



Weekly Briefing

**North Macedonia external relations briefing:
The Hidden Toll of the Prespa Agreement
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The Hidden Toll of the Prespa Agreement

Summary

When the Prespa Agreement was signed, much of the criticism focused on its significant implications for national identity and history, in the context of the various implications of the change of the country's name from the Republic of Macedonia to the Republic of North Macedonia. However, less attention was given to the administrative and financial burdens it would entail. Under the agreement, by February 12, 2024, all new identity cards, driver's licenses, and passports were required to bear the name "Republic of North Macedonia." The government and administration were ill-prepared for this deadline. It became apparent that even after the agreement was signed, personal documents continued to be issued with the country's unchanged name. Consequently, citizens were not properly informed or assisted in obtaining new documents by the deadline, nor were their costs covered. Thus, although citizens had not endorsed the Prespa Agreement, they bore the financial burden of its implementation. What is more, many Macedonian citizens found themselves stranded abroad with invalid passports, forced to navigate complex and time-consuming consular procedures and incur significant expenses to obtain updated documents.

The Prespa Agreement, between the Hellenic Republic and the Republic of Macedonia, was signed on 17 June 2018, however it went into force on 12 February 2019, when the two countries notified the UN of the deal's completion, following the ratification of the NATO accession protocol for Macedonia on 8 February 2019.¹ It outlines the scope, conditions and the timeline for the name change of the Republic of Macedonia into the Republic of North Macedonia. The name change represents a condition imposed by Greece on Macedonia in exchange for the removal of its NATO veto. As such it is notably one-sided, demanding conditions and concessions solely from the Macedonian side. Moreover, it represents an

¹ "Macedonia and Greece: Vote settles 27-year name row". BBC News Online, available at <https://www.bbc.com/news/world-europe-47002865> published on 25 January 2019, Accessed on 25 January 2024.

example of a bilateral agreement, with significant international implications that have asymmetrically affected the Republic of Macedonia.²

According to article 8 of the Agreement, the use of the name North Macedonia is “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.”³ This has meant that the 140 or more countries that had previously recognised the name (Republic of) Macedonia also had to adopt the new name - (Republic of) North Macedonia.⁴ In addition to changing the country’s name, the Agreement represents a legal intervention in spheres pertaining to both ethnicity, nationality and history, at the detriment of the weaker side - the Macedonian state.

When the Prespa Agreement was signed, much of the criticism focused on its significant implications for national identity and history. However, less attention was paid to the administrative and financial burdens that the Agreement would entail. This hidden toll of the agreement started to be felt in the early months of 2024, when one of its clauses was approaching its due dates. Namely, clause 10 of the Agreement outlines the transitional periods concerning the validity of existing documents and materials issued by the Macedonian Authorities. These transitional periods are divided into two phases: a "technical" period and a "political" period. During the "technical" transitional period, all official documents and materials issued by Macedonia’s Public Administration for international usage and those for internal usage that may be used externally, must be renewed within five years from the entry into force of the Prespa Agreement.⁵ The five year period, since the Agreement’s entry into

² Gjorgjioska, M. A. (2020). Ethnicity and Nationality in and around the ‘Prespa Agreement’ on the Macedonia Name Issue. *European Yearbook of Minority Issues Online*, 17(1), 190-211.
https://doi.org/10.1163/22116117_01701009

³ Prespa Agreement, published on 25 January 2019, Available at <https://vlada.mk/sites/default/files/dokumenti/spogodba-en.pdf>, Accessed on 25 January 2024

⁴ Gjorgjioska, M. A. (2020). Ethnicity and Nationality in and around the ‘Prespa Agreement’ on the Macedonia Name Issue. *European Yearbook of Minority Issues Online*, 17(1), 190-211.
https://doi.org/10.1163/22116117_01701009

⁵ Did the state issue personal documents with an unconstitutional name and who should pay for them? [Издавала ли државата лични документи со неуставно име и кој треба да ги плати?], published on

force was completed on February 12th 2024. That meant that all passports, ID cards and driving licenses that contain the old name Republic of Macedonia, became invalid on February 12th 2024.

Systemic Failures: The People Bear the Brunt

The government and administration were ill-prepared for the deadline. The developments in the run up to February 12th demonstrated the inadequacy and lack of preparedness within the public administration. By the end of 2023, it became evident that the entire process had become a fiasco. Numerous steps in the process highlighted corruption, lack of coordination, and unpreparedness within the public administration.

