

## Macedonia - A country in crisis

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### Key points and Recommendations

Macedonia is a country in deep trouble. There is a climate of mistrust between all the political parties; intolerance of minority groups is increasing and fear is also generated by the all-pervasive control of the main governing party. In 2009 the European Commission recommended that a date be set for accession negotiations to start, but since then the country's efforts to join the EU ( and NATO ) have been blocked.

Greece has prevented the required consensus in the EU Council because it refuses to recognise the constitutional name of Macedonia. Yet the objective of EU (and NATO) accession is the one element that keeps the country united. The only way to prevent the country from sinking into further instability is for the accession negotiations to start without further delay.

1. The EU should prioritise the need for sustained political dialogue in its dealings with the government and in particular in the High Level Accession Dialogue.
2. The EU should insist that the government promote a policy of consensus and compromise with all the political forces, civil society and media.
3. The EU needs to make clear that the government's authoritarian policies will not be tolerated.
4. The EU must agree on accession negotiations starting immediately.
5. The government must commit to an inclusive approach in the accession negotiations, similar to the Slovene model.
6. The government must commit to accepting all OSCE, Council of Europe and other international recommendations with regard to the electoral process and electoral code.
7. The government must commit to a reformed relationship with the media to ensure full respect for its independence, accepting all the OSCE, Council of Europe recommendations as well as those from all international media organisations.
8. The EU should cooperate more systematically with the OSCE and Council of Europe, particularly in areas such as the media where these organisations have expertise not readily available in the EU.
9. The EU should ensure that its cooperation with civil society organisations be more systematic, inclusive and form an integral part of its work, both at headquarters and in the field.
10. The EU, with the US, should become more directly engaged in the UN mediation process on the name issue to move towards a compromise solution, within a specified time limit.
11. EU member states should devote more effort to convincing Greece to engage in the UN mediation process, while encouraging the Macedonian government to be more respectful of democratic standards.

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## Summary

Macedonia is a country in deep trouble. Under a veneer of normality lies a climate of deep mistrust between all the political parties and between the main ethnic communities. Several incidents of inter-ethnic violence took place in the capital city earlier this year and are on the increase. Political dialogue, insofar as it exists between the parties, remains confrontational.

These tensions are compounded by a climate of fear in the population at large, generated by the all-pervasive control of the main governing party, which has been in power since July 2006. This control covers not only the main state organs such as the judiciary and public administration, but also the electoral process and, above all, the media.

Criticism of the government is not tolerated; those who dare to raise their voices are branded 'enemies of the state'. This includes civil society organisations, which have played an important role in monitoring the government's performance in implementing much needed reforms.

Meanwhile, although the European Commission has recommended (since 2009) that a date be set for the start of accession negotiations, the country's efforts to join the EU (and NATO) remain blocked.

Greece has prevented the required consensus in the EU Council because it refuses to recognise the constitutional name of Macedonia.

This situation raises questions about Greece's commitment to stability in the Balkan region, ten years after the Thessaloniki EU-Western Balkan Summit, which marked a turning point in confirming the EU accession perspective for the countries of the region.

The delay has been grist to the mill of the government's ethno-nationalist and

populist agenda, and has provided a convenient pretext for it to pursue a number of policies that are at variance with the country's objective of EU accession. They have also fostered a divisive atmosphere within society at large - unprecedented in the country's history.

Yet the objective of EU (and NATO) accession is, nonetheless, the one element that keeps the country united. The only way to ensure that the country does not sink into further instability is for the accession negotiations to start without further delay. This should be conditional on the establishment of an all-inclusive negotiating process involving the government, civil society, academia, the business community and the media.

## Background

Macedonia submitted its candidature for EU membership in March 2004. It was the first country in the Balkan region to sign, in 2001, the Stabilisation and Association Agreement; the process established by the EU as the first step towards gradual EU integration. This was the year in which the country witnessed an inter-ethnic armed conflict, which was brought to an end by the signing of the Ohrid Framework Agreement in August 2001, brokered by the EU, the US, NATO and the OSCE.

