



*American Model United Nations*  
**International Court of Justice**

**IN THE INTERNATIONAL COURT OF JUSTICE**

**THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA,  
APPLICANT**

**V.**

**GREECE,  
RESPONDENT**

**COUNTER-MEMORIAL OF GREECE**

COMES NOW the Hellenic Republic and for their Memorial to the Court states the following:

**STATEMENT OF LAW**

1. On 7 April 1993, the United Nations Security Council recommended the admission of the former Yugoslav Republic of Macedonia as a member of the United Nations, with the provision that the state would be referred to with the aforementioned name.
2. The former Yugoslav Republic of Macedonia and Greece both signed the United Nations Interim Accord of 13 September 1995.
3. This Accord was signed by both parties in order to create a settlement of the differences arising in the naming dispute between the former Yugoslav Republic of Macedonia and Greece.
4. Article 11 of the aforementioned Accord states that Greece would not object to the application by or the membership of the former Yugoslav Republic of Macedonia in “international, multilateral and regional organizations and institutions,” to which Greece was a part, as long as the submission for membership was under the name, the former Yugoslav Republic of Macedonia and not under the state’s ‘constitutional’ name.

**STATEMENT OF FACT**

1. Greece objected to the former Yugoslav Republic of Macedonia’s application to join the North Atlantic Treaty Organization (NATO) in April of 2008.
2. Greece has a coastal region with the name of Macedonia, which is distinguishable from the state of the former Yugoslav Republic of Macedonia.
3. The proper name of the former Yugoslav Republic of Macedonia has been an issue between the above-mentioned state and Greece for centuries.
4. The former Yugoslav Republic of Macedonia wishes to be called by their ‘constitutional’ name Macedonia, and Greece rejects this claim.

5. A state is encouraged to comply with obligations and responsibilities set forth to it as a member of “international, multilateral and regional organizations and institutions.”

## **STATEMENT OF JURISDICTION**

Greece does not recognize the Court's jurisdiction in the dispute regarding the "name issue," which, according to Articles 5 and 22 of the Interim Accord, is not within the jurisdiction of the Court.

## **ARGUMENTS**

1. The former Yugoslav Republic of Macedonia's application to the Court is just an attempt to force the Court to allow the state to become a member to any organization it applies to join as a member nation.

2. Although the former Yugoslav Republic of Macedonia's application for membership in NATO was in accord with their agreement with Greece, the state still frequently acts in disregard to the Interim Accord by using its 'constitutional' name.

3. The Court should not allow the former Yugoslav Republic of Macedonia to become a member to the North Atlantic Treaty Organization because this would be found to be against the name settlement process as agreed upon, as well as the Interim Accord.

3. In an Advisory Opinion by the Court in 1948, it was found that the internal process of a member State to the United Nations could not be examined in regards to a question of membership by the Court.

4. Admission to the North Atlantic Treaty Organization requires commitments by member states to the organization that the former Yugoslav Republic of Macedonia may not be able to uphold.

## **SUMMARY AND PRAYER FOR RELIEF**

The former Yugoslav Republic of Macedonia has not presented a case that is under the jurisdiction of the Court, and in accordance with this, Greece would request that this case be struck from the Court's docket.

If jurisdiction would be found, Greece would pray that the claims submitted to the Court by the Applicant be denied.