

M A C E D O N I A

SECTION A

Capital

Skopje 563,102 (1994 est.)

Area

25,333 sq km (9,928 sq mi)

Form of government

Emerging democracy, multi party system

GDP—per capita

Purchasing power parity—\$3,800 (1999 est.)

Population

2,022,604 (July 1999 est.)

Note: the Macedonian Government census of July 1994 put the population at 1.94 million, but ethnic groups were probably under-counted

Ethnic composition

Macedonian	66%
Albanian	23%
Turkish	4%
Serb	2%
Roma	3%
Other (e.g. Vlachs)	2%

Official language

Macedonian language using the Cyrillic alphabet

In units of local self-government where there are a “considerable number of inhabitants of differing nationality”, those languages and alphabets are also in official use, in addition to the Macedonian language and Cyrillic alphabet, under conditions and in a manner determined by law. (Article 7 of the Constitution)

Minority languages

Albanian, Turkish, Serbian, Roma, Vlach, Rumanian

Legislation dealing with the use of languages

The Constitution, adopted on November 17, 1991

All citizens are equal under the law. The Constitution provides for the protection of the ethnic, cultural, linguistic, and religious identity of minorities. This includes state support for education in minority languages through secondary school and through the official use of minority languages in areas where ethnic minorities make up a majority of the population. Other articles of the Constitution related to the rights and freedoms of national minorities and general rights and freedoms of citizens in the Republic of Macedonia include numbers 2, 7, 8, 9, 16, 19, 20, 44, 45, 48, 50, 54, 78 and 110 (sub§ 3).

The Constitutional provisions regarding the use of other languages in the Republic of Macedonia are further elaborated in *the Law on Local-Self Government* (Official Gazette of the Republic of Macedonia No. 52/95). According to Article 88 of this law, units of local self-government in which citizens belonging to national minorities make up 50% of the total number of inhabitants, determined at the last Census, are to be considered units of local self-government in which the national minorities are in majority. Units of local self-government in which minorities make up 20% are to be considered units of local self-government in which minorities live in significant number.

According to Article 89 of the above Law, during Council sessions and other bodies of the unit of local self-government (both 50% and 20%), the language and alphabet of the ethnic minority group shall be in official use in addition to the Macedonian. Also statutes, decisions and other acts adopted shall be written down and published in the minority languages as well as in Macedonian.

Article 90 of this Law states that the inscriptions of towns, the inscriptions of public services and institutions, names of administrative offices, etc., shall be written in the minority language alongside Macedonian (where national minorities are in the majority). In local self-governing units where persons belonging to a national minority make up

a considerable part of the local population, names of settlements, nameplates of public offices and institutions, firms of companies and other public enterprises are written both in Macedonian and its Cyrillic alphabet. The language and alphabet of relevant national minority should be used based on the decision of the Council of the local self-government unit.

Inscriptions of Institutions of Culture and Art whose sole purpose is the development and the promotion of the cultural and educational aims of a minority shall be written down in the language of the minority along with the Macedonian. This is regardless of the number of citizens belonging to the minority in the unit of local self-government.

Part VII of the Census Law on Population, Households, Dwellings and Agricultural Holdings in the Republic of Macedonia of 1994 (Official Gazette of the Republic of Macedonia No. 25/94) allows the use of minority languages freely and census forms are printed bilingually.

The Law on Identity Cards (Official Gazette of the Republic of Macedonia No. 8/95) and *the Law on Registration of Birth, Deaths and Marriages* (Official Gazette of the Republic of Macedonia No. 44/95) allow names of persons from minorities to be entered in the language and alphabet of their respective minority group.

The Law on Primary and Secondary Education (Official Gazette of the Republic of Macedonia No. 44/95) and *the Act on Languages of Instruction* guarantee provisions for complete pre-school, primary and secondary education as well as higher education in the spheres of pedagogy, linguistics and arts in the languages of minorities.

The Criminal Procedure Act (Official Gazette of the Republic of Macedonia No. 15/97) allows the use of minority languages during criminal proceedings or the free provision by the Court of an interpreter. Summons, decisions, and other courts documents for members of minorities shall be issued in Macedonian and in the language of the minority.

The Macedonian Parliament approved on July 25, 2000 a new *Law on Higher Education* that is should prove crucial in ensuring positive coexistence between the various ethnic groups in the country. More specifically, the law now provides the possibility to establish private universities in the language of the minorities in the former Yugoslav Republic of Macedonia. The measure, however, does not take into account the establishment of public universities, though it is going to be important for Albanian-speakers, who happen to be the largest linguistic minority of the Republic. The Law was based on a recommendation from

the Organization for Security and Cooperation in Europe (OSCE) and they indeed welcomed the approval of the project.

Background notes

Macedonia is a former constituent republic of the Socialistic Federal Republic of Yugoslavia. Ethnic tensions do exist in the FYRoM, but in contrast to the situation in many other regions of the SFRY, they were contained during the first half of the 1990s and did not explode into war and ethnic cleansing. The main tensions are between the ethnic Albanians and the ethnic Macedonian Slav majority, and such issues pre-date the break up of the SFRY. They are based on the one hand on ethnic Albanian calls for greater autonomy, and on the other hand the Macedonian Slav fears of Albanian nationalism. A particularly troubling issue is the possible secession of the western area to form an ethnic Albanian republic with Kosovo. Tensions began to escalate in the mid-1990s, erupting into more frequent outbreaks of violence.

Independence was achieved on September 17, 1991 from Yugoslavia.

Current international disputes: A dispute with Greece over the name of the Republic.

In September 1995, Skopje and Athens signed an interim accord resolving their dispute over symbols and certain constitutional provisions. Athens also lifted its economic embargo on The Former Yugoslav Republic of Macedonia. The border commission formed by The Former Yugoslav Republic of Macedonia and Serbia and Montenegro in April 1996 to resolve differences in delineation of their mutual border has made no progress so far. Albanians in Macedonia claim discrimination in education, access to public-sector jobs and representation in government. The Party for Democratic Action (DPA), which is now a member party of the government, is calling for a rewrite of the Constitution to declare ethnic Albanians a national group and allow for regional autonomy.

SECTION B

Where does one observe language to be a problem in the country?

Albanian political parties in the Former Yugoslav Republic of Macedonia (FYRoM) are actively pursuing even greater political and national rights for the Albanian minority of Macedonia. Such as the official use of the Albanian language in local administration, proportional representation in the government and the right to higher education in their mother tongue.

The Government has not supported three demands by some ethnic Albanian leaders that would require parliamentary approval. These demands include the use of the Albanian language in dealings with the central government and Parliament; relaxing citizenship laws that now require 15 years of legal residence, and official use of the Albanian flag.

A recent controversy in Macedonia concerned the establishment of an Albanian language university in the northwestern town of Tetova. The Macedonian Ministry of Education refused to accredit this institution and the Macedonian government has declared it to be illegal and unconstitutional. Albanian political parties and intellectuals argue that the Albanian population is entitled to university education in its own language (1995).

Ethnic Turks, who make up some 4% of the population, complain of governmental, societal, and cultural discrimination. Ethnic Serbs, who comprise some 2% of the population, also complain of discrimination, alleged censorship of the Serbian press, and their inability to worship freely in the Serbian Orthodox Church.

To what extent are minority groups in this country disadvantaged by their language?

ALBANIANS

The Albanians demand the government endorse the widest possible use of the Albanian language. They want Albanian to be the country's second official language, next to Macedonian. They complain that they cannot carry out administrative procedures in their mother tongue. All letters addressed to an administration, even local, have to be written in Macedonian, or else they are likely to be rejected.

Albanian names have to be transcribed into the Cyrillic alphabet, which is not always possible. At post offices, train stations and police headquarters, all forms and signposts are in Macedonian. Sometimes they are also in English and in French, but never in Albanian, not even in the towns where the majority of the population is Albanian.

In towns where Albanians account for more than 50% of the population road signs can be in both languages according to Article 90 of the Law on Municipalities. However, since very few activities are entrusted to the municipalities (mostly water and power supply, garbage collection, and road maintenance) these provisions have little effect in reality.

Macedonians do not learn and do not speak Albanian. This makes it harder to administer the law. For example, at a meeting of a municipal council where there may be one Macedonian and ten Albanians present,

the deliberations must be in Macedonian, since Macedonian is the only official national language. This is obviously more advantageous to the native Macedonian speakers.

Language claims are also made in the area of education, especially higher education. Currently, Albanian primary school students are taught in Albanian. As of the third year of school, all Albanian students are expected to learn Macedonian. In higher education, only the Faculty of Pedagogy in Skopje offers courses in Albanian (future Albanian language teacher's study there). Albanian students who sign up at other faculties must take all courses in all subjects in Macedonian. They have a more difficult time at university, and therefore fare less well than Macedonian students.