The EU Council granted Macedonia candidate status in December 2005, based on the positive Opinion from the European Commission on the country's application. In October 2009, the EC recommended that a date be set for the opening of negotiations. The EU Council has not yet endorsed this recommendation.

The current Prime Minister Nikola Gruevski, leader of the Internal Macedonian Revolutionary Organisation-Democratic Party for Macedonian National Unity (VMRO-DPMNE), was elected in the Parliamentary elections of July 2006. He

was re-elected in the June 2008 elections, and again in the 2011 elections.

His coalition partner, since 2008, representing the ethnic Albanian community is Ali Ahmeti, leader of the Democratic Union for Integration (DUI), a party that emerged after the 2001 conflict.

According to the 2002 census, the ethnic Albanian community represents 25% of the total population of two million.

The main opposition party, the Social Democratic Union of Macedonia (SDSM), is led by Zoran Zaev, Mayor of Strumica.

### General political situation

In the European Commission's Progress Report of 10 October 2012, it was stated that "Overall the functioning of the Parliament and political dialogue have been maintained."

Just over two months later, on December 24th, the parliamentary proceedings erupted in violence with the forcible eviction from the Parliament Chamber - not only of all the journalists but also of the opposition MPs.

It was the opposition's efforts to remove what it perceived as unproductive expenditure (largely related to the vast and controversial "Skopje 2014" Urban Renewal Project) from the draft annual budget that prompted these events. The governing party forced a vote in plenary on the budget before the parliamentary committee procedure had been completed.

For many observers, the forcible eviction from Parliament of the opposition parties crossed a red line. It reinforced serious concerns over the government's commitment to upholding the basic democratic standards expected of any country aspiring to join the EU.

Unfortunately, rather than attempt to repair the damage, the government pushed through a change to the

parliamentary rules of procedure to limit debate, despite the absence of the opposition parties (which were boycotting Parliament following their eviction).

The inexplicably feeble reaction from the EU to the events of December 24th, even allowing for the Christmas break, no doubt contributed to the governing party's sense of impunity in pursuing its policy of no compromise.

Faced with the danger of the March local elections being boycotted by the opposition parties, Commissioner Štefan Füle, accompanied by the European Parliament Rapporteur, Mr. Howitt and former EP President Mr. Buzek (a member of the European Peoples Party to which VMRO-DPMNE has observer status), undertook an eleventh-hour mediation effort on 1st March.

The agreement reached after hours of laboured discussions offered a temporary reprieve. It enabled the opposition to end its boycott and participate in the local elections, in return for a commitment from the government to establish a Committee of Inquiry into the events of December 24th and the drawing up of a consensus document whereby all the political parties would reaffirm their commitment to the objective of EU accession.

It took over three months for the Committee of Inquiry to be set up under an agreed chairman, with its first meeting taking place in June. One month later the chairman resigned – frustrated at the refusal of both sides to agree on joint conclusions.

With the European Commission's next Progress Report due soon, the Committee reconvened on August 20th in the presence of the prime minister and the leader of the opposition. A final report was signed by all Committee members on August 26th, containing both legal interpretations over the breach of the Constitution by the forcible expulsion of the opposition MPs

and journalists in December, as well as 10 recommendations relating to the improvement of parliamentary rules and parliamentary security. However, after the signing, the VMRO-DPMNE Committee members rejected the legal interpretations contained in the report. This raises serious questions about the effective follow-up of the Committee's report.

These developments are a reflection of the inability to find common political ground at a critical time in the country's history. It prompted Commissioner Füle in an April interview to question "the strength of the democratic institutions in the country" – his strongest public message yet on the situation.

The failure of the Gruevski-led government to engage in any meaningful political dialogue over the years has been a continuing weakness. It is unfortunate that the European Commission's 2012 Progress Report made only passing reference to the need for enhanced political dialogue. Yet in previous years, for example in the 2009 Progress Report that included a recommendation that a date be set for opening accession negotiations, the issue of political dialogue was given much greater prominence, and always referred to as a key priority. As the events of last December illustrate, the lack of dialogue within the political and institutional system remains an issue in the country.