From the period after January 11, 2019, until August 2021, the state had continued to issue passports with "Republic of Macedonia" instead of the new name "Republic of North Macedonia". Due to an error or oversight by state institutions, which persisted in issuing personal documents with the old name even after the name change, many citizens were now obligated to obtain new documents, incurring additional costs. One citizen even submitted a petition to the Public Prosecutor's Office about this, saying that he will request from the Ministry of Interior to issue him a new ID card with the new name of the country at their expense. "I believe that the Ministry of Interior had sufficient time to prepare for printing the new documents and to inform me in a timely manner. For this case, I also submitted a petition to the Public Prosecutor's Office, and I will request the Ministry of Interior to print and issue me a new ID card, or at their expense to correct the mistake they made," he said.⁶ The Association of Young Lawyers, when asked whether the state unlawfully issued personal documents with the unconstitutional name of the country for a whole two years, referred to a document from the Assembly drafted on January 11, 2019. In the constitutional law for implementing the amendments to Article Three, it states that the state has a period of five years to complete these changes. "The existing official documents and materials of the public administration for international use and the documents for internal use that can be used outside

22.08.2023, available at <https://www.slobodnaevropa.mk/a/izdavala-ili-drzhavata-lichni-dokumenti-so-neustavno-ime-i-koj-treba-da-gi-plati-/32558746.html>, accessed on 05.02.2024

⁶ ibid

the country shall be harmonized with Amendment XXXIII no later than within five years from its entry into force," the document states. In spite of this, no institution or court in the country has taken action in response to the Ministry of Internal Affairs or the Government issuing personal documents to citizens bearing the old name "Republic of Macedonia," a practice that persisted for two years after the constitutional amendments changing the name to "Republic of North Macedonia" were passed.

In spite of this institutional oversight, it is the citizens who have had to bear the costs for the mandatory change of documents. Adding insult to injury, the government increased the prices for issuing new documents in March 2023. Calculations based on the newly increased prices show that a four-member family needs to pay around 10,000 denars (or 180 euros) for new passports, ID cards, driver's licenses, and license plates. One year before the February 2023 deadline, there were approximately one million and 736 thousand valid Macedonian passports, but over 60 percent of them bore the old name "Republic of Macedonia" and needed to be changed.⁷ This meant that, in addition to daily increases in living expenditures, the majority of impoverished Macedonian citizens were now required to bear the costs of an agreement they had never endorsed.⁸

Not only did citizens face financial burdens, but they also encountered significant time constraints when renewing their documents, often encountering numerous bureaucratic obstacles and delays along the way. State institutions failed to conduct an adequate public information campaign to inform citizens about the necessity of updating their personal documents well before the deadline. As a consequence, it wasn't until the summer of 2023 that citizens started taking action to renew their documents, leading to a significant backlog of applications. Additional delays were caused by the fact that the telephone service for scheduling appointments to change documents has been malfunctioning since the summer of 2023. The company "Symbolico," responsible for scheduling appointments for issuing new personal documents under the name "North Macedonia," since November 2023 has been under investigation by the Public Prosecutor's Office for organized crime related to a public

⁷ Ibid

⁸ Specifically, a referendum on changing Macedonia's name as part of a deal on September 30, 2018, failed to secure the 50 percent turnout required to validate the Prespa Agreement. Consequently, the agreement was passed without popular legitimacy.

procurement involving fingerprint devices.⁹ Unable to secure appointments, many citizens were compelled to endure long waits in queues for hours on end to submit their applications at the sole location in Skopje where applications could be made without prior booking. Similarly, multi-hour waits were commonplace for document collection.

A Governance Debacle: Consular and Public Administration Failures

Several weeks before February 12th, there were still no instructions by the public administration, regarding the impact of the deadline. It was largely unclear whether property deeds can be issued, marriages can be solemnized, newborns can be registered, and other obligations from the daily lives of citizens, if the personal documents still bear the name Republic of Macedonia. The Government did little to alleviate the situation. In fact, they exacerbated the confusion by providing conflicting interpretations regarding the possibility of deadline extensions.