The division between the two communities also permeates social life. Albanians mingle only with Albanians, Macedonians only with Macedonians. Shops, cafés and restaurants generally have either Albanian or Macedonian clients. The Albanians say that at times they go to Macedonian bars or restaurants, but that Macedonians never go to Albanian ones. In actual fact, such cases are rare but they do occur, both on the Albanian and on the Macedonian side. The difference is that the Albanians who go to a Macedonian bar or shop speak Macedonian, whereas the Macedonians who go to an Albanian one do not speak Albanian.

Lastly, marriages between Albanians and Macedonians are extremely rare. The Albanians refuse to give their daughters to Macedonian men, for the "fear" or "risk" of assimilation. The absence of inter-cultural marriage is revealing of the mutual mistrust between the two groups.

What does it cost in terms of money, time and government resources to police the country's language restrictions?

Ethnic tensions and prejudices are present in Macedonian society. The Government is committed to a policy of peaceful integration of all ethnic groups but faces political resistance and continuing popular prejudice.

The use of language in everyday life e.g. education, broadcasting and other

Pre-school and primary education is available in the Macedonian, Albanian, Turkish, and Serbian languages. In 1995, extracurricular instruction was started in the Vlach language. In 1996, optional education in the Romany language started at four elementary schools, although there has been no call for a full curriculum. There are optional courses organized in Romany to train teaching staff in this language.

Secondary education in Macedonia is not compulsory. Instruction at this level is carried out in Macedonian, Albanian and Turkish. The number of ethnic minority students who receive secondary education in their mother tongues is increasing. Still, most students from ethnic minorities do not go on to high school.

At the university level, ethnic minorities are under-represented, but there has been much progress in increasing the number of ethnic minority applicants and students since 1991. Albanian and Turkish-language university education exists, but there remains a lack of qualified teaching staff. Additionally, it is possible to study Serbian as a subject. At the higher levels of education there is a significant lack of minority females. The Albanian population exemplifies the relatively small interest in continuing education in the minority groups.

TV and radio broadcasting exists in all minority languages. Newspapers and magazines are also published. There is a Theatre of National Minorities in Skopje where Albanian and Turkish drama is still active. Cultural Associations funded by minorities are partly State financed.

Members of national minorities participate in State administration (the Armed Forces, the Ministry of Interior, the Ministry of Education) and in the judiciary as well. Although provisions towards complete and effective equality between minorities and the majority is not always satisfactory from the minority point of view.

Representatives of minorities are elected to the Assembly of the Republic of Macedonia. A total of 15 political parties represent the interests of the national minorities (1997).

Did the country ratify any international treaty dealing with the protection of minorities?

European Charter for Regional or Minority Languages signed on July 25, 1996.

Framework Convention for the Protection of National Minorities signed on July 25 of 1996, ratified on April 10, 1997 and enacted on February 1, 1998.

SECTION C

Legislation dealing with the use of languages

Updated (April 2002)

According to recent information provided by the Macedonian Minister of Justice the revision of the Census Law will contain regulations on the use of languages, in this case of Macedonian, Romanian and Albanian. Such amendments relate to those introduced in the Constitution, according to which all ethnic communities must be proportionally represented at all levels of the census administration.

Updated (September 2002)

At the beginning of June the Macedonian parliament adopted several laws in order to grant the Albanian language an official status in the country. These new amendments covered the use of Albanian in legislative sessions as well as during elections, when voting instructions will be written in Macedonian and in the languages mentioned in the Preamble of the Constitution, that is in the Albanian, Turk, Vlach and Roma language.

However, the Law on Passports has been withdrawn from parliamentary procedures.

Source: Mercator, News, August 2002,
<http://www.troc.es/ciemen/mercator/index-gb.htm>

Updated (April 2003)

THE ALBANIAN LANGUAGE ON A PASSPORT COVER

On March 21, 2003, the Macedonian Parliament adopted amendments to the Law on Passports in order to regulate the use of Albanian as the official language in the country.

These amendments establish that ethnic Albanians (about 23 percent of the population) may apply for the inclusion of the Albanian language in the passport covers, in addition to Macedonian and English. The data in these passports will be written in Latin script. However, the use of Albanian in parliamentary work has not been introduced yet, notwithstanding a specific provision in the 2001 Framework Agreement, which states that by the end of the Assembly's term the Rules of

Procedure will enable the use of the Albanian language (Article 7 of Annex B).

Some smaller ethnic groups in Macedonia consider these amendments to be discriminatory and they demand full equality. Some parties representing the Serbs, the Roma and the Vlachs would like to amend the law as well to enable the use of their languages. However, according to the Framework Agreement, only the languages spoken by at least 20 percent of the population (i.e. Macedonian and Albanian) have an official status.

Source: Mercator News, March 2003,
<http://www.ciemen.org/mercator/index-gb.htm>

Updated (May 2003)

THE 1946, 1963, 1974, 1989, 1991 AND 2001 CONSTITUTION

The authorities of the Yugoslav federation were vocal in promising solutions to the minority problems that had pestered the pre-Second World War regime. During the communist period, three Constitutions served as the legal foundation for Albanian-Macedonian relations within the country.

The first Constitution of 1946 was primarily a pledge of the Macedonian authorities to respect and protect the cultural rights and liberties of the minorities. It established the idea that “all citizens of the Republic are equal before the law regardless of their nationality, race and confession.”

More concrete provisions regulating inter-ethnic relations were specified in the 1963 Constitution and its amendments. This document not only reaffirmed the equality of all ethnic groups in the Socialist Republic of Macedonia, but also provided for the upbringing, education and the media in the minority languages in the areas where nationalities live. The Albanian language and alphabet were used in the daily activities as well as in the procedures before state organs and organizations.

The favorable treatment offered to the minorities by the Macedonian authorities culminated in the 1974 Constitution, which the Albanians consider to be the summit of their legally guaranteed liberties. The Albanian language and alphabet were recognized as equal to Macedonian, and the development of Albanian culture was protected and encouraged. The implementation of these stipulations was observed and regulated by the Commission on Inter-ethnic Relations, with branches in all municipalities with minority population. The Commission comprised an equal number of members with Macedonian, Albanian and Turkish nationality. The 1974 Constitution guaranteed, both legally and in

practice, equality of the Albanians and the Turks with the Macedonian majority.

However, in reality, the 1974 legal guarantees were never fully and securely implemented. Moreover, in the 1980s, many of the provisions were reversed. The growing tensions between the Macedonian government and the Albanians culminated in 1989, when the Constitution was amended to reaffirm the dominant position of the ethnic Macedonians in the Republic. The exact formulation of the amendment defined Macedonia as a nation/state of the Macedonian people thus replacing the 1974 description (a state of the Macedonian people and the Albanian and Turkish minorities).

Until the constitutional changes of 2001, the 1991 Constitution confirmed the minority status of the Albanian community (the Albanians were recognized as a nationality (“nationality” in English or “nacionalnost” in Macedonian is the official term for minorities in Macedonia)). The August 2001 Ohrid Framework Agreement referred to the Albanians as a “community” and as “citizens of Macedonia.” It avoided any reference to the word “minority.” However, the Preamble changes, adopted in November 2001, introduced a new formula speaking about the different ethnic groups as “citizens of Macedonia who are a part of different nations.”

The Albanians had a number of complaints regarding the 1991 Constitution. They believed the wording of its Preamble implied that the ethnic Macedonians have a higher constitutional status than the minorities, since it defined Macedonia as the state of the Macedonian people, and not as the republic of the Macedonian people and the Albanian and Turkish nationalities, as it was before.

Another point of discontent regarding the Albanians’ status was the fact that they are put on an equal footing with the Vlachs and the Roma. The 1974 Yugoslav Constitution gave the Albanians and the Turks the higher status of “nationalities,” while the Roma and Vlachs were considered simply “ethnic groups.”

THE 2001 OHRID AGREEMENT

On November 15, 2001, the Macedonian Parliament voted on 15 constitutional amendments envisaged by the Framework Agreement, signed on August 13, 2001 in Ohrid (Macedonia).

The most disputed part of the Constitution, the Preamble, according to the August Framework Agreement, referred to Macedonian citizens and did not mention by name or contained a reference to any nationalities or minorities living in the country. Instead the word “minority,” the terms

“community” and “community not in a majority” were used. The fierce resistance of the Macedonian parliament to introduce these changes led to another agreement on the Preamble achieved in late October. The new text referred to Macedonia as the state of all citizens of the Macedonian nation, as well as citizens living within its borders who are part of the Albanian, Turkish, Vlach, Serbian and Roma nation and others, taking responsibility for the present and the future of their country.

