 1.12 described an intricate process for the entry into force of the Prespa Agreement step by step.[19] FYROM had to submit the Agreement without delay to its parliament for ratification. Following ratification, it could, at its own discretion, hold a referendum. Upon ratification and following such referendum FYROM had to commence procedures for the prompt amendment of its Constitution. Upon notification of the constitutional amendments, Greece had to promptly ratify the Agreement. Article 20.3 specified that the Agreement would enter into force upon notification of ratification by the Greek Parliament. All steps were successfully completed on February 12, 2019.

Upon its entry into force the Prespa Agreement terminated the 1995 Interim Accord.[20] The Agreement, under Article 20.9, will remain in force indefinitely and irrevocably. Further, no modification of Articles 1.3 and 1.4 is permitted.

Final Remarks

After twenty-seven years of talks—and many protests—this deal presented a historic opportunity for the two states to settle their bitter dispute and move on. Both governments had to face down opposition within their own countries to see the process for the entry into force of the Agreement through. This is arguably a sign that the deal reflected a fair political compromise of the interests of the two states. Moreover, the Agreement includes a second part, less discussed but equally important, that aims at intensifying and enriching the cooperation between the two neighbors. The part includes numerous forward-looking provisions toward the establishment of a strategic partnership between the two states in a number of vital economic areas such as agriculture, energy, environment, industry, infrastructure, investment, tourism, trade, and transport,[21] as well as in the fields of education, science, culture, research, technology, health, and sports.[22] It further provides for cooperation in police, civil protection, and defense.[23] It thus sets the foundations for a potential strong alliance and a new era in the relations of the two states.

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ENDNOTES

1 Final Agreement for the Settlement of the Differences as Described in the United Nations Security Council Resolutions 817 (1993) and 845 (1993), the Termination of the Interim Accord of 1995, and the Establishment of a Strategic Partnership Between the Parties, June 17, 2018, https://www.un.org/pga/73/wp-content/uploads/sites/53/2019/02/14-February-Letter-dated-14-February-2019.pdf [hereinafter Prespa Agreement].

2 Letter from the Permanent Representative of Greece to the UN Addressed to the President of the Security Council, UN Doc. S/25543 (Apr. 6, 1993).

3 Letter dated 24 March 1993 addressed to the President of the Security Council, UN Doc. S/25541* (Apr. 6, 1993).

4 SC Res. 817 (Apr. 7, 1993).

5 Case C-120/94, Commission of the European Communities v. Hellenic Republic, Opinion of Mr Advocate General Jacobs, 1996 ECR I-01513.

6 Greece-The Former Yugoslav Republic of Macedonia: Interim Accord and Memorandum on Practical Measures Related to the Interim Accord, 34 ILM 1461 (1995).

7 Application of the Interim Accord of 13 September 1995 (the former Yugoslav Republic of Macedonia v. Greece) 2011 ICJ REP. 644 (Dec. 5).

8 See more on the Agreement's background in Sir Michael Wood and Niko Pavlopoulos *North Macedonia* in MAX PLANCK ENCYCLOPEDIA OF PUBLIC INTERNATIONAL LAW (last updated Apr. 2019).

9 Prespa Agreement, *supra* note 1, art 1.12.

10 *Id.* arts. 1.8–1.9.

11 *Id.* art. 1.6.

12 Vienna Convention on the Law of Treaties (1969), 1155 UNTS 331 (VCLT).

13 Report of the conference, https://unstats.un.org/unsd/geoinfo/UNGEGN/docs/3rd-uncsgn-docs/e_conf_69_4_en.pdf (Arts 1.3.b and c).

14 Prespa Agreement, *supra* note 1, art. 8.2.

15 *Id.* art 8.5.

16 *Id.* art. 20.4.

17 *Id.* arts. 2.1–2.2.

18 *Id.* art. 2.3.

19 The process has sparked a lot of debate with respect to the extent of the parties' obligations until the entry into force. On this matter see Antonios Tzanakopoulos, *Here Comes the Name Again: Treaty Making at the Epicenter of the Greek Debate over the Agreement with the former Yugoslav Republic of Macedonia*, EJIL: *TALK!* (June 16, 2018), https://www.ejiltalk.org/here-comes-the-name-again-treaty-making-at-the-epicenter-of-the-greek-debate-over-the-agreement-with-the-former-yugoslav-republic-of-macedonia/.

20 Prespa Agreement, *supra* note 1, art. 1.1.

21 *Id.* arts. 13–14.

22 *Id.* art. 15.

23 *Id.* arts. 16–17.

