



American Model United Nations
International Court of Justice

IN THE
INTERNATIONAL COURT OF JUSTICE
OF THE
AMERICAN MODEL UNITED NATIONS CONFERENCE

THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA V. GREECE

Argued: November 19, 2012

Decided: November 20, 2012

1 The Majority opinion was signed and agreed to by Justice Clark of Iceland, Justice
2 Cooper of the Dominican Republic, Justice Do of Nepal, Justice Faler of the former
3 Yugoslav Republic of Macedonia, Justice Hoeflein of Ukraine, Justice Kaylor of
4 Singapore, Justice Krasic of Bolivia, Justice Osborn of Australia, Justice Perlin of
5 Bulgaria, Justice Sarchett of Canada, Justice Selmanaj of Panama, Justice Shaw of India,
6 and Justice VanHoose of Israel.

7
8 The Court has decided its jurisdiction applies to the possible violations of the Interim
9 Accord between the former Yugoslav Republic of Macedonia and Greece. Under Article
10 21, paragraph 2 of the Interim Accord, the two parties agree that “Any difference or
11 dispute that arises between the Parties concerning the interpretation or implementation of
12 this Interim Accord may be submitted by either of them to the International Court of
13 Justice, except for the differences referred to in Article 5, paragraph 1.” However, in
14 response to Macedonia’s prayer to the Court to order Greece to accept their application to
15 the North Atlantic Treaty Organization (NATO), the Court has no jurisdiction in this
16 matter because it would infringe upon Greece or any other state’s sovereignty to deny
17 applications to international organizations in which they are a member state. According to
18 the Advisory Opinion of May 28, 1948 of the ICJ, all the conditions of acceptance of
19 membership applications are under subject to the judgment of the Organization and thus
20 are dependent upon each member states’ acceptance for whatever reasons they deem
21 appropriate. It is a state’s sovereign right to deny applications of states to international
22 bodies and the Court has no jurisdiction over state sovereignty per the United Nations
23 Charter Article 2, highlighting state sovereignty and its importance.

24
25 This court recognizes the neglect of both parties’ efforts to reach an agreement to solve
26 the renaming dispute. Referring to S/RES/817, we strongly request both parties to adhere
27 to measures stating that parties “continue to cooperate with the Co-Chairman of the
28 Steering Committee of the International Conference on the Former Yugoslavia in order to
29 arrive at a speedy settlement of their difference.”

30 Furthermore, Article 5.1 of the Interim Accord also calls upon both parties to adhere to
31 their agreement under S/RES/817 to continue negotiations on the name issue under the
32 auspices of the Secretary General.

33 We find the following for relief:

34 This court finds that both states violated Article 5 of the Interim Accord and further
35 expresses its hope for both parties to continue negotiations. Further, we find that Article
36 11, section 1 gives Greece the right to deny the former Yugoslav Republic of Macedonia's
37 bid for membership to NATO, as it is referred to as "The Republic of Macedonia."

38 The court calls upon both parties to comply with S/RES/817 (1993), which stresses the
39 temporary nature of the status quo. Specifically, we reinforce the resolution's call for "this
40 State being provisionally referred to for all purposes within the United Nations as 'the
41 former Yugoslav Republic of Macedonia' pending settlement of the difference that has
42 arisen over the name of the State." Furthermore, this Court strongly urges both parties to
43 resolve the naming issue in an expedient manner in the pursuit of better international
44 relations for the region.

Hereby Signed:

Justice Clark

Justice Cooper

Justice Do

Justice Faler

Justice Hoeflein

Justice Kaylor

Justice Krasic

Justice Osborn

Justice Perlin

Justice Sarchett

Justice Selmanaj

Justice Shaw

Justice VanHoose