The Framework Agreement also suggested that any language spoken by at least 20 percent of the population should be also an official language, written using its alphabet. Since no community besides the Albanians constitutes more than 20 percent of the population, only the Albanian language becomes an official language on the state level. Thus, it can be used in communication with the central government, in Parliament (with a simultaneous interpretation into Macedonian) and laws are to be published both in Macedonian and in Albanian.

The Albanians are able to use their language when dealing with local authorities, and in the correspondence with them. However, Macedonian remains the official language of governmental sessions, as well as the language of country’s international relations (amended Article 7).

The Ohrid Framework Agreement introduced constitutional changes affecting voting rights of the Albanians concerning cultural or linguistic legislation (it will require a two-thirds majority including at least half of the affected members in parliament). This new voting mechanism affects only five areas: local administration, territorial division, use of languages, protection of cultural identity and use of flags and symbols (amended Article 69).

Two months after signing the Framework Agreement the prospects for lasting peace in Macedonia seemed to diminish, because of the lack of will and commitment to introduce significant constitutional changes. It was very difficult for the Macedonian political elite to convince the Macedonian public that they have to accept the deal. The Macedonians felt endangered as a nation and feared that their state may disappear.

Finally in November 2001, the Macedonian Parliament adopted constitutional changes in line with the Ohrid Framework Agreement. The amendments came as a result of strong international pressure exerted on the Macedonian parliamentary parties.

There are some other laws regulating the use of minority languages.

EDUCATIONAL LAW

In July 2000, after heated debates in Macedonian Parliament, a new Education Law was adopted, which allowed higher education in languages other than the official (Macedonian) language in private universities. The Albanians can also establish private universities; however, higher education for them cannot be organized in the state universities, except the Albanian pedagogical, linguistic and drama faculties at Skopje University.

This law has not provided the controversial Tetovo University with so much desired status of a state university. It only gave the students of this University a permission to pass state exams so that their diplomas are officially recognized in Macedonia.

THE LAWS ON PERSONAL NAMES

The 1995 Law on the Personal Names stipulates in Article 9 that “the names of the persons belonging to nationalities are written in Macedonian as well as in the language and alphabet of the nationality.”

The 1996 Identity Card Law and Personal Registry Files Law allow minority representatives to have their first and family names written in these documents in their own language and alphabet.

According to Article 9 of the Law on Registries of Births, Deaths and Marriages, the personal name of a child belonging to a nationality is also registered in the language and alphabet of the nationality.

THE LAW ON THE CRIMINAL PROCEDURE

The Law on the Criminal Procedure and the Law on the Lawsuit Procedure postulate that those involved in the procedures are guaranteed the right to use their mother tongue, and the state authorities are obliged to ensure translation during the procedures. However, while in former Yugoslavia it was possible to have all documents of communication with courts in the minority languages, with the 1997 changes of the Law on the Criminal Procedure, Macedonian became the sole official language in court. In late 1998, the Macedonian Constitutional Court ruled that the court decisions should be only in Macedonian, thus overruling past practice.

THE CRIMINAL CODE

The Criminal Code has a few references regarding minorities in Macedonia.

Article 137

Imprisonment from three months to five years is to punish anyone for taking away or limiting the rights of another person, if this is based on difference in national origin, religious belief or language.

Article 138

Punishment from three months to three years expects a person who limits the right of another citizen to use the language and alphabet guaranteed in the Constitution and in other documents.

Article 139

A person who by force, mistreatment, endangering the security, ridiculing of the national, ethnic or religious symbols causes or excites national, racial or religious hate shall be punished with imprisonment from one to five years. The misuse of one's public position to commit the above-mentioned crimes is punishable with up to ten years in prison.

Source: Center for Documentation and Information on Minorities in Europe, Southeast Europe (CEDIME-SE), Minorities in Southeast Europe, Albanians of Macedonia, April 2002, <http://www.greekhelsinki.gr/pdf/cedime-se-macedonia-albanians.doc>

Updated (July 2003)

GOVERNMENT'S DECISION FOR LEGALIZATION OF TETOVO UNIVERSITY

On July 11, 2003 the Macedonian government passed the amendments to the Law on Higher Education. According to them, the University in Mala Recica (so-called Tetovo University, founded in 1994) enters on the process of legalization. This University is expected to be transformed to the state one either in October this year, or in a school year 2004/2005. The later date is more realistic because a certain period is necessary to collect funds for operation of the university.

After the legalization the university will have the Faculties for Humanitarian and Natural Sciences and the Faculties of Law and Economy.

According to the Minister of Education, Aziz Polozani, this step will solve the problem with the university education of the Albanians in Macedonia.

The Minister also announced that until 2005 a way will be found for verification of the diplomas of 400 graduated students of this university.

Currently around 10,000 students study at Tetovo University, out of which 5,000 are in their final year.

The amendments to the Law on Higher Education will be adopted by the Parliament by the end of the next month.

Source: Minelres News, July 14, 2003, from the Macedonian Information and Liaison Service, Skopje, June 30, 2003,
<http://lists.delfi.lv/pipermail/minelres/2003-July/002830.html>

Background notes

Updated (June 2002)

HISTORICAL FACTS

The Constitution of the Socialist Republic of Macedonia from 1989 negatively influenced members of national minorities. It all began with the massive differentiation and discrediting of the minority intellectuals. People were arrested for banal reasons like mentioning Albania or the prominent Albanian cultural or historical personality. In the period between 1981-1989, books published in Tirana were destroyed, regardless of an author. This went so far that even house libraries were inspected.

Another form of pressure towards nationalities was demolition of courtyard fences of the Albanian, Turkish and Roma houses with an excuse that it is done to integrate them more successfully into the society. The organs of internal affairs composed a list of names that were forbidden irrespectively of the fact that these names were widely used among the members of national minorities.

The studying opportunity in Macedonia was reduced both in Macedonian and in the languages of national minorities. Albanians, Turks and Roma couldn't be employed in the governmental institutions, were excluded from the privatization and they were very often forced to leave the country. The consequences of those attitudes prevail by now.

By the end of the 90s the Roma community had neither resources nor special programs to reinforce their financial and educational status. The number of Roma with higher education was very small and they owned less than 30 craft shops. Because of this discrimination, they were forced to find other sources of income and they became unpopular among the Macedonians.

The national minorities supported Independence (September 17, 1991) and they saw in it a possibility to achieve their rights. To be represented in a newly created country, they established their own political parties.

The minorities; however, were not satisfied with the first Constitution. In 1992, the representatives of the Albanian political parties organized a Referendum as a response to the disagreement with the adopted model of the Constitution.

The new constitutional legal decisions did not satisfy the educational requests of the Albanians. The insufficient response of the Macedonian ethnic representatives resulted in an initiative to establish the University with the Albanian language of instruction supported by the Albanian political parties and three municipalities with the Albanian majority (Tetovo, Gostivar and Debar).

Another constitutional decision considered to be discriminating was an inability to use national symbols. After the wave of violence connected with this restriction the government was forced to pass the Bill on Using the Flags of the Nationalities. The Bill regulated the use of the flags of the national minorities and was effective immediately.

Source: Association for Democratic Initiative,
<http://groups.yahoo.com/group/balkanhr/message/1946> and
<http://conventions.coe.int/Treaty/EN/Treaties/Html/157.htm>

Updated (May 2003)

TERRITORY INHABITED BY THE ALBANIANS

Most of the ethnic Albanians live in the western part of Macedonia that borders Albania. A substantial part of the community inhabits the northwestern area adjacent the Yugoslav province of Kosovo, and the Macedonian capital of Skopje. In some municipalities, namely Tetovo, Debar and Gostivar, the Albanians constitute the majority of the population.

THE ALBANIAN LANGUAGE

In the course of its evolution, the Albanian language acquired borrowings from many other languages. Initially influenced by Latin, after the 16th Century Albanian was enriched with words from the Italian, Turkish, Greek, Slavic and Romance languages.

Present day standard Albanian is based on its two dialects, Gheg (Gegënisht, or northern Albanian) and Tosk (Toskërisht, or southern Albanian). The two dialects are distinct from each other, and in their

extremes they could be mutually incomprehensible. Most Albanians living in western Macedonia use the Gheg dialect.

In November 1908, Albanian intellectuals met in Monastir (Bitola) and agreed that written Albanian will be standardized based on the Gheg dialect. The Latin alphabet was adopted for spelling on account of its international usage.