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[February 12, 2019]

AGREEMENT

FINAL AGREEMENT FOR THE SETTLEMENT OF THE DIFFERENCES AS DESCRIBED IN THE UNITED NATIONS SECURITY COUNCIL RESOLUTIONS 817 (1993) AND 845 (1993), THE TERMINATION OF THE INTERIM ACCORD OF 1995, AND THE ESTABLISHMENT OF A STRATEGIC PARTNERSHIP BETWEEN THE PARTIES

PREAMBLE

The First Party, the Hellenic Republic (the "First Party") and the Second Party, which was admitted to the United Nations in accordance with the United Nations General Assembly resolution 47/225 of 8 April 1993 (the "Second Party"), jointly referred to as the "Parties",

-Recalling the principles and purposes of the Charter of the United Nations, the Helsinki Final Act of 1975, the relevant Acts of the Organization for Security and Cooperation in Europe ("OSCE") and the values and principles of the Council of Europe,

-Guided by the spirit and principles of democracy, respect for human rights and fundamental freedoms, and dignity,

-Abiding by the provisions of the Charter of the United Nations and in particular those referring to the obligation of the States to refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State,

-Emphasising their full commitment to the principles of the inviolability of frontiers and the territorial integrity of States incorporated in the Helsinki Final Act of 1975,

-Reaffirming the existing frontier between them as an enduring international border,

-In full accord on the need to strengthen peace, stability, security and further promote cooperation in Southeastern Europe,

-Desiring to strengthen an atmosphere of trust and good-neighbourly relations in the region and to put to rest permanently any hostile attitudes that may persist and agreeing on the need to refrain from irredentism and revisionism in any form,

-Recalling their obligation, in accordance with the Charter of the United Nations and international law, not to interfere on any pretext or in any form in the internal affairs and jurisdiction of the other,

-Underscoring also the importance of the development of friendly relations among States and of resolving disputes by peaceful means in accordance with the Charter of the United Nations,

-Resolving the differences pursuant to Security Council resolutions 817 (1993) of 7 April 1993 and 845 (1993) of 18 June 1993, as well as Article 5 of the Interim Accord of 13 September 1995 in a dignified and sustainable manner, having in mind the importance of the issue and the sensitivities of each Party,

-Taking into account the General Assembly resolution 47/225 of 8 April 1993,

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-Taking into consideration the Interim Accord, the Memorandum of 13 October 1995 on Practical Measures related to the Interim Accord, the Memorandum on the mutual establishment of Liaison Offices in Skopje and Athens of 20 October 1995 as well as the process of Confidence Building Measures ("CBMs"),

-Underlining their strong will for mutual friendship, good neighbourliness and cooperative partnership,

-Committing to strengthen, widen and deepen their bilateral relations and to lay firm foundations for the entrenchment and respect of good neighbourly relations and for the development of their comprehensive bilateral cooperation,

-Seeking to reinforce and broaden their bilateral cooperation and to upgrade it to the level of a strategic partnership in the sectors of agriculture, civil protection, defence, economy, energy, environment, industry, infrastructure,investments, politicalrelations, tourism, trade, trans-border cooperation and transport, capitalizing also on the existing CBMs,

Have agreed as follows:

PART 1

SETTLEMENT OF THE DIFFERENCE ON THE NAME, THE PENDING ISSUES RELATED TO IT AND ENTRENCHMENT OF GOOD NEIGHBOURLY RELATIONS

ARTICLE 1

1. This Agreement is final and upon its entry into force terminates the Interim Accord between the Parties signed in New York on 13 September 1995.
2. The Parties recognize as binding the outcome of the negotiations that have taken place under the auspices of the United Nations, to which both Parties have been committed pursuant to the United Nations Security Council resolutions 817 (1993) and 845 (1993) as well as the Interim Accord of 1995.
3. Pursuant to those negotiations the following have been mutually accepted and agreed:

    a) The official name of the Second Party shall be the "Republic of North Macedonia", which shall be the constitutional name of the Second Party and shall be used *ergo omnes,* as provided for in this Agreement. The short name of the Second Party shall be "North Macedonia".

    b) The nationality of the Second Party shall be Macedonian/citizen of the Republic of North Macedonia, as it will be registered in all travel documents.

    c) The official language of the Second Party shall be the "Macedonian language", as recognised by the Third UN Conference on the Standardization of Geographical Names, held in Athens in 1977, and described in Article 7(3) and (4) of this Agreement.

    d) The terms "Macedonia" and "Macedonian" have the meaning given under Article 7 of this Agreement.

    e) The country codes for licence plates of the Second Party shall be NM or NMK. For all other purposes, country codes remain MK and MKD, as officially assigned by the International Organization for Standardization ("ISO").