**It is thus vital that in its dealings with the government and with the ongoing High Level Accession Dialogue, the European Commission prioritise the issue of sustained political dialogue.**

Political discourse, insofar as it existed over the past eight years, has been dominated by bitter personal rivalry between the prime minister and the former president and opposition leader, Branko Crvenkovski.

Crvenkovski was elected president in 2004 following the untimely death of the

incumbent Boris Trajkovski, in an election whose results were never accepted by the VMRO-DPMNE, despite a convincing margin of votes.

During Crvenkovski's mandate as president, Gruevski never acknowledged his title as president and repeatedly boycotted his annual parliamentary address. At the end of his five-year mandate in 2009, Crvenkovski assumed the leadership of the opposition SDSM party up until June of this year.

Although a new leader has been elected, the rivalry continues with the governing party using the same confrontational tone towards the opposition – hardly worthy of a mature democracy.

Even if the opposition manages to reinvent itself as a viable opposition party, or even if a new independent party, unshackled from the country's former bad habits and representing a new more modern and democratic image were to emerge in future elections, the odds are heavily stacked against it. All the main state organs, in particular the judiciary and public administration, not to mention the electoral process, are under the control of the current government. The same goes for the media (see below).

To quote the OSCE/ODIHR election observation report on the 2013 local elections: "Partisan media coverage and a blurring of state and party activities did not provide a level playing field for candidates". The Report also states that: "Allegations of voter intimidation persisted throughout the elections and several cases of apparent misuse of state resources for campaign purposes. This raised concerns about voter ability to cast their vote free of fear and retribution".

Another aspect that has marred the political atmosphere is the deepening mistrust between the Macedonian and ethnic Albanian communities. Although support for the OFA remains a central part

of official government policy (as well as a requirement for its EU accession) many of the policies pursued by the party, such as the Skopje 2014 project, reflect a lack of sensitivity for the multi-ethnic character of the country. Instead of promoting a policy of unity, the governing party's behaviour is jeopardising the delicate balance that has so far kept the country together.

This confrontational political atmosphere has also affected relations within the coalition government between the VMRO-DPMNE and the main ethnic Albanian party DUI, in coalition since the elections of 2008. Born out of necessity because of the number of parliamentary votes required to obtain the double majority, an obligation for those laws relating to constitutional and inter-ethnic issues, the current coalition has all the markings of a 'marriage of convenience' that manages to contain the deep mistrust between the ethnic communities. At the same time, continued delays in the start of accession negotiations and in resolving the name dispute with Greece are likely to increase tensions within the coalition - already sorely tested by several of the governing party's ethnocentric policies.

Any change in the current coalition is unlikely, however. Leaving aside the lucrative business interests at stake for the coalition parties, the option of DUI leaving the coalition at this stage would only trigger early elections. In the current political climate and flawed electoral process, early elections would resolve nothing, and would further delay much needed reforms.

The inter-ethnic tensions have also taken on increasingly religious overtones, with the governing party's extensive church-building campaign inciting the ethnic Albanian (predominantly Muslim) community to do the same with mosque building. Furthermore, the governing party has not hesitated to exploit religion to gain votes and push through its socially

conservative agenda. A new and restrictive abortion law was adopted in Parliament earlier this year with little public debate or consultation with civil society organisations. That it was pushed through Parliament in a fast-track procedure often used with many other controversial laws in past years says much about the governing party's attitude to parliamentary democracy.

Meanwhile, despite repeated entreaties from the European Commission, and after an acrimonious debate, an anti-discrimination law was adopted in 2010, but with the exclusion of sexual orientation as a basis for discrimination, thus making it incompatible with EU legislation; the only country in the Balkans to do so. According to the 2012 report from the Macedonian Helsinki Committee, and confirmed in last year's EC Progress Report, the functioning of the Commission for Protection against Discrimination, set up to oversee implementation of the law, remains "weak and under resourced", and its recommendations not followed up by state institutions.

The governing party's intention to introduce a constitutional amendment to have marriage defined as a union between a man and a woman is sure to add to prejudice and divisions in society.