Between 1912 (when independent Albania was founded) and the Second World War, Albanian literary development was connected with the Gheg dialect. However, the Albanians living outside the borders of the new country remained isolated from the literary and linguistic trends of the time. The differences among the Albanian dialects increased after 1945, when a Tosk-speaking communist elite came to power in Albania. In 1952, Tosk became the official Albanian language. That same year the Albanians in Pristina (Kosovo) asserted their commitment to Gheg.

Source: Center for Documentation and Information on Minorities in Europe, Southeast Europe (CEDIME-SE), Minorities in Southeast Europe, Albanians of Macedonia, April 2002, <http://www.greekhelsinki.gr/pdf/cedime-se-macedonia-albanians.doc>

Where does one observe language to be a problem in the country?

Updated (June 2001)

As a result of the Albanian guerrilla attacks in northern Macedonia and the subsequent presentation of a list of demands aimed to improve the situation of the Albanian population, a debate on the need to modify the Macedonian constitution has arisen in this country. One of the main issues under discussion is the preamble, which establishes a distinction between Macedonians and citizens belonging to other nationalities. According to the Albanian minority and some liberal authors, this preamble allows the existence of first class and second-class citizens. The modification of the preamble and the recognition of full rights for all Macedonian citizens is precisely the historical demand of Albanian political parties, which, in language related matters, implies the state recognition of an official status for the Albanian language.

In June, the Parliamentary Assembly of the Council of Europe condemned the actions of Albanian extremist groups in the former Yugoslav Republic of Macedonia and urged the extremists to cease military action and lay down their arms. It also called on the parties in the coalition government to conclude an agreement to resolve the crisis without further ado.

In a Resolution unanimously adopted, the Assembly asks the Macedonian Government to adopt measures to allow representatives of the Albanian minority to use their language when dealing with state administration and in the courts, in secondary and higher education. The Resolution also asks the government to ensure that ethnic Albanians are properly represented in public institutions and enterprises, in the police and in the army.

Further, the Assembly urges the Macedonian Government to ratify the European Charter for Regional and Minority Languages, and to co-operate with the Venice Commission to amend their constitution in accordance with the principles defended by the Council of Europe.

The Assembly decided to set up an ad hoc Committee to monitor the developments in Macedonia, which will visit the country and report back in September. The Assembly also recommended that the Committee of Ministers intensify its co-operation programs with Macedonia in order to improve inter-ethnic dialogue, to reform education and the media and to strengthen local government.

Updated (July 2001)

“Macedonians already made a big step forward with compromises on more than 10 very delicate and emotional points. One of them is accepting Albanian as an official language in the area where more than 20% of the population are Albanians. But a few days ago foreign mediators brought up a new request: Albanian should be an official language in the whole territory. But this is unacceptable for the Macedonian authorities”, Mr Jakic, chairman of a delegation from the Council of Europe, explains.

Updated (August 2001)

On August 13, 2001, Macedonian and ethnic Albanian parties signed a peace deal to end the six-month conflict by improving the rights of the ethnic Albanian minority. The Macedonian parliament, dominated by nationalists, must ratify the accord for it to take effect. A vote is to be held within 45 days. Under the disarmament commitment, Albanian rebels would give up their arms in three stages over a 30-day period, with a verification process to satisfy the security concerns of both sides. NATO set various conditions for deploying its forces to collect the arms of ethnic Albanian rebels. These included a lasting cease-fire and an agreement by the rebels to disarm.

Updated (November 2001)

Beginning of fighting

The fighting in Macedonia started in February 2001 in and around the ethnic Albanian village of Tanusevci on the northern stretch of the Macedonian border with Kosovo. Such incidents had happened before, often caused by the Macedonian police's attempts to clamp down on ethnic Albanian smugglers. But an attempt by the Macedonian security forces on February 26 to take control of Tanusevci escalated into a lengthy exchange of fire. The fighting spread, first to the mountainous outskirts of Tetovo, the main ethnic Albanian town in Macedonia, and in May to the region around Kumanovo in the north. Clashes and unrest were also seen in and around the capital, Skopje.

Rebels

The rebels who fought in the northern part of Macedonia called themselves the National Liberation Army, a group which emerged only at the beginning of 2001. They were demanding a new Macedonian Constitution, better rights for Albanians, and international mediation in the dispute. The rebels said they were mostly Macedonian-born Albanians. But their number included many who fought in the Kosovo Liberation Army, and the group used Kosovo as a supply base and safe area.

There was also an older - established group operating on the Serbia-Kosovo border, the Liberation Army of Presevo, Medvedja and Bujanovac. It harbored more wide-ranging goals, including the annexation by Kosovo of ethnic Albanian-inhabited areas of southern Serbia and possibly of western and northern Macedonia. But the rebellion in the Presevo valley came to an end in May as part of a peace deal that provided for the reintegration of the region with the rest of Serbia and an amnesty for the ethnic Albanian fighters.

Current peace process

Politicians from both communities agreed on a peace formula in August 2001, after days of tense negotiations and the Macedonian Parliament adopted a package of constitutional reforms. The deal included increasing the proportion of ethnic Albanians in Macedonia's police force - from 5% to about 25%. The status of the Albanian language was boosted, so it can be used in official institutions in areas where ethnic Albanians account for at least 20% of the population, as well as in the national parliament. The preamble to the constitution has also been

changed to upgrade the status of the Albanians and the smaller ethnic communities.

Albanian rebel fighters handed in nearly 4,000 weapons to Nato and formally disbanded.

Source: "Q&A Macedonia peace process", BBC Online, November 2001

Updated (January 2002)

In January, the framework agreement negotiated at Lake Ohrid that ended months of armed conflict in Macedonia was still not fully implemented. The European Union and the United States said that budgetary assistance would remain blocked until the Parliament adopts promised measures to Albanian-populated areas. Macedonia had hoped that a conference of aid donors would have taken place last October and aid would be flowing into the country. Macedonian public opinion has turned solidly away from support for NATO, and the popularity of the politicians who signed the Ohrid Accord has fallen.

One analyst observed that the majority Macedonians felt frustrated believing the peace accord compromising their national identity was forced upon them. Meanwhile, the Albanian minority was seen as a winner as Albanians have won the right to use their language in the Parliament, exercise regional autonomy and have much greater representation in the police force.

Stability in Macedonia is critical to the future of the southern Balkans. With only two million inhabitants, the mountainous Republic of Macedonia is bordered by states suffering their own significant recent problems. To the northwest is Kosovo, a base for last year's insurgency, where there is a large NATO and United Nations presence. Macedonia's other neighbors are Serbia, Bulgaria, Albania and Greece. Each of these neighbors is very concerned about the possibility of renewed ethnic conflict in Macedonia.

On January 24, the Macedonian Parliament approved a new Law on Local Self-Government. The breakthrough came after the leaders of the four main political parties agreed after the President Boris Trajkovski urged to pass the new law.

Most Western diplomats and observers like the European Union's Javier Solana or German Foreign Minister Joschka Fischer welcomed the adoption of the law as a major step toward a lasting peace in Macedonia.

Domestic politicians were less enthusiastic. While for many ethnic Macedonian politicians the reform went too far, some Albanian

politicians wanted to grant even more rights to the local authorities. According to the spokesman for the ethnic Albanian Party for Democratic Prosperity, Zahir Bekteshi, the new legislation represents a new willingness to decentralize the country.

The umbrella organization of the municipalities, the Association of the Units of Local Self-Government, has welcomed the legislation. However, together with the above-mentioned law, there are about 30 laws to be adopted by the Parliament in the near future. Many of them have to be modified as a consequence of the Ohrid Peace Agreement, and it is unlikely that legislators will pass all of them before the parliamentary elections, expected later this year. The most important of these laws is the Amnesty Law.

Sources: Barry Wood, January 2002;

Radio Free Europe/Radio Liberty, Balkan report, February 2002

To what extent are minority groups in this country disadvantaged by their language?

Updated (May 2003)

THE ALBANIANS' DISSATISFACTION

According to the Macedonians much has already been done for the integration of the Albanians to the Macedonian society. However, until the 2001 changes the Albanians' perception of their state of affairs was not quite the same.

They pointed out the following issues as the major sources for their dissatisfaction:

≈ First of all, they were dissatisfied with their constitutional status. The 1991 Constitution proclaimed that Macedonia is the state of the Macedonian people, while the Albanians were lumped together with all other minorities. The Albanians found that this wording diminished their status to that of the non-national minorities, like the Vlachs and the Roma. To support their claim, the Albanians turned to the 1974 Yugoslav Constitution, where they were declared equal to the Macedonians. Thus, the Albanian leaders demanded to change the Constitution to declare Macedonia as a bi-national state of the Macedonians and the Albanians. They also wanted Albanian to become the second official language of the state.