    f) The adjectival reference to the State, its official organs, and other public entities shall be in line with the official name of the Second Party or its short name, that is, "of the Republic of North Macedonia" or "of North Macedonia". Other adjectival usages, including those referring to private entities and actors, that are not related to the State and public entities, are not established by law and do not enjoy financial support from the State for activities abroad, may be in line with Article 7(3) and (4).The adjectival usage for activities may be in line with Article 7(3) and (4). This is without prejudice to

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the process established under Article 1(3) (h) and compound names of cities that exist at the date of the signature of this Agreement.

g) The Second Party shall adopt "Republic of North Macedonia" as its official name and the terminologies referred to in Article 1(3) through its internal procedure that is both binding and irrevocable, entailing the amendment of the Constitution as agreed in this Agreement.

h) In relation to the abovementioned name and terminologies in commercial names, trademarks and brand names, the Parties agree to support and encourage their business communities to institutionalise a sincere, structured and in good faith dialogue, in the context of which will seek and reach mutually accepted solutions on the issues deriving from the commercial names, the trademarks, the brand names and all relevant matters at bilateral and international level. For the implementation of the abovementioned provisions, an international group of experts will be established consisting of representatives of the two States in the context of the European Union ("EU") with the appropriate contribution of the United Nations and ISO. This group of experts shall be established within 2019 and conclude its work within three years. Nothing in Article 1(3) (h) shall affect present commercial usage until mutual agreement is reached as provided in this subsection.

4. Upon signing this Agreement, the Parties shall take the following steps:

a) The Second Party shall, without delay, submit the Agreement to its Parliament for ratification.

b) Following ratification of this Agreement by the Parliament of the Second Party, the Second Party shall notify the First Party that its Parliament has ratified the Agreement.

c) The Second Party, if it decides so, will hold a referendum.

d) The Second Party shall commence the process of constitutional amendments as provided for in this Agreement.

e) The Second Party shall conclude *in toto* the constitutional amendments by the end of 2018.

f) Upon notification by the Second Party of the completion of the abovementioned constitutional amendments and of all its internal legal procedures for the entry into force of this Agreement, the First Party shall promptly ratify this Agreement.

5. Upon entry into force of this Agreement, the Parties shall use the name and terminologies of Article 1(3) in all relevant international, multilateral and regional Organizations, institutions and fora, including all meetings and correspondence, and in all their bilateral relations with all Member States of the United Nations.

6. In particular, immediately upon entry into force of this Agreement, the Second Party shall:

a) Notify all international, multilateral, and regional Organizations, institutions and fora of which it is a member of the entry into force of this Agreement, and request that all those Organizations, institutions and fora thereafter shall adopt and use the name and terminologies referred to in Article 1(3) of this Agreement for all usages and purposes. Both Parties shall also refer to the Second Party in accordance with Article 1(3) in all communications to, with, and in those Organizations, institutions and fora.

b) Notify all Member States of the United Nations of the entry into force of this Agreement and shall request them to adopt and use the name and terminologies referred to in Article 1(3) of this Agreement for all usages and purposes, including in all their bilateral relations and communications.

7. Upon entry into force of this Agreement, and subject to provisions under Articles 1(9) and (10), the terms Macedonia", "Republic of Macedonia", "FYR of Macedonia", "FYR Macedonia" in a translated or untranslated form, as well as the provisional name "the former Yugoslav Republic of Macedonia" and the acronym "fYROM" shall cease to be used to refer to the Second Party in any official context.

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8. Upon entry into force of this Agreement and taking into account its Article 1(9) and (10), the Parties shall use the name and terminologies of Article 1(3) for all usages and all purposes *erga omnes,* that is, domestically, in all their bilateral relations, and in all regional and international Organizations and institutions.

9. Upon entry into force of this Agreement, the Second Party shall promptly in accordance with sound administrative practice take all necessary measures so as the country's competent Authorities henceforth use internally the name and terminologies of Article 1(3) of this Agreement in all new official documentation, correspondence and relevant materials.

10. As regards the validity of already existing documents and materials issued by the Authorities of the Second Party, the Parties agree that there shall be two transitional periods, one "technical" and one "political":

    a) The "technical" transitional period shall relate to all official documents and materials of the Public Administration of the Second Party for international usage and to those for internal usage that may be used externally. These documents and materials shall be renewed in accordance with the name and terminologies as referred to in Article 1(3) of this Agreement within five years from the entry into force of this Agreement, at the latest.

    b) The "political" transitional period shall relate to all documents and materials exclusively for internal usage in the Second Party. The issuance of the documents and materials falling under this category in accordance with Article 1 (3) shall commence at the opening of each EU negotiation chapter in the relevant field, and shall be finalised within five years thereof.

11. Procedures for the prompt amendment of the Constitution of the Second Party, in order to fully implement the provisions of this Agreement, shall commence upon ratification of this Agreement by its Parliament or following a referendum, if the Second Party decides to hold one.