The selective approach and double standards in the application of the rule of law, as well as using the pressure of tax inspections in order to neutralise those regarded as political opponents, have increased the climate of fear, intolerance and aggression in a society that used to be known for the very opposite.

On each occasion, arrests are made in full glare of the media – who have been alerted beforehand. Even if charges are eventually dropped, the element of wrong-doing remains in the minds of the public, which is what the government intended all along.



Meanwhile, both the Centre for Civic Communications and the Macedonian Centre for European Training are two of the many civil society organisations whose work has been the subject of vitriolic attacks by senior governing party ministers. Their 'sin' was to present factual reports questioning the government's reform record, in particular regarding public procurement practices and mismanagement of EU funds.

**In this respect, the EU needs to be more systematic in offering inclusive support to civil society organisations, including those attacked by the government to ensure that the government undertakes regular consultations with all civil society organisations without discrimination.**

The climate of fear and intolerance is also encouraged by government-supported media outlets, with anti-Albanian and homophobic sentiments and hate speech not unusual in popular talk shows.

Another subject causing deep resentment in society at large has been the abuse by the government of the so-called Lustration process. Established to identify those proved to have collaborated with the intelligence services during the Communist era so as to exclude them from public office, the process has turned into a witch hunt against those critical of the government. The government has ignored the repeated Constitutional Court's rulings on the Lustration law. The 2012 US State Department country report on human rights practices states that the government has used the Lustration Committee "as a means of attacking political opponents and disloyal former associates". Even dead people have been named. One of Macedonia's best known writers Slavko Janevski, founder of the Macedonia Academy of Sciences and Arts, who died in 2000, was one of those named, on very dubious grounds which has made the whole process even more discredited.

**It is vital that the government be made to understand that controlling all the main sources of power and authority brings with it an enhanced responsibility to reach out to all political parties and civil society in a spirit of compromise and consensus.**

**The EU also needs to be more forceful in its messages to warn the government of the negative consequences of its authoritarian policies.**

### State of the reforms

The EC's Progress Report of 2012 deemed that the "political criteria continue to be sufficiently met", and has reiterated in four consecutive reports its recommendation that a date be set for opening negotiations.

At the same time, even allowing for the successive action plans adopted as a follow-up to the Progress Reports, the latest EC report paints a less than satisfying picture, both as regards the quality of the reforms and their implementation. It highlights numerous critical reform areas where the country has not only fallen behind, it has in fact slipped backwards.

For example, it states that "little progress was made as regards the independence and impartiality of the judiciary". Despite repeated promises over the past four years, the government has still not established a process of incorporating all the graduates from the EU funded Academy of Judges and Public Prosecutors into the judicial system, preferring government supported candidates. With the many instances of political interference in the judicial process, the governing party's repeated criticisms of the Constitutional Court, its insistence that judges be assessed by the number of cases they process rather than by the quality of their work the question arises of whether the government is really interested in ensuring the independence

and impartiality of the judiciary; a point highlighted in the EC Progress Report.

According to the same Progress Report, corruption "remains prevalent in many areas and continues to be a serious problem". One of those relates to public procurement, a very lucrative market with the government's intensive capital investment programmes linked to Skopje 2014. The 2012 US State Department Report mentioned above also points to the disregard by the government to the right of public access to information, "especially with regard to citizen's access to the government's financial and public procurement dealings".

The governing party, meanwhile, continues to question these findings and diverts attention onto the name issue as being the only problem facing the country.

**The only way to ensure real reforms that will bring benefits to the country rather than the mere declarative statements or legislation adopted with no follow-up, is for accession negotiations to start immediately.**

The very intrusive nature of the accession process, with its detailed and intensively technical interaction between the EU institutions and all the state bodies, as well as minute controlling of each area under scrutiny in the acceding country is the best way of ensuring that the reform process remains on track.