≈ The second source of discontent for the Albanians came from the fact that until the July 2000 introduction of a new Education Law,

there had not been any Albanian institutions for higher education. After the 1985 closure of Skopje University's Faculty of Pedagogy and the denial to reopen this institution in the early 1990s, Albanian activists tried to fill the gap by founding the private University of Tetovo in 1994. The Macedonian authorities banned this university, but the activists reopened it in 1995 and moved the classes to various private premises.

To date Tetovo University has not been officially recognized, because its registration demands that it becomes a state university and not a private one. The Albanians argue that they contribute to the state budget as much as Macedonians do, so they should have the same right to state education in their mother tongue. The new Education Law opened a door to the students to pass the official state exams in order to have their education and diplomas recognized.

The Macedonian authorities claim that the reason for non-recognition of Tetovo University is that it does not meet the standards of higher education. They also consider the university to be an institution fostering Albanian nationalism.

≈ Furthermore, the Albanians complained about their unequal participation in the state institutions. Although taking part in the administration, the Albanians occupied the middle and lower levels, and were seriously underrepresented in the police and army top brass. In general, unemployment among the Albanians is claimed to be very high.

ALBANIAN HIGHER EDUCATION

As mentioned above, one of the sources of conflict between the minority and the state was the Albanians' demand for higher education in their mother tongue.

In former Yugoslavia, the main center of higher education for Albanians from Kosovo and Macedonia was the University of Pristina in Kosovo. In 1991, the Serbian authorities shut down this university, on the grounds that it had promoted Albanian separatism.

For similar reasons, several years earlier, in 1985, the Macedonian government discontinued Albanian language instruction at the Pedagogical Faculty at the University of St. Cyril and Methodius in Skopje.

In 1994, Albanians took an initiative in opening a private university in Tetovo. The Macedonian authorities declared the formal university

opening in December as illegal and the institution was shut down. The police operation led to the death of one Albanian protester. Several Albanian academics were arrested and imprisoned. The University of Tetovo reopened in private houses in February 1995.

In January 1997, the Macedonian Parliament passed legislation that allowed the use of the Albanian language where appropriate for the training of teachers at the Pedagogical Faculty in Skopje. This act spurred demonstrations of nationalistic Macedonian, mostly high-school students in Skopje. In general, Macedonians believe that the state has done more than enough to promote Albanian education. The quota for Albanian students at the University in Skopje increased from 10 percent to 23 percent for the 1996/97 academic year. Yet, the Albanians claim that these reforms are insufficient and statistics support their concerns. During the 1993/94 academic year only 2.8 percent of all graduate students were Albanians, and in 1995, only 2.4 percent.

In July 2000, a new Educational Law was introduced in Macedonia allowing higher education in Albanian in private universities. This law was passed with the strong support of the OSCE's High Commissioner on National Minorities, Max van der Stoel, and with the active promotion of the ruling Albanian DPA Party.

LANGUAGE

The Albanians desire Macedonia to become a "bi-national" state in which the Albanian language is given an equal status to that of Macedonian. So far, this has been an unacceptable demand.

The 1974 Constitution guaranteed a linguistic equality of Albanians and Macedonians. However, according to the Albanians, since the 1980s their position has constantly deteriorated. After 1982, the Macedonian authorities insisted on the use of Slavic toponyms in non-Slavic language textbooks and the media. In 1983, the use of Macedonian in school records and public notices was made obligatory. Although the situation has improved significantly after 1991 (the use of the Albanian language regulated by the Constitution and several other laws¹) the Albanian community remained unsatisfied with their gains.

Issues concerning education of the Albanians created inter-ethnic tensions throughout the 1990s. On the one hand, the Albanians were dissatisfied with their educational status and demanded more opportunities to study in their native tongue within the state educational system and on the other hand, the Macedonians believed that this would endanger the integrity of the state. When in January 1997, the act of

¹ On Self-government (1995), Identity Cards (1995), Education (1997, 2000)

Parliament allowed the use of the Albanian language in the Pedagogical Faculty at the state University in Skopje, nationalist Macedonian students organized several demonstrations. In the first three months of 1999 there were 14 small skirmishes between Macedonian and Albanian secondary school students in Skopje and Koumanovo.

Source: Center for Documentation and Information on Minorities in Europe, Southeast Europe (CEDIME-SE), Minorities in Southeast Europe, Albanians of Macedonia, April 2002, <http://www.greekhelsinki.gr/pdf/cedime-se-macedonia-albanians.doc>

The use of language in everyday life, education, broadcasting and other

Updated (September 2002)

The Macedonian national TV has just launched a multiethnic channel, which will broadcast programs in the Albanian, Turk, Vlach and Roma language for twelve hours a day. The new TV channel allows Albanian speakers to watch ten hours daily in their mother tongue while Turkish and Roma minority get two hours of broadcasting daily in their language.

Source: Eurolang, www.eurolang.net, Brussels, August 29, 2002, by Margret Oberhofer

Updated (May 2003)

THE ALBANIANS

The Albanians are the biggest national minority in Macedonia. According to the internationally monitored Census in 1994, the Albanians constituted 22.7-23.0 percent of the total population. The Albanian political leaders do not accept these figures and claim that the real number of their ethnic brethren is between 441,000 and 443,000 people. This discrepancy is caused by a very restrictive Citizenship Law, which requires 15 years of permanent residence in Macedonia, thus denying citizenship to approximately 100,000 ethnic Albanians. This law affected many Albanians previously living in other parts of former Yugoslavia. Because of that, these people are not eligible for citizenship and, thus, cannot participate in censuses and elections.

The Albanians in Macedonia enjoy a number of political rights. Since Macedonia's independence, Albanians have been constantly represented

at the central governmental level.² As for the local-government level, in the municipalities where the Albanians make up the majority of the population (Tetovo, Gostivar and Debar) there are only Albanian mayors.

The cultural rights of the Albanians in Macedonia have also been protected. Albanians can attend the public primary and secondary schools in their language. As far as university education is concerned, the state faculties of pedagogy, linguistics and drama at Skopje University offer their programs in Albanian. Recently, the Albanians have been given the right to establish private universities in their mother tongue so the tri-lingual Southeast European University was established in Tetovo (see also below).³

Until the constitutional changes of November 2001, the Albanians had the right to defend themselves in courts in Albanian, to register for birth and marriage certificates in their mother tongue, as well as to use Albanian together with Macedonian as the official language in the municipalities where they constitute the majority. With the new constitutional changes of 2001, the use of the Albanian language has been extended to Parliament and to communication with the central government.

THE SOUTHEAST EUROPEAN UNIVERSITY IN TETOVO

The first private university, the Southeast European University (SEEU), started operating on November 20, 2001 in Tetovo. This happened only several days after the constitutional changes based on the Ohrid Framework Agreement. In a colloquial language this university is called “the Max van der Stoel College” after the name of the OSCE’s High Commissioner on National Minorities, who for three years dedicated a serious amount of energy to develop this project.

Source: Center for Documentation and Information on Minorities in Europe, Southeast Europe (CEDIME-SE), Minorities in Southeast Europe, Albanians of Macedonia, April 2002,
<http://www.greekhelsinki.gr/pdf/cedime-se-macedonia-albanians.doc>

Did the country ratify any international treaty dealing with the protection of minorities?

² Either the Party for Democratic Prosperity (PDP) the participant in a coalition with the Social Democrats (former communists) until 1998, or the more radical Democratic Party of the Albanians (DPA) a coalition partner of the Macedonian nationalist VMRO-DPMNE

³ The Southeast European University in Tetovo, the first private university offering classes in Albanian, Macedonian, English and other European languages, was opened in November 2001.

Updated (May 2003)

Independent Macedonia has signed and ratified a large number of international conventions related to the protection of human and minority rights. As one of the successor states of socialist Yugoslavia, Macedonia ratified the International Covenant on Civil and Political Rights (ICCPR) on September 20, 1993. The ICCPR guarantees cultural, linguistic and religious rights to ethnic, national and religious minorities.

Source: Center for Documentation and Information on Minorities in Europe, Southeast Europe (CEDIME-SE), Minorities in Southeast Europe, Albanians of Macedonia, April 2002,
<http://www.greekhelsinki.gr/pdf/cedime-se-macedonia-albanians.doc>

APPENDIX A

MAP OF MACEDONIA



APPENDIX B

MACEDONIA – CONSTITUTION

(Adopted on November 17, 1991)

(Effective since November 20, 1991)

(Amended on January 6, 1992)

(Document Status in 1992)

Article 7

(1) The Macedonian language, written using its Cyrillic alphabet, is the official language in the Republic of Macedonia.

