

**LEGAL PRINCIPLES IN LIGHT OF THE
OHRID FRAMEWORK AGREEMENT: THE
CASE OF MACEDONIA**

INTERNATIONAL SCIENTIFIC CONFERENCE
" LEGAL PRINCIPLES IN CONTEMPORARY
LAW"

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Legal regulations vs legal principles

Legal regulations - legal rules are subject to changes, usually due to political compromises.

Legal principles are permanent and based on the nature of law, of a general nature; they are immutable.

The legal principles of the Constitution are the fundamental basis of the Constitution.

Ohrid framework agreement

The Ohrid Framework Agreement was signed in 2001 to end the armed conflict initiated by the paramilitary group known as the National Liberation Army (NLA) in Macedonia.

According to OFA, 15 constitutional amendments were adopted, and in 2019, this agreement became an integral part of the constitution itself.

The framework agreement contains five basic principles.

The question is: can they be classified as legal principles?

1. Basic Principles

1.1. The use of violence in pursuit of political aims is rejected completely and unconditionally. Only peaceful political solutions can assure a stable and democratic future for Macedonia.

The agreement is a product of violence.

Question: Is this principle a general legal principle?

Answer: it is a *lex specialis*. A political product.

1.2. Macedonia's sovereignty and territorial integrity, and the unitary character of the State are inviolable and must be preserved. There are no territorial solutions to ethnic issues.

There is a connection between the second principle and the third and fifth principle.

1.3. The multi-ethnic character of Macedonia's society must be preserved and reflected in public life.

Result: Creation of multicultural municipalities, with some of them tending to be predominantly composed of minority communities.

(in some cases economic parameters were not taken into account; the ethnic principle was prioritized)

1.5. The development of local self-government is essential for encouraging the participation of citizens in democratic life, and for promoting respect for the identity of communities.

Local self-government becomes necessary for the process of promoting the identity of communities living in certain local units.

1.4. A modern democratic state in its natural course of development and maturation must continually ensure that its Constitution fully meets the needs of all its citizens and comports with the highest international standards, which themselves continue to evolve.

Macedonia changed its Constitution as result of international pressure and unfortunately due to the violence.

the OFA became on one of the constitutive state documents.