12. The name and terminologies as referred to In Article 1 of this Agreement shall be incorporated in the Constitution of the Second Party. This change shall take place *en bloc* with one amendment. Pursuant to this amendment, the name and terminologies will change accordingly in all articles of the Constitution. Furthermore, the Second Party shall proceed to the appropriate amendments of its Preamble, Article 3 and Article 49, during the procedure of the revision of the Constitution.

13. In the event of mistakes, errors, omissions in the proper reference of the name and terminologies referred to in Article 1(3) of this Agreement in the context of international, multilateral and regional Organizations, institutions, correspondence, meetings and fora, as well as in all bilateral relations of the Second Party with third States and entities, either of the Parties may request their immediate rectification and the avoidance of similar mistakes in the future.

ARTICLE 2

1. The First Party agrees not to object to the application by or the membership of the Second Party under the name and terminologies of Article 1(3) of this Agreement in international, multilateral and regional Organizations and institutions of which the First Party is a member.

2. The Second Party shall seek admission to International, multilateral and regional Organizations and Institutions under the name and terminologies of Article 1 (3) of this Agreement.

3. Upon entry into force of this Agreement pursuant to its Article 1, the First Party shall ratify any of the Second Party's accession agreement to International Organizations, of which the First Party is a member.

4. In particular with respect to the Second Party's EU and North Atlantic Treaty Organization ("NATO") integration processes, the following shall apply:

    a) The Second Party shall seek admission to NATO and the EU under the name and terminologies of Article 1 of this Agreement. Accession to NATO and the EU will be under that same name and terminologies.

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b) Upon receiving the notice of the ratification of this Agreement by the Parliament of the Second Party, the First Party shall promptly:

(i) notify the President of the Council of the EU that it supports the opening of the EU accession negotiations of the Second Party under the name and terminologies of Article 1 of this Agreement.

(ii) notify the Secretary General of NATO that it supports the extension of an accession invitation by NATO to the Second Party. Such support of the First Party is conditional, first, to an outcome of referendum, if the Second Party decides to hold one, consistent with this Agreement, and, second, to the completion of the constitutional amendments provided for in this Agreement. Upon receipt of notification by the Second Party concerning the completion of all its internal legal procedures for the entry into force of this Agreement, including a possible national referendum with an outcome consistent with this Agreement, and upon conclusion of the amendments in the Constitution of the Second Party, the First Party shall ratify the Second Party's NATO Accession Protocol. This ratification procedure shall be concluded together with the ratification procedure of this Agreement.

ARTICLE 3

1. The Parties hereby confirm their common existing frontier as an enduring and inviolable international border. Neither Party shall assert or support any claims to any part of the territory of the other Party or claims for a change to their common existing frontier. In addition, neither Party shall support any such claims that may be raised by any third party.
2. Each Party commits to respect the sovereignty, the territorial integrity and the political independence of the other Party. Neither Party shall support any actions of any third party directed against the sovereignty, the territorial integrity or the political independence of the other Party.
3. The Parties shall refrain, in accordance with the purposes and principles of the Charter of the United Nations, from the threat or use of force, including the threat or use of force intended to violate their common existing frontier.
4. The Parties commit not to undertake, instigate, support and/or tolerate any actions or activities of a non-friendly character directed against the other Party. Neither Party shall allow its territory to be used against the other Party by any third country, Organization, group or individual carrying out or attempting to carry out subversive, secessionist actions, or actions or activities which threaten in any manner the peace, stability or security of the other Party. Each Party shall communicate without delay to the other Party any information in its possession regarding any such actions or intentions.

ARTICLE 4

1. Each Party hereby commits and solemnly declares that nothing in its Constitution, as it is in force or will be amended in the future, can or should be interpreted as constituting or will ever constitute the basis for any claim to any area that is not included in its existing international borders,
2. Each Party undertakes not to make or to authorize any irredentist statements, and shall not endorse any such statements by those who purport to act on behalf of, or in the interest of, the Party.
3. Each Party hereby commits and solemnly declares that nothing in its Constitution as it is in force or will be amended in the future can or should be interpreted as constituting or will ever constitute the basis for interference with the internal affairs of the other Party in any form and for any reason, including for the protection of the status and rights of any persons that are not its citizens.