(2) In units of local self-government where the majority of the inhabitants belong to a national minority, their language and alphabet are in official use in addition to the Macedonian language and Cyrillic alphabet, in the manner determined by law.

(3) In units of local self-government where there is a considerable number of inhabitants belonging to a national minority, their language and alphabet are in official use in addition to the Macedonian language and Cyrillic alphabet, in the manner determined by law.

Article 48

(2) The Republic guarantees the protection of the ethnic, cultural, linguistic and religious identity of the nationalities.

(4) Members of national minority groups have the right to instruction in their language in primary and secondary education, as determined by law. In schools where education is carried out in the language of a national minority, the Macedonian language is also studied.

Article 54

(3) No discrimination or restriction of freedoms and rights can arise on grounds of sex, race, color of skin, language, religion, national or social origin, property or social status.

Note: The complete text of the Constitution and further information on the constitutional background of Macedonia are available at the International Constitutional Law Project at the University of Wuerzburg.

LAW ON THE USAGE OF THE MACEDONIAN LANGUAGE

1998

Article 1

(1) This law regulates the usage of the Macedonian language as the official language of the Republic of Macedonia (in the further text: the Republic).

(2) The Macedonian language, in the meaning of this law, is the Macedonian literary language and it's Cyrillic alphabet.

Article 2

(2) The usage of the Macedonian language as an official language is the right and duty of the citizens of the Republic.

Article 3

This law does not restrict the right to free creating and developing of the cultural, linguistic and religious identity of the citizens of the Republic.

Article 4

This law does not restrict the right of the persons belonging to minority to use, officially, the language and alphabet of the minorities in the units of local self-government, according to the Constitution of the Republic of Macedonia and law.

Article 5

(1) The Macedonian language, besides it's use in the organs of state government, the organs of local self-government and the city of Skopje, is also used in:

- trade companies, enterprises, institutions and other legal persons registered in the Republic;
- the titles, advertisements and billboards of the legal persons;
- the titles and the instructions for the products, medicaments, labels, invoices etc.;
- the bills, the receipts and other information on the packaging of the products, medicaments etc.;

- the designation of the public places;
- the announcements in the public facilities and means of public transport;
- subtitling or dubbing of the movies and broadcasts in foreign languages that are broadcasted publicly;
- subtitling and dubbing in records of the Macedonian language when it is not in compliance with Article 1, paragraph 2 of this law, and that are not broadcasted live;
- international treaties and other international agreements concluded by the Republic and
- other similar cases.

(2) The exceptions of paragraph one of this article are regulated by law.

Article 6

The protection, the advancement and the enrichment of the Macedonian language is comprised particularly of:

- emphasized care for the use of the Macedonian language in the process of education and upbringing;
- stimulating the care for the use of the Macedonian language in the mass media, especially the press, the radio and the television;
- avoidance of the use of foreign phrases and borrowings and, if possible, their replacement with appropriate notion from the Macedonian vocabulary;
- affirmation of the need for enhanced social and individual care for the entity and the nature of the Macedonian language in public communication;
- affirmation of the Macedonian language worldwide;
- support of the study of the Macedonian language in the Republic in the Macedonian enclaves outside of the borders of the Republic;
- activities in the sphere of appropriate linguistic education and culture, stimulation and support of programs, columns and broadcasts in the electronic and other mass media for the use of the Macedonian language as well as the creation of computer programs;

- awarding scholarships for the study of the Macedonian language;
- proposing candidates for state rewards and recognitions in the area of in-depth study and affirmation of the Macedonian language in the Republic and abroad;
- support for studies of the Macedonian language as a foreign language in and outside of the Republic, as well as giving linguistic assistance to interested persons;
- turning attention to the linguistic inconsistencies and irregularities in the use of the Macedonian language;
- organizing courses, seminars, workshops and other similar activities on the use of the Macedonian language and
- publication of works about the Macedonian language etc.

Article 7

(1) The official texts of the legislative, executive and judicial powers, local self-government, school books, shows, press, translations and other texts of article 5 paragraph 1 of this law, which are published, are mandatory edited in the Macedonian language.

(2) The proofreading can be performed by a person with completed studies at the Philological faculty - Macedonian language Group and passed examination for proofreader, as well as a person with high education about the Macedonian language with a program appropriate by quality and quantity to the program of the Macedonian language Group and passed examination for proofreader, in accordance with this law (hereinafter: proofreader).

Proofreading, without passing an examination for proofreader, can be performed by a person with a university level doctor of science in the field of the Macedonian language.

The name of the proofreader is, in an appropriate manner, published on the documents from paragraph 1 of this article or, respectively, the performed proofreading is documented in another appropriate manner. The proofreader can perform his duty as an extra-time activity in accordance with the regulation on trade companies.

Article 8

The government of the Republic of Macedonia, upon proposal by the Ministry of culture, the Ministry of education and physical education and

the Ministry of science, founded a Council for Macedonian language, as an expert body (hereinafter: Council). The Council is composed of president and eight members selected from the eminent individual in the area of culture, science and education, with a mandate of four years with possibility to be re-appointed.

Article 9

The Council performs the following tasks:

- gives opinions, suggestions, directions and recommendations for the use, respectively, protection, advancement and enrichment of the Macedonian language, including the terminology of all scientific areas;
- acts in the direction of finding forms of and solutions for protection, advancement and enrichment of the Macedonian language;
- suggests programs for the protection, advancement and enrichment of the Macedonian language in all the areas of the official communication, which it files to the government of the Republic of Macedonia;
- acts in the field of adequate linguistic education and culture;
- cooperates with scientific institutions in the Republic and abroad;
- publishes works about the Macedonian language and
- performs other tasks related to article 6 of this law.

The Council adopts a program and rules of procedure for its work.

The Council reports to the government of the Republic of Macedonia once a year.

Article 10

The Minister of culture, based on proposal of the Council, forms a commission for performing the exam for proofreader (hereinafter: the Commission).

The Commission is composed of President and two members, from the experts in this area, with mandate of four years, with possibility for reappointment.

The Minister of culture, based on proposal of the Council, adopts regulation and program for the proofreader exam.

As an exception of article 7, paragraph 2 of this law, the proofreading without taking the proofreader exam can be performed also by individuals with particular contribution in the area of the Macedonian language designated by the Council.

Article 11

The Ministry of culture acts as an expert and administrative seat for the Council and for the Commission.

The Ministry of culture keeps record of the proofreaders in the Republic.

The budget of the Republic allocates the finances for the work of the Council and the Commission. The members of the Council, respectively, the Commission are paid appropriate re-numeration determined by the government of the Republic of Macedonia, respectively, the Minister of culture.

Article 12

The Ministry of culture performs the administrative supervision of the implementation of this law.

Article 13

Every legal person that publishes texts that have not been proofread (article 7, paragraph 1) will be fined from 10,000 to 200,000 denars.

The responsible person in the legal person when the misdemeanor from paragraph 1 of this article was committed due to his actions or due to his omission to act in the necessary supervision will also be fined from 1,000 to 35,000 denars.

For the misdemeanor from paragraph 1 of this article, a security measure of confiscation of objects with which the misdemeanor was committed can be sentenced.

Article 14

The government of the Republic of Macedonia will found the Council within two months from the day of the enactment of this law.

The Council will adopt the regulations from article 9, paragraph 2 of this law, within three months from the day of its founding.

The Ministry of culture will found the Commission from article 10, paragraph 1 of this law and will adopt the regulations from article 10,

paragraph 3 of this law within six months from the day of the enactment of this law.

The legal persons will adjust their work with the regulations in this law within one year from the day of enactment of this law.

Article 15

The persons working as proofreaders on the day of the enactment of this law can proceed working as proofreaders if they pass the exam within six months from the day of the publishing of the regulations from the article 10, paragraph 3 of this law.

Article 16

This law enacts the eighth day from the day of its publishing in the "Official Gazette of the Republic of Macedonia".

Note: We acknowledge with thanks data from the MINERLES (Minority electronic Resources), <http://www.riga.lv/minelres/>; Source: "Official Gazette of the Republic of Macedonia", No. 05/98, unofficial translation

THE CONSTITUTION OF THE REPUBLIC OF MACEDONIA WITH THE AMENDMENTS ADOPTED BY THE PARLIAMENT IN NOVEMBER 2001

Article 7

(1) The Macedonian language, written using its Cyrillic alphabet, is the official language throughout the Republic of Macedonia and in the international relations of the Republic of Macedonia.