On January 10th, the then Prime Minister, Dimitar Kovachevski, announced that the Government will consider the option to extend the deadline for document replacement until September or October. "I believe that the President should also communicate with the President of Greece, as that is the level at which communication can take place, and we will discuss this at a government session regarding the possibility of making this happen, which will certainly be necessary. President Pendarovski knows best because he was involved in the preparation of the Prespa Agreement, and during NATO accession, he was the NATO coordinator, so he probably has more details on how this could be resolved at the international level with Greece," Kovachevski stated.¹⁰ President Pendarovski proposed informing Greece and asking for an extension: "I proposed this to at least two ministers in the Macedonian government - with a swift intervention in two laws - the Law on Identity Cards and the Law on Travel Documents,

⁹ The operator of the Ministry of Interior's call center is part of a pre-investigation conducted by the Prosecutor's Office, [Операторот на кол центарот на МВР дел од предистрага на Обвинителство] published on 13.11.2023, available at

<https://www.slobodnaevropa.mk/a/operatorot-na-kol-centarot-na-mvr-del-od-predistraga-na-obvinitelstvo/32675656.html>, accessed on 05.02.2024

¹⁰ Is it possible to extend the deadline for changing personal documents? [Можно ли е продолжување на рокот за промена на личните документи?], published on 10.01.2024, available at <https://www.slobodnaevropa.mk/a/mozhno-li-e-prodolzhuvanje-na-rokot-za-promena-na-lichnite-dokumenti-/32768607.html>, accessed on 01.03.2024

and if necessary, the Law on Road Traffic Safety - this can be done in one afternoon, we know it can be done in one afternoon, it doesn't have to be with a European stamp. We will amend those two laws, extend the deadline, instead of February, it will be September-October, and beforehand, we will inform the Greeks that we have no intention of shirking the obligations of the Prespa Agreement," said Pendarovski.¹¹

The Ministry of Foreign Affairs, Bujar Osmani, did not agree that this would be possible. "Instead of false hope and initiatives for constitutional changes and amendments to laws that would allow passports with the old name to remain valid after the deadline expires on February 12, the focus now should be on ensuring that as many people as possible obtain new personal documents" , he said.¹² Minister Osmani further stated that extending the deadline is not a decision of one government, as it involves an international agreement, so the focus should be on its implementation rather than promises and initiatives that it can be changed. Therefore, he said, we should not send a message to citizens to be carefree and that the state will take care of everything, and then say - No, we failed! But the burden should be borne by the state, and if necessary, somehow compensate the citizens, he added.¹³

This was confirmed by the Greek Minister of Foreign Affairs, Giorgos Gerapetritis, who confirmed that the deadline had to be honored: "I have been stressing that the Prespa Agreement is an international accord, The Greek Parliament voted for it. In line with the Constitution, this accord takes precedence over any other legal provision, meaning that it cannot be unilaterally changed by either party." Gerapetritis said, adding that the signatories had a constitutional duty to enforce the treaty and unilateral change was impossible. "What we must do and what Greece

¹¹ Ibid

¹² Osmani shattered hopes of extending the passport deadline, [Османи ги урна надежите на продолжување на рокот за пасошите], published on 17.01.2024, available at

<https://www.slobodnaevropa.mk/a/osmani-gi-urna-nadezhite-na-prodolzhuvanje-na-rokot-za-pasoshite/32778282.html>, accessed on 18.01.2024

¹³ Ibid

is doing is to follow its consistent and strict compliance," Gerapetritis told Members of the Greek Parliament.¹⁴

Parliament fails to extend the deadline

In the Macedonian Assembly, the proposed amendments to the Passport Law, which were suggested by VMRO-DPMNE MPs and aimed at extending the validity of the old passports with the name "Republic of Macedonia" until the end of 2024, were not passed. Fifty-four MPs voted against the amendments, while forty-six were in favor. VMRO-DPMNE MP Antonio Miloshoski wrote on his Facebook profile that MPs from SDSM, DUI, and NSDP voted against the law to extend the validity of passports, thus, as he stated, leaving over 600,000 citizens in a state of limbo. However, he thanked some of the ruling party MPs who still voted "for," showing that they care about the citizens' needs.¹⁵