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ARTICLE 5

1. In the conduct of their affairs the Parties shall be guided by the spirit and principles of democracy, fundamental freedoms, respect for human rights and dignity, and the rule of law, in accordance with the Charter of the United Nations, the Universal Declaration of Human Rights,[1] the European Convention for the Protection of Human Rights and Fundamental Freedoms,[2] the International Convention on the Elimination of all Forms of Racial Discrimination,[3] the Convention on the Rights of the Child,[4] the Helsinki Final Act, the document of the Copenhagen Meeting of the Conference on the Human Dimension of the Conference on Security and Cooperation in Europe and the Charter of Paris for a New Europe, and other international agreements and instruments to which both Parties are party.
2. No provision of any of the instruments referred to in paragraph 1 above shall be interpreted to give any right to either Party to take any action contrary to the aims and principles of the Charter of the United Nations, or of the Helsinki Final Act, including the principle of the territorial integrity of States.

ARTICLE 6

1. Aiming at strengthening friendly bilateral relations each Party shall promptly take effective measures to prohibit any hostile activities, actions or propaganda by State agencies or agencies directly or indirectly controlled by the State and to prevent activities likely to incite chauvinism, hostility, irredentism, and revisionism against the other Party. Should such activities occur, the Parties shall take all necessary measures.
2. Each Party shall promptly take effective measures to discourage and prevent any acts by private entities likely to incite violence, hatred or hostility against the other Party. If a private entity in the territory of a Party engages in such activities without that Party's knowledge, that Party shall, upon such acts coming to its attention, promptly take all necessary measures as provided by law.
3. Each Party shall prevent and discourage acts, including acts of propaganda, by private entities likely to incite chauvinism, hostility, irredentism and revisionism against the other Party.

ARTICLE 7

1. The Parties acknowledge that their respective understanding of the terms "Macedonia" and "Macedonian" refers to a different historical context and cultural heritage.
2. When reference is made to the First Party, these terms denote not only the area and people of the northern region of the First Party, but also their attributes, as well as the Hellenic civilization, history, culture, and heritage of that region from antiquity to present day.
3. When reference is made to the Second Party, these terms denote its territory, language, people and their attributes, with their own history, culture, and heritage, distinctly different from those referred to under Article 7(2).
4. The Second Party notes that its official language, the Macedonian language, is within the group of South Slavic languages. The Parties note that the official language and other attributes of the Second Party are not related to the ancient Hellenic civilization, history, culture and heritage of the northern region of the First Party.
5. Nothing in this Agreement is intended to denigrate in any way, or to alter or affect, the usage by the citizens of either Party.

ARTICLE 8

1. If either Party believes one or more symbols constituting part of its historic or cultural patrimony is being used by the other Party, it shall bring such alleged use to the attention of the other Party, and the other Party shall take appropriate corrective action to effectively address the issue and ensure respect for the said patrimony.

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2. Within six months following the entry into force of this Agreement, the Second Party shall review the status of monuments, public buildings and infrastructures on its territory, and insofar as they refer in any way to ancient Hellenic history and civilization constituting an integral component of the historic or cultural patrimony of the First Party, shall take appropriate corrective action to effectively address the issue and ensure respect for the said patrimony.

3. The Second Party shall not use again in any way and in all its forms the symbol formerly displayed on its former national flag. Within six months of the entry into force of this Agreement, the Second Party shall proceed to the removal of the symbol displayed on its former national flag from all public sites and public usages on its territory. Archaeological artefacts do not fall within the scope of this provision.

4. Each Party shall abide by the recommendations of the United Nations Conference on the Standardization of Geographical Names in relation to the use of the official geographical names and toponyms in the territory of the other Party thus giving priority to the use of endonyms over exonyms.

5. Within one month of the signing of this Agreement, the Parties shall establish by exchange of diplomatic notes, on a parity basis, a Joint Inter-Disciplinary Committee of Experts on historic, archaeological and educational matters, to consider the objective, scientific interpretation of historical events based on authentic, evidence-based and scientifically sound historical sources and archaeological findings. The Committee's work shall be supervised by the Ministries of Foreign Affairs of the Parties in cooperation with other competent national authorities. It shall consider and, if it deems appropriate, revise any school textbooks and school auxiliary material such as maps, historical atlases, teaching guides, in use in each of the Parties, in accordance with the principles and aims of UNESCO and the Council of Europe. To that effect, the Committee shall set specific timetables so as to ensure in each of the Parties that no school textbooks or school auxiliary material in use the year after the signing of this Agreement contains any irredentist/revisionist references. The Committee shall also study any new editions of school textbooks and school auxiliary material as provided for under this Article. The Committee shall convene regularly, at least twice a year, and shall submit an Annual Report on its activities and recommendations to be approved by the High-Level Cooperation Council as to be established pursuant to Article 12.

6. The Parties acknowledge that the abovementioned mutually accepted solutions which have derived from the negotiations will contribute to the definitive establishment of peaceful and good neighbourly relations in the region, in accordance with the United Nations Security Council resolutions 817 (1993) and 845 (1993).