**Critical for success, however, will be the inclusiveness of the process, i.e. ensuring that the negotiating process on the Macedonian side incorporates not only government, but also civil society, academia, business community and the media. This inclusive process ensures greater confidence for citizens that the rewards are worth the effort involved. Slovenia's experience of the accession process is a telling example here, which has often been presented to the government, but sadly without follow up.**

## The name issue

When Macedonia gained independence in 1991, Greece, in an action more reminiscent of a Balkan past that everyone hoped forgotten, launched a campaign against the country because of the name it had adopted, imposing an economic boycott that caused much damage to Macedonia's fragile economy. A UN-brokered Interim Accord was signed between both sides in September 1995, which provided for Greece to lift its embargo and recognise Macedonia under its provisional name of "Former Yugoslav Republic of Macedonia", in return for Macedonia agreeing to change its flag and reaffirm that nothing in its constitution could be interpreted as laying any claim to Greek territory. The Accord also included a commitment from Greece that it would not block Macedonia's membership under this provisional name of any regional or international organisation. A UN mediation process was set up under a new mediator Matthew Nimetz, who continues to this day in the same role (with the patience of an archangel!).

Despite this commitment, both at the NATO Summit in Bucharest in 2008 and subsequently at the EU Council in December 2009, Greece refused to join the consensus required for the Macedonian accession process. The case which Macedonia successfully brought before the International Court of Justice, alleging that Greece had violated the 1995 Interim Agreement, brought Macedonia a moral victory but unfortunately did nothing to change the Greek position.

What motivates Greece to pursue this decidedly non-European policy, which also involves Bulgaria, but to a lesser extent?

It has much to do with the nature of politics in the Balkans, a region often said to have produced more history than it can absorb. The conflicting dreams and

interpretations of the Balkan past, with Macedonia's neighbours laying claim to past heroes, whether it is Alexander the Great (whom Greeks claim to be part of Hellenic heritage) or Goce Delcev, immortalised as a Macedonian hero in its national anthem, but claimed by Bulgarians as part of their heritage, have all added to a potent mix of nationalism and wounded pride. Greece has also laboured under a succession of weak governments, unwilling to move beyond parochial politics.

The tragedy of this impasse is that not only is it delaying EU accession prospects for Macedonia, it is also fuelling the deep-rooted nationalist agenda and authoritarian rule of a governing party that is presented as the sole defender of the identity and dignity of Macedonia.

The issue of identity is an emotive one at the best of times; all the more so for a country like Macedonia that has had neighbouring countries laying claim to its language and its history, or refusing to recognise the autocephaly of the Macedonian Orthodox Church (as is the case today with the refusal of both the Serbian and Greek Orthodox Churches).

However, in promoting a policy of ethno-nationalism, which did so much damage in the Balkans as recently as during the Milosevic era, the main governing party has embarked on a controversial policy of giving citizens a false sense of identity while fomenting dangerous undercurrents that upset the delicate inter-ethnic co-existence.

Starting with renaming the airport as "Alexander the Great" airport in 2007, well before the Bucharest NATO Summit, the government continued with renaming the main north-south highway as "Alexander of Macedon", in the process losing 50 million euros of Greek financing for the European Transport corridor of which the highway was a part. This was followed by

the official launch in 2010 of the biggest monument and statue-building project ever seen in the entire Balkan region - the Skopje 2014 project. Three years on, Macedonia's capital city is replete with statues glorifying Alexander the Great, as well as his father (Philip 11) and mother (Olympia). The project includes a triumphal arch, museums, lions, fountains and countless statues (the new Foreign Ministry facade is adorned with more than 30 statues).

Up until April, the government had refused to reveal any details of the costs involved. In its first report on the matter in early April, it stated that 208 million euros had already been spent, including 10.5 million for the Alexander the Great statue alone. However, most estimates suggest that the expenditure of Skopje 2014 exceeds the half-billion euros.

For a country with an unemployment rate of over 30%, including one of the highest youth unemployment rates in the world, plus over 30% living below the poverty line (South East Europe Regular Economic Report, June 2013, World Bank), the cost of this vast building project is viewed by many as an extravagance the country can ill afford. What has greatly angered the inhabitants of the capital city is the lack of any comprehensive public consultation, which would have been a normal procedure in any western European country.