The political party Levica was also highly critical of the overall process, stating that after decades of institutional partisanship and hostile rule by the political parties SDS-DPMNE-DUI, Macedonia has been brought to a state where it cannot fulfill its basic state functions, such as providing personal documents to its residents. Moreover, they accused the SDS-DUI coalition for voting against extending the validity of passports without the "North" qualifier in the Parliament. "This audacious and shameless act obstructed citizens who possess passports with the name "Republic of Macedonia" from exercising their right to travel abroad." Moreover, they also noted one other possible consequence this might have on the electoral process: "This failure deprives 100,000 eligible voters without ID cards but with passports lacking the illegitimate "North" addition in the name of their right to vote."¹⁶ They thus concluded that the incomprehensible action against the interests of fellow citizens reflects not only the vassal

¹⁴ Gerapetritis: Prespa Agreement cannot be unilaterally changed, published on 31.01.2024, available at <https://mia.mk/en/story/gerapetritis-prespa-agreement-cannot-be-unilaterally-changed>, accessed on 01.02.2024

¹⁵ There is no extension of the validity period for old passports [ФАКТОР НА ДЕНОТ: Нема продолжување на рокот на старите пасоши], published on 28.02.2024, available at <https://faktor.mk/faktor-na-denot-nema-prodolzuvanje-na-rokot-na-starite-pasoshi>, accessed on 29.02.2024

¹⁶ Levica: The outgoing SDS-DUI government left 100,000 citizens without the right to vote [Левица: Владата на СДС-ДУИ во заминување остави 100.000 граѓани без право на глас], published on 05.03.2024 available at <https://antropol.mk/2024/03/05/levica-vladata-na-sds/>, accessed on 05.03.2024

foreign policy of this non-popular government but also a desperate attempt to reduce voter turnout.

Abandoned by their parliamentary representatives, thousands of Macedonians were left to navigate the situation alone. The deadline especially affected the tens of thousands of Macedonians living abroad. Only Kosovo and Albania allowed Macedonian citizens to enter with old documents after the deadline. There was no response from the authorities regarding what will happen to employees working on ships, in countries where there are no diplomatic representations, or for people who simply are not able to go to an embassy or consulate, or simply are not able to schedule appointments. Due to the newly emerged situation with passports, they found themselves stuck in the middle of the oceans and couldn't return home. They needed travel documents issued by Macedonian diplomatic missions, but due to the distance, for many of them it was difficult to reach them. This was also the case with Mario Manevski, a worker on a cruiser ship. "I am currently on a ship in the Caribbean. The ship passes through the countries of Central America and the USA, and I am one of the many facing the consequences of the new legal regulation, which renders passports with the old name of the country invalid. The challenge comes from the practical implications of this regulation, especially for citizens like me, who are geographically distant from the embassies," said Manevski, who works on a cruise.¹⁷ Whether the state is denying its citizens the right to freedom of movement, as stipulated in Article 27 of the Constitution, remained unanswered.

Conclusion

The ramifications stemming from the implementation of new documents mandated by the Prespa Agreement have laid bare not only the international implications of the accord but also the glaring incompetencies, lack of coordination, and corruption within the public administration. Moreover, it has underscored the substantial toll exacted upon the ordinary people, both in financial terms, in time, as well as energy spent on this process. Despite the undemocratic manner in which the political elite brought the Prespa Agreement, they have yet to face any consequences, while citizens, many of whom fled the country due to governance

¹⁷ Invalid Passport - Still a Problem for Macedonians Working on Ships, [Неважечки пасош – сè уште проблем за Македонците кои работат на бродови] published on 15.02.2024, available at

<https://www.vesti.mk/article/65ce41818617e01cc1207ca6> accessed on 02.03.2024

issues, now find themselves grappling with the repercussions even abroad. The aftermath of the Prespa Agreement has exposed governance failures, with both domestic and international implications. From the mishandling of the transition period to the dearth of clarity and support extended to citizens, the entire process has been riddled with systemic shortcomings. The burden of these failures rests squarely on the shoulders of the people, who must endure the financial strain, bureaucratic obstacles, and emotional turmoil stemming from the agreement's implementation. Moreover, the political maneuvers and lack of foresight exhibited by the ruling elite have only served to exacerbate the situation, further eroding public trust in the government. The hidden toll of the Prespa Agreement has thus served as a stark testament to the importance of accountable leadership and has underscored the pressing need for a government that places the interests of its citizens at the forefront of its agenda. With just a couple of months remaining until the elections, it will undoubtedly stand as one of the pivotal factors influencing the citizens' assessment of the current Government's performance.