PART 2

INTENSIFICATION AND ENRICHMENT OF COOPERATION BETWEEN THE TWO PARTIES

ARTICLE 9

1. The Parties agree that their strategic cooperation shall extend to all sectors, such as agriculture, civil protection, defence, economy, energy, environment, industry, infrastructure, investments, political relations, tourism, trade, trans-border cooperation and transport. This strategic cooperation shall apply not only to the sectors included in this Agreement but also to those that in the future may be deemed beneficial to both countries and indispensable. All these sectors should be incorporated into a comprehensive Action Plan during the course of the development of bilateral relations.

2. The existing CBMs shall be incorporated into the abovementioned Action Plan. The latter shall aim at the implementation of the provisions of this Part of this Agreement. The Action Plan shall be enriched and developed continuously.

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DIPLOMATIC RELATIONS

ARTICLE 10

Upon the entry into force of this Agreement:

1. the First Party shall promptly upgrade:

   a) its existing Liaison Office in the capital of the Second Party to an Embassy; and

   b) its existing Office for Consular, Economic and Commercial Affairs in the town of Bitola in the Second Party to a General Consulate; and

2. the Second Party shall promptly upgrade:

   a) its existing Liaison Office in the capital of the First Party to an Embassy; and

   b) its existing Office for Consular, Economic and Commercial Affairs in the town of Thessaloniki in the First Party to a General Consulate.

COOPERATION IN THE CONTEXT OF INTERNATIONAL AND REGIONAL ORGANIZATIONS AND FORA

ARTICLE 11

The Parties shall cooperate closely, bilaterally, and within regional Organizations and initiatives with a view to ensuring that Southeastern Europe becomes a region of peace, growth and prosperity for its peoples. They shall promote and collaborate on shaping cooperation at regional level as well as, *inter alia*, on mutual support of candidacies in the context of international, multilateral and regional Organizations and institutions, such as the United Nations, the OSCE and the Council of Europe.

POLITICAL AND SOCIETAL COOPERATION

ARTICLE 12

1. The Parties agree to reinforce and further develop their bilateral political relations through regular visits, meetings and consultations at high political and diplomatic levels.
2. The Parties shall establish a High-Level Cooperation Council ("HLCC") of their Governments, jointly headed by their Prime Ministers.
3. The HLCC shall convene at least annually and shall be the competent body as regards the proper and effective implementation of this Agreement and the ensuing Action Plan. The HLCC shall take decisions and promote actions and measures for the improvement and upgrading of bilateral cooperation between the Parties and shall address any issues that may arise during the implementation of this Agreement and the ensuing Action Plan, with a view to their resolution.
4. The Parties are convinced that the development and strengthening of people-to-people contacts are essential for building friendship, cooperation and good neighbourliness between the Parties and their peoples. They shall support and encourage contacts and meetings between their citizens at all appropriate levels.
5. The Parties shall support and encourage contacts between their civil societies, as well as their institutions and local authorities, including youth and student cooperation activities and exchanges, with a view to developing better understanding and cooperation between their peoples.

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ECONOMIC COOPERATION

ARTICLE 13

Having regard to the fact that the Second Party is a landlocked State, the Parties shall be guided by the relevant provisions of the United Nations Convention on the Law of the Sea as far as applicable both in practice and when concluding agreements referred to in Article 18 of this Agreement.