(2) Any other language spoken by at least 20 percent of the population is also the official language, written using its alphabet, as specified below.

(3) Any official personal documents of citizens speaking the official language other than Macedonian shall also be issued in that language, in addition to the Macedonian language, in accordance with the law.

(4) Any person living in the unit of local self-government in which at least 20 percent of the population speaks the official language other than Macedonian may use that official language to communicate with the regional office of the central government with responsibility for that municipality; such an office shall reply in that language in addition to Macedonian. A person may use any official language to communicate with a main office of the central government, which shall reply in that language in addition to Macedonian.

(5) In the organs of the Republic of Macedonia, any official language other than Macedonian may be used in accordance with the law.

(6) In the units of local self-government where at least 20 percent of the population speaks a particular language, that language and its alphabet shall be used as an official language in addition to the Macedonian language and the Cyrillic alphabet. With respect to languages spoken by less than 20 percent of the population of a unit of local self-government, the local authorities shall decide on their use in public bodies.

Parliament of the Republic of Macedonia, Skopje, November 2001

Source: The Official Gazette of the Republic of Macedonia, No. 52/91, 1/92, 31/98 and 91/2001.

http://www.minelres.lv/NationalLegislation/Macedonia/Macedonia_Const2001_excerpts_English.htm

FRAMEWORK AGREEMENT

August 13, 2001

6. Education and Use of Languages

6.1. With respect to primary and secondary education, instruction will be provided in students' native languages, while at the same time uniform standards for academic programs will be applied throughout Macedonia.

6.2. 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.

6.3. The principle of positive discrimination will be applied in the enrolment in State universities of candidates belonging to communities not in the majority in Macedonia until the enrolment reflects equitably the composition of the population of Macedonia.

6.4. The official language throughout Macedonia and in the international relations of Macedonia is the Macedonian language.

6.5. Any other language spoken by at least 20 percent of the population is also the official language, as set forth herein. In the organs of the Republic of Macedonia, any official language other than Macedonian may be used in accordance with the law, as further elaborated in Annex B. Any person living in the unit of local self-government in which at least 20 percent of the population speaks the official language other than Macedonian, may use any official language to communicate with the regional office of the central government with responsibility for that municipality; such an office will reply in that language in addition to Macedonian. A person may use any official language to communicate with a main office of the central government, which will reply in that language in addition to Macedonian.

6.6. With respect to local self-government, in municipalities where a community comprises at least 20 percent of the population of the municipality, the language of that community will be used as the official language in addition to Macedonian. With respect to languages spoken by less than 20 percent of the population of the municipality, the local authorities will decide democratically on their use in public bodies.

6.7. In criminal and civil judicial proceedings at any level, an accused person or any party will have the right to translation of all proceedings as

well as documents at the State expense in accordance with relevant Council of Europe documents.

6.8. Any official personal documents of citizens speaking the official language other than Macedonian will also be issued in that language, in addition to the Macedonian language, in accordance with the law.

Source: <http://www.president.gov.mk/eng/info/dogovor.htm>

APPENDIX C

THE IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES IN MACEDONIA (SHORTENED VERSION)

Updated (June 2002)

Article 1

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international co-operation.

Concerning the protection of national minorities, their rights and freedoms, Republic of Macedonia cooperates with the following international organizations: UN, OSCE, Council of Europe, UNESCO, etc.

According to the Article 9 of the Constitution, all citizens in Macedonia are equal. Many other rights are guaranteed to the members of national minorities under different laws and conventions signed by Macedonia.

However, mainly international organizations, NGOs and the political parties representing minorities watch protection of the rights of national minorities. The Macedonian diplomacy is more interested to establish international cooperation to protect the rights of the Macedonian minorities living in other countries rather than those nationalities living in Macedonia.

Article 2

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighborliness, friendly relations and co-operation between States.

The Constitution (Article 118) says that international agreements that are ratified in accordance with the Constitution are a part of the internal legal order and cannot be amended by a bill.

The Constitution relatively corresponds with the provisions of the Framework Convention in terms of the minority rights but this does not apply to the actual bill that regulate this topic. The Macedonian government is showing little willingness to review and tackle the problems and requirements of the national minorities.

Article 3

Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights, which are connected to that choice.

Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.

As far as this article is concerned Albanians in Macedonia can freely express themselves as Albanians, without being discriminated or treated with certain prejudices from other ethnic groups. However, with the Turks the situation is different. Denial to except that Turks live in Macedonia is widespread among Macedonians and other nationalities as well.

Roma lives in the urban areas where they often mingle with the other nationalities. They like to say that they belong to other ethnic groups to gain certain benefits connected with that statement. If Albanian or Turk had declared that he belongs to another ethnic group, he would have been rejected from his own community; however, Roma do not have this problem.

Article 4

The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

The measures adopted in accordance with paragraph 2 shall not be considered to be an act of discrimination.

Theoretically, minorities have equal rights with the majority but in fact Albanians, Turks and Roma are not treated equally by the government officials (police, judges, ect.).

The articles of criminal and civil law, which regulated the use of the language of national minorities in the court have been abolished since the decision of the constitutional court from June 21, 1999.

EDUCATION

Most frequently Albanians continue their studies at their own expenses either in Macedonia or abroad. Concerning Turks, the percentage of educated Turks is rather small because the number of high schools with the Turkish language of instructions is limited. That's why many Turks decided to leave the country and to study abroad.

CULTURE

In terms of culture, the country has done very little or nothing to improve the cultural life of national minorities. Cultural groups of national minorities have been funded from their own budgets because the Ministry of Culture did not set aside any funds for these activities. Except the Theatre of Nationalities, where the performances are also limited, there is no special support for Albanian, Turkish or Roma theatre.

Article 5

The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

Although the national minorities are guaranteed the right to express their culture, religion and language, the situation in practice is different. Albanians are allowed to use their language and to promote their culture and traditions but the state does not support their endeavor. Out of 33 universities in Macedonia only one, Faculty of Pedagogy, has used the Albanian language since 1997. Partially, the Albanian language is used at the University of Cyril and Method in Skopje. The Turkish nationality has the right to attend the Turkish language classes at the Faculty of Philology at the same University.

ASSIMILATION

The period between 1945-1990 was characterized by an effort to assimilate the Albanians into the Macedonian society. Examples can be found in the following villages: Upper Gostivar Reka, Bitola, Krushevo, etc. where older Albanians still use the Albanian language in their every day life but the younger generation feels more like Macedonian and prefers to use the Macedonian language. The Turkish minority faces the same threat.

Article 6

The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.

The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.

EDUCATION

In terms of education no steps have been taken to promote the spirit of tolerance and intercultural dialogue. The Albanian students who finished elementary education do not have the same chance to study at high school as their Macedonian counterparts. In Albanian high schools, for one empty place five students apply while in Macedonian high schools for three empty places only one student applies. This means that only 57 percent of Albanians who finished elementary school continue their studies at Albanian or Macedonian high schools, compared to 95 percent of Macedonians (school year 1999-2000).

Another problem in Macedonia is publishing books in Albanian and Turkish language that are use in elementary and secondary education. At the beginning of the year 2001 the Albanian Association of Publishers protested against a monopoly of the publishing house "Prosvetno Delo" and they asked to assign the funds for Albanian publishing houses in Macedonia. Turkish high school teachers, due to the lack of Turkish language literature, use Macedonian books or they translate book to the Turkish language and dictate them to students.

MEDIA

The role of media in intercultural dialogue and tolerance is very important; however, no necessary measures have been taken to regulate the national minorities' presentation in Macedonian media.

The Albanian language programs are broadcast three hours a day, from 16:30 to 19:30, plus ten minutes of news in the evening on the second channel of MTV (Macedonian TV). The broadcasting in the Turkish language lasts one and a half hour a day from 15:00 to 16:30 on the second channel. For the Roma there is fifteen-minute-long news broadcasting only twice a week.

Albanian newspaper "Flaka" that used to be published three times a week is currently published daily. There is also a private daily newspaper "Fakti." The state newspaper published in the Turkish language is called "Birlik," published three times a week. However, the information in this newspaper is checked by the state so the Turks have a private newspaper called "Vardar." The Roma have no daily or weekly newspaper and the state does not care to inform them in their own language.

There are many negative stereotypes and prejudices among the majority towards the members of minorities that are encouraged by press and politicians. No special measures in Macedonia regulate the possible violence or hostility and discrimination of Albanians, Turks, and Roma. In the environment where the minorities constitute the majority, the acts of violence are very rare and the Turks and Albanians can freely express their identity. However, when the minorities are not in a considerable number, the situation is different.