The impact of this project on the name issue and on relations between both Greece and Bulgaria has been predictable: both countries, in particular Greece, view these actions as not only an offensive appropriation of their history, but also an unnecessary provocation. To quote the *Economist's* irreverent turn of phrase in an article reporting on the erection of a 25-metre statue of Alexander the Great in the city square in 2011, "the government is now about to erect what amounts to a giant bronze middle finger aimed at



Greece" (*Economist*, 26 July 2011). Little wonder then that relations between Macedonia and Greece have not been so strained at any time in the 22 years since Macedonia's independence.

Various attempts have been made at breaking the deadlock, with both the EU and the US encouraging renewed momentum within the ongoing UN mediation process. Unfortunately, the glimmer of hope for some breakthrough that arose during the premiership of George Papandreu (2009-11) has long gone, with the current government of PM Samaras showing no inclination to engage.

With Bulgaria, even if tensions still exist, there is at least an ongoing dialogue of sorts, with both prime ministers having met at the end of July.

With Greece assuming the presidency of the EU in January 2014, the EU should insist that Greece use the opportunity to resolve this dispute once and for all, before it spirals out of control. Similarly, EU member states, some of whom are quick to praise Gruevski for the country's reforms - thus giving false hopes and even legitimacy to the authoritarian policies of the government, should focus their energies on convincing Greece to allow negotiations to start.

There is no doubt, however, that the combination of the EU's soft power, together with the weight of the US authority in the Balkans, is necessary to have the greatest impact in the UN mediation process. The experience from the 2001 conflict and the Ohrid Framework Agreement, as well as the border demarcation negotiations between Macedonia and Kosovo in 2009, where both the EU and the US together played a decisive role, shows that the EU/US tandem is the most effective way of achieving a successful outcome.

Meanwhile, both the Prime Minister and President Ivanov continue to insist that the

country is willing to find a compromise that respects the identity and dignity of Macedonia. The Prime Minister has also reiterated that whatever compromise is agreed, it would be for the citizens to decide in a referendum.

At the same time, however, the government has done nothing to prepare public opinion for a possible agreement. On the contrary, Gruevski has actively discouraged any discussion - whether in Parliament or in the public. He has even castigated those who tried to generate such a debate as 'traitors'. Encouraging an open debate within the country will thus be a critical aspect of ensuring public acceptance of a compromise solution. It will also be the only way in which to reassure the population that, as the UN mediator himself has stated, the negotiations relate to the name of the country alone and do not affect its identity or language, for example.

Ironically, the Prime Minister is probably the only politician in Macedonia at the moment who could, if he so chose, find 'The Way Out' (to use the title of his Master's Thesis published in 2008) in reaching a compromise with Greece and bringing the population along with him.

The question is: Will he take that step together with Greece? Will he join hands with Prime Minister Samaras and follow the example of Alexander the Great, the hero they each venerate as their own, and together break the 'Gordian knot'?

**There is no doubt that the only way out of the current impasse is for the EU, together with the US, to engage directly with both the Greek and Macedonian governments to complement the UN mediation process.**

**For any chance of final agreement, a time frame would have to be imposed on the negotiation process, similar to what occurred in the Northern Ireland peace process.**

## Government control of the media

"I invite you to spend one week in the country and watch television so that you can personally witness the freedom that the media enjoy".

With this statement, made publicly in front of European Commission President Barroso during the latter's visit in 2011, Gruevski categorically rejected any criticism over his government's control over the media. By the time that statement was made, the country had slipped dramatically in the media freedom index. The most popular TV station, AI, known for its independent stance critical of the government, was forced off the air with the company's assets frozen by the Public Revenue Office over alleged non-payment of taxes and its owners imprisoned. Several newspapers, known for their views independent of government, were also forced to close.

Since then the situation has deteriorated even further. According to the latest world media freedom index, published in January by Reporters without Borders, Macedonia was ranked 116th out of 179 countries, a drop of 22 places from 2012, and over 80 places from 2009, when it was ranked in 34th place. (The comparable figures for Serbia are 65th place in 2009 and 63rd place in 2013).

The report points to the decline as a "consequence of the arbitrary withdrawal of media licenses, deterioration in the environment for journalists, judicial harassment based on often inappropriate legislation, lack of access to public data, physical and psychological violence against employees in the news sector, as well as official and private advertising being used as a tool".