ARTICLE 14

1. The Parties shall further develop their economic cooperation in all areas. Particular emphasis shall be placed on the strengthening, enhancement and deepening of their bilateral cooperation on agriculture, energy, environment, industry, infrastructures, investments, tourism, trade, and transport. To achieve this objective, the Parties shall capitalize on and utilize the existing CBMs, constituting a mutually beneficial cooperative platform, which will evolve into an Action Plan.
2. The Parties shall encourage mutual investments and shall take all necessary measures for their effective protection, including measures against excessive bureaucracy and for overcoming institutional, administrative and tax barriers. The Parties shall place particular emphasis on the cooperation between companies, businesses, and industries of each Party.
3. The Parties shall refrain from imposing any impediment to the movement of people or goods between their territories or through the territory of either Party to the territory of the other. The Parties shall cooperate to facilitate such movements in accordance with international law.
4. The Parties shall develop and boost their cooperation, with regard to energy, notably through the construction, maintenance and utilization of interconnecting natural gas and oil pipelines (existing, under construction and projected) and with regard to renewable energy resources, including photovoltaic, wind and hydro-electric. Possible pending matters will be addressed promptly by reaching mutually beneficial settlements taking into serious consideration the European Policy on Energy and the *acquis communautaire.* The First Party shall assist the Second Party with appropriate transfer of know-how and expertise.
5. The Parties shall promote, extend and improve cooperative synergies in the areas of infrastructures and transport as well as on a reciprocal basis, road, rail, maritime and air transport and communication connections, using the best available technologies and practices. They shall also facilitate the transit between them of goods, cargos and merchandises via the infrastructures, including ports and airports, in the territory of each Party. The Parties shall adhere to international rules and regulations with respect to transit, telecommunications, signs and codes. The First Party shall do so insofar as, and in a manner compliant with, its obligations deriving from its membership in the EU and other international instruments. The Second Party shall do so insofar as, and in a manner compliant with, its obligations deriving from its memberships in international, multilateral or regional institutions or Organizations in which it is a member on the entry into force of this Agreement, as well as its membership of the EU, following its proposed accession thereto.
6. The Parties shall seek to improve and modernize existing border crossings as required by the flow of traffic and to construct new border crossings with a view to boosting touristic and commercial flows between them.
7. The Parties shall take measures to ensure the protection of the environment and the preservation of the natural habitat in the trans-border waters and the surrounding space, and shall cooperate in seeking to reduce and eliminate all forms of pollution. The Parties shall strive to develop and harmonize strategies and programmes for regional and international cooperation for the protection of the environment.
8. The Parties shall support the broadening of tourist exchanges, and the development of their cooperation in the fields of alternative tourism, including cultural, religious, educational, medical, and athletic tourism and shall cooperate in improving and promoting business and tourist travel between them.

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9. The Parties shall establish a Joint Ministerial Committee ("JMC") in order to attain the best possible cooperation in the abovementioned sectors of economic partnership, including through the organization of joint business fora. Convening at least once a year, the JMC will steer the course of bilateral economic cooperation, the comprehensive implementation of the relevant sectoral actions, agreements, protocols and contractual frameworks as well as all future relevant agreements. The Parties encourage the closest possible interaction between their Chambers of Commerce.

COOPERATION ON THE FIELDS OF EDUCATION, SCIENCE, CULTURE, RESEARCH, TECHNOLOGY, HEALTH AND SPORTS

ARTICLE 15

In the age of the new industrial revolution and second age of machines, the deepening of cooperation amongst States and societies is necessary now more than ever, in particular with respect to social activities, technologies and culture, both in a narrow and a broad sense. In furtherance thereof:

1. The Parties shall develop and improve their scientific, technological and technical cooperation as well as their collaboration in the area of education. They shall intensify their exchanges of information and of scientific and technical documentation and shall strive to improve mutual access to scientific and research institutions, archives, libraries and similar institutions. The Parties shall support initiatives by scientific and educational institutions as well as by individuals aimed at improving cooperation and exchanges in the areas of sciences, technology and education.
2. The Parties shall encourage and support events as well as scientific and educational programmes in which members of their scientific and academic communities shall participate. They shall also encourage and support the convening of bilateral and international conferences in these areas.
3. The Parties attach great significance to the development of research into, and the implementation and utilization of new technologies, including digital technology and nanotechnology, in a manner that is environmentally friendly and upgrades the skills, capacities and overall well-being of their citizens. To that end they shall develop the cooperation amongst their research centres, researchers and academic institutional systems.
4. The Parties shall place special emphasis on the development of cultural relations between the two States, their societies and their social groups, having particular regard to arts, dance, cinematography, music and theatre. In this regard, particular importance shall be given to sports. Bilateral collaboration on the domain of health, including health care, shall be promoted.

POLICE AND CIVIL PROTECTION COOPERATION

ARTICLE 16

1. The Parties shall cooperate closely in the fight against organized and trans-border crime, terrorism, economic crimes, having regard in particular to crime related to the illicit trafficking and/or exploitation of human beings; to crimes related to the production, trafficking and/or trade of narcotic drugs and psychotropic substances; to the illicit manufacturing of and trafficking in firearms, their parts and components and ammunition; to the illicit import, export and transfer of ownership of cultural property; to offences against civil air transport; and to crime related to counterfeiting and/or smuggling of cigarettes, alcohol or fuels.
2. The Parties shall cooperate closely in the civil protection sector, placing particular emphasis on preventing and dealing with natural and manmade disasters and on disaster relief. Each Party may utilize the special education and expertise of the other Party, and whenever needed and possible each Party shall provide to the other its special infrastructure, particularly in fire-fighting. The Parties may examine the establishment of a relevant mechanism to assist in the implementation of this Article.

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DEFENCE COOPERATION

ARTICLE 17

The Parties shall reinforce and expand their cooperation in the area of defence, including through frequent visits and contacts between the political and military leadership of their armed forces, the appropriate transfer of know-how and capacity-building, the cooperation in the areas of production, information and joint military exercises. Special emphasis shall be placed on personnel training which the Parties could provide to each other.