Article 7

The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and religion.

The Macedonian Constitution guarantees the freedom of belief, conscience, opinion and public expression (Article 1). The citizens are guaranteed the freedom to associate in order to achieve and protect their political, economic, social, cultural and other rights and beliefs. No major problems have been reported.

Article 8

The Parties undertake to recognize that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organizations and associations.

These rights are guaranteed by the Macedonian Constitution Article 19, Par. 1, 2, 3 and 4. No major discontent has been reported.

Article 9

The Parties undertake to recognize that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.

Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.

The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.

In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.

The national minorities have the right to establish the media centers and to gain the concession (see comments in Article 6. Media). Although the Republic of Macedonia has no discriminatory articles preventing the national minorities to establish private radio, TV and filming enterprise, the Roma are not satisfied with the law regulating the standards for registration of the private radio and TV stations. Having no financial support, Roma are not able to sustain a qualitative program production.

The state has undertaken certain activities that ensure the access of Albanians, Turks and Roma to governmental media. MTV (Macedonian

TV) planned the third channel to broadcast in the languages of the national minorities.

Article 10

The Parties undertake to recognize that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavor to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

The Constitution guarantees the right to use freely the minority languages at home. Article 7, par. 2 and 3 of the Constitution says: "In the units of local self-government where the majority of the inhabitants or a considerable number of inhabitants belong to a national minority, the language and alphabet of that minority in addition to the Macedonian language and Cyrillic alphabet are also used officially in a manner determined by law."

Practically however, the above-mentioned paragraph is not applied and the minorities cannot take an advantage of bilingualism and use their language and script in administration even in the municipalities where they constitute majority.

EDUCATION

Albanians and Turks use their language only in primary and secondary schools. Teachers at schools with Roma pupils asked for the right to teach in Roma; however, this language is taught only on a voluntary basis. An exception is an elementary school in Suto Orizari in Skopje and partly in Tetovo.

ADMINISTRATION

The minorities asked for the right to use their language in contact with the administrative authorities and in courts, because some of them do not speak Macedonian. There are only few interpreters available and still the government does not deal seriously with this demand. Thus it happens quite frequently that the declaration of a person arrested, who does not know the official language and is not provided with the interpreter, is misinterpreted what has an impact of the verdict.

Roma have an advantage that they speak Macedonian so they do not ask for using their language in administration.

Article 11

The Parties undertake to recognize that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

The Parties undertake to recognize that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.

In areas traditionally inhabited by substantial numbers of persons belonging to a national minority, the Parties shall endeavor, in the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.

The Law on Names stipulates that national minorities have the right to use their languages to write their names and surnames. The problem is that they cannot use their alphabet and surnames in Macedonian language and Cyrillic letters lose their original phonetic meaning. The Macedonian language does not have some letters that the minority languages have.

Albanians and Turks had to change their surnames forcefully in the past by adding “ski” and “vic,” the suffixes characteristic for Slav surnames. The Turkish surnames were altered to end with “ski, ov, i” (Selimovski, Ahmedov, Memeti).

Only in some areas traditionally inhabited by Albanians and Turks names of streets and places are in the languages of national minorities.

Article 12

The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.

In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.

The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

These rights are guaranteed by the Macedonian Constitution in Articles 48 and 56. In fact, there are no specific institutions where the culture and history of national minorities is studied.

The Macedonian Academy of Science and Arts has never had a member of national minorities and there are no separate sections for the research in Turkish, Albanian and Roma languages.

EDUCATION

Concerning the education, Albanian and Turkish students do not have the same conditions (number of classes, books, teachers) in comparison with Macedonian students. In the areas inhabited by the members of national minorities there are not enough primary and secondary schools providing education in minority languages and thus Albanian and Turkish children are forced to study in the Macedonian language.

The state is not interested to prepare the educational staff teaching in the minority languages. In 1997, the Pedagogical Faculty in Albanian language was established. There were many negative reactions from the government and the Macedonian students (hunger strikes, blocking the streets) towards this educational institution.

The Cathedra of the Turkish language is at the University of Skopje but it is not sufficiently equipped with the teaching materials and techniques. Roma do not face this problem because they study Macedonian at school.

Article 13

Within the framework of their education systems, the Parties shall recognize that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.

The exercise of this right shall not entail any financial obligation for the Parties.

The Constitution of Macedonia in Article 45 guarantees the above-mentioned request saying: "citizens of the Republic of Macedonia have the right to establish private educational institutions at all levels of education with the exception of elementary schools."

Theoretically, it is not a problem to establish private secondary education by Albanians, Turks and Roma. In 1996, the first private Turkish college was founded in Skopje and another one in Gostivar.

So far Albanians had one initiative for founding a private secondary school, in Radolishta village, Struga region. It happened as a reaction to the government's refusal to open the Albanian language classes in the secondary school in this municipality. Although that institution was not officially recognized by the government, finally the students could continue their studies in Struga Gymnasium classes with the Albanian language of instructions.

Regarding founding higher educational institutions in the Albanian language, the Albanian intellectuals and the political parties submitted the request to establish their University (1990-1994). The government; however, refused the request so the initiators together with the three municipalities with Albanian majority established and nourished the University in Tetovo. In 2000 - 2001, the University had 8,000 students at 13 faculties. The University is under permanent pressure from the Macedonian government and it is not officially recognized in the country. The Albanian population has financed this institution since its foundation because it does not get any financial support from the state.

Article 14

The Parties undertake to recognize that every person belonging to a national minority has the right to learn his or her minority language.

In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavor to ensure, as far as possible and within the framework of their

education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

Paragraph 2 of this article shall be implemented without prejudice to the learning of the official language or the teaching in this language.

As we can see from the previous text there are many problems in fulfilling this article. There are not enough classes for the minority students, schools do not have appropriate equipment, and government does not want to be involved in this issue. For example the Roma language does not have a standardized form and because the government does not want to deal with it, the Roma children are educated in the Macedonian language.

Article 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

The Albanian population, representing only 0.3 percent of cultural, social and economic life in Macedonia, at least has the right to express its opinion on the matters relating to the Albanians. As for the Turkish population, government hasn't undertaken any concrete activity to involve Turks in the cultural, social and economic life of the country. The Turks, according to the current election law, are not given the opportunity to elect their MP's so thus they do not have a chance to express their opinions and attitudes.

Article 16

The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present framework Convention.

Currently there are no evident examples of forceful alternation of the population structure. However, the territorial division of the local self-governments is arranged in the way that the Albanians cannot elect their representatives in local elections. There are no cases of the forceful displacement of Roma. Only in Suto Orizari Roma can enjoy their rights because in this municipality they constitute the majority.

Article 17

The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.

The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organizations, both at the national and international levels.

The national minorities in Macedonia can freely establish and maintain inter-border contacts. On the other hand, Macedonia has not undertaken any particular steps to ease these contacts. Traveling to Albania was banned in the 50s (till 1992) and a large number of Albanians could not visit their family members living abroad.

At the same time the government does not forbid or complicate the non-governmental activity of the national minorities. The Law on Civic Associations and Foundations (1998) eased the situation because before the NGOs had to register at the Ministry of Interior but now they can get through the same procedure at the courts.

Article 18

The Parties shall endeavor to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighboring States, in order to ensure the protection of persons belonging to the national minorities concerned.

Where relevant, the Parties shall take measures to encourage transfrontier co-operation.

The Republic of Macedonia does not show particular interest to reach bilateral or multilateral agreements with neighboring states (Albania, Turkey) that would improve the position of national minorities.

Article 19

The Parties undertake to respect and implement the principles enshrined in the present framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in international legal instruments, in particular the Convention for the Protection of Human Rights and Fundamental Freedoms, in so far as they are relevant to the rights and freedoms flowing from the said principles.

Article 20

In the exercise of the rights and freedoms flowing from the principles enshrined in the present framework Convention, any person belonging to a national minority shall respect the national legislation and the rights of others, in particular those of persons belonging to the majority or to other national minorities.

Article 51 of the Constitution says: "In the Republic of Macedonia laws must be in compliance with the Constitution. Everybody is due to respect the Constitution and the laws."

Article 21

Nothing in the present framework Convention shall be interpreted as implying any right to engage in any activity or perform any act contrary to the fundamental principles of international law and in particular of the sovereign equality, territorial integrity and political independence of States.

Article 1 of the Constitution says: "Macedonia is sovereign, independent, democratic and social country."

The endeavor to disintegrate the territorial sovereignty by national minorities was not reported.

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