The OSCE/ODIHR report of this year's local elections stated that "Since the last elections, the closure of two broadcasters and a number of print media outlets

significantly reduced the number of media outlets critical of the government. In addition, the government is the largest single advertiser in the country". It quotes from the AGBNielsen Audience Measurement, which calculated that in 2012 alone, government-affiliated bodies spent 25 million euros in advertising in the media, thus giving the government unparalleled control over media outlets.

The UN Rapporteur for freedom of speech who visited the country in June, referred to "an atmosphere of intimidation towards any kind of critical press that questions, investigates or criticises government". He went on to underline that "media should be able to work in an environment free from intimidation and fear".

The Balkan Insight (BIRN) in a media analysis published on the occasion of the EC's June 2013 conference on the media situation in candidate countries stated in referring to Macedonia that "media outlets have been closed, professional journalists with long experience are prevented from working and the pile of law suits against journalists grows higher".

The arrest on May 29<sup>th</sup> of a Macedonian journalist over an article published in 2008 naming a protected witness in a murder case has added to the atmosphere of intimidation. His continued detention for a third month has been roundly condemned by all international media organisations, as well as by the OSCE Freedom of the Media Representative who stated: "it is unacceptable that a journalist is detained for his reporting." While the case also highlights the continued practice of abuse by the government of preventative detention, the timing of his arrest has raised concerns about political interference. It came just three days after he had published an article pointing to suspicious circumstances surrounding the death in a car crash in late March of a respected journalist known for his independent views.

A law decriminalising defamation adopted in 2012 was welcomed by the EU. However, for most of the journalists and media in the country, it was more of a cosmetic gesture that does little to improve the overall atmosphere and governing party attitude towards media independence.

The latest development relates to the proposed legislation that would establish a regulatory agency for print, online and audio visual media. For many independent observers this would be another form of control in the hands of the government. The government is claiming it is a measure promoted by the EC, a claim disputed by the latter. Both the OSCE and Council of Europe experts have made suggestions, all of which have yet to be fully incorporated in the draft law currently before the Parliament.

The fear is that, as in other cases, the government will push through the draft before all comments have been incorporated or consultations completed, but in time for it to be mentioned in this autumn's EC Progress Report, to be published on 16 October.

The same Balkan Insight - BIRN media analysis mentioned above also pointed to the general disappointment of journalists in Macedonia with the weak EU stance on the media situation. One of the journalists present at the EC conference, representing the Macedonian Media Development Centre, is quoted as saying "journalists have become victims of the political games played between Brussels and the Macedonian government".

While it is true that the EU *acquis* in this area is limited, because of the nature of politics in the Balkan region with political interference and corruption existing at the highest levels, there are sufficient arguments to justify the EU taking a much more proactive role. This should be along the lines suggested in the European Policy

Centre issue Paper of November 2011, whereby the EU should develop a "more inclusive strategy in assisting the fight for media freedom, one that can target the corruption element, the implementation of the legal framework, the need to foster a democratic culture", as well as to "educate and financially support aspiring journalists", and investigative journalism.

**With different messages coming from the EC, OSCE, etc., it is vital that the EC take a more hands-on approach to monitoring the situation on the ground. It should thus coordinate its approach with the OSCE, Council of Europe and the International Federation of Journalists and other media watchdogs to ensure a unified approach vis-à-vis the media situation in Macedonia, to avoid the government trying to play one against the other.**

## Conclusion

Up until 2005, when it was granted candidate status, Macedonia was regarded as a success story, moving forward on all the steps required towards its objective of EU integration. Today, it is at the bottom of the list of countries aspiring to join. The last European Council in June didn't even mention the country in its conclusions on developments in the Balkans.

Not all the blame for the parlous situation in which the country finds itself can be put on the name dispute with Greece, despite the government's contention. There are serious and deep-rooted problems inherent in the governance of the country and in the authoritarian methods of the government. Their impact on society and on inter-ethnic relations should not be underestimated. The longer this situation continues, the greater the danger it creates for the stability of the country.

Urgent measures are therefore required, both internally and externally.