TREATY RELATIONS

ARTICLE 18

1. Upon entry into force of this Agreement, the Parties shall in their relations be directed by the provisions of the following bilateral agreements that had been concluded between the former Socialist Federal Republic of Yugoslavia and the First Party on 18 June 1959:

    a) The convention concerning mutual legal relations,

    b) The agreement concerning the reciprocal recognition and the enforcement of judicial decisions, and

    c) The agreement concerning hydro-economic questions.

2. The Parties agree that, upon entry into force of the present Agreement, all international documents binding on the Parties bilaterally shall remain in force, unless specifically terminated by this Agreement.

3. The Parties shall consult with each other in order to identify other agreements concluded between the former Socialist Federal Republic of Yugoslavia and the First Party that will be deemed suitable for application in their mutual relations.

4. The Parties commit to explore all possibilities to conclude additional bilateral agreements needed with regard to areas of mutual interest.

PART 3

SETTLEMENT OF DISPUTES

ARTICLE 19

1. The Parties shall settle any disputes exclusively by peaceful means in accordance with the Charter of the United Nations.

2. In the event that a Party considers that the other Party is not acting in accordance with the provisions of this Agreement, this Party shall first notify the other Party of its concerns and shall seek a solution by negotiation. If the Parties are unable to resolve the matter bilaterally, the Parties may agree to request the Secretary-General of the United Nations to use his good offices to resolve the matter.

3. Any dispute that arises between the Parties concerning the interpretation or implementation of this Agreement and not resolved according to the procedures referred to under Article 19(2), may be submitted to the International Court of Justice. The Parties should first seek to agree upon a joint submission to said Court regarding any such dispute. However, if agreement is not reached within six months, or such longer period as the Parties shall mutually agree, then any such dispute may be submitted by either Party individually.

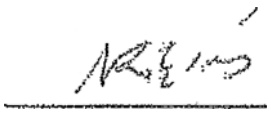
FINAL CLAUSES

ARTICLE 20

1. This Agreement shall be signed by the Ministers of Foreign Affairs of the two Parties.
2. This Agreement is subject to ratification, according to the sequencing procedure set out in Article 1(4).
3. Upon completion of the necessary internal legal procedures for the entry into force of this Agreement as set out in Article 1, the Parties shall, within two weeks and in writing, notify each other. This Agreement shall enter into force on the date of receipt of the last notification by the Party concerned.
4. Article 8(5) shall apply provisionally, pending the entry into force of this Agreement. If this Agreement does not enter into force, this Agreement, in its entirety and each of its provisions individually, shall have no further effect or application, provisional or otherwise, and shall not bind either of the Parties in any way.
5. The difference and the remaining issues referred to in Security Council resolutions 817 (1993) and 845 (1993) shall be considered as having been resolved upon entry into force of this Agreement.
6. As soon as possible upon entry into force of this Agreement, the Parties or one of the Parties shall inform the Secretary-General of the United Nations of the entry into force of this Agreement, including the date of its entry into force, for its implementation at the United Nations.
7. This Agreement is not directed against any other State, entity or person. It does not infringe on the rights and duties resulting from bilateral and multilateral agreements already in force that the Parties have concluded with other States or international Organizations.
8. The First Party shall apply this Agreement in accordance with its obligations deriving from its membership in the European Union and its membership in other international multilateral or regional institutions or Organizations, as well as other international instruments. Similarly, the Second Party shall apply this Agreement in accordance with its obligations deriving from its membership in international, multilateral or regional institutions or Organizations, including the EU, following its proposed accession thereto.
9. The provisions of this Agreement shall remain in force for an indefinite period of time and are irrevocable. No modification to this Agreement contained in Article 1(3) and Article 1(4) is permitted.
10. This Agreement shall be registered with the Secretariat of the United Nations pursuant to Article 102 of the Charter of the United Nations as soon as it has entered into force.

IN WITNESS WHEREOF the Parties have, through their authorized representatives, signed three copies of this Final Agreement in the English language.

Representative of the First Party



Nikos Kotzias

Minister for Foreign Affairs

Representative of the Second Party

Nikola Dimitrov

Minister for Foreign Affairs

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WITNESSED, in accordance with the Security Council resolutions 817 (1993) and 845 (1993), by:

Matthew Nimetz

Personal Envoy of the Secretary General of the United Nations

DONE at Prespes, on the 17th of June 2018

ENDNOTES

1 United Nations, *Official Records of the General Assembly, Third Session,* Part I, p.71.

2 United Nations, *Treaty Series,* vol. 213, p. 221.

3 *Ibid.,* vol. 660, p. 195.

4 *Ibid.,* vol. 1577, No. 1-27531.

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