

The Worsening Crisis in Macedonia - Waiting for EU leadership

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The European Commission's Progress Report on Macedonia published last year contained a clear warning to the government that failure to address the growing concerns over the politicisation of state institutions as well as the independence of the judiciary and freedom of expression would result in a withdrawal of the recommendation for opening negotiations.¹

Six months later, not only has the government done nothing to address the Report's findings, but the political situation has dramatically deteriorated. It is no exaggeration to suggest that of all the problems in the Balkan region, the case of Macedonia and the worsening crisis in the country is the most problematic and also the most acute. It is an example of how one should never take anything for granted in the Balkans – a positive narrative one day can become a nightmare scenario the next.

This crisis also raises serious questions as to whether the EU is doing enough to deploy its foreign policy instruments in dealing with the situation at political level as well as to ensure effective follow-up to its Progress Report recommendations by the government.

In 2005, Macedonia was regarded as a success story in overcoming inter-ethnic tensions and promoting courageous reforms – an effort the EU rewarded by granting candidate status for EU accession. Today it is a country governed by fear and intimidation with a ruling party, whose ethno-nationalist and populist agenda has created new fault lines in an already-fragile environment. The Prime Minister, Nikola Gruevski, and his ruling party (VMRO-DPMNE – The Internal Macedonian Revolutionary Organisation – Democratic Party for Macedonian National Unity) have pursued a systematic campaign against all those who openly criticise the regime. The country has the worst record in media freedom in the Balkan region; the latest Reporters without Borders index ranks Macedonia in 123rd place, just above Angola, a drop of almost 90 places from 2009, when it was ranked in 34th place.

Perhaps most alarming are the deep tensions that have reopened between the ethnic Albanian community, comprising 25% of the population (according to the 2002 census), and the main Macedonian community, with a level of mistrust not seen since the bloody conflict of 2001, when several hundred people were killed. Much of this increased mistrust is due to the

¹ Communication from the Commission to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions – Enlargement Strategy and Main Challenges 2014-15, 8/10/2014 COM (2014)700 Final Provisoire,; see also my CEPS Policy Brief “The EU's Enlargement Agenda - Credibility at Stake.?”, 31 October 2014.

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divisive policies of the ruling party and a lack of sensitivity for inter-ethnic relations (the controversial Skopje 2014 urban renewal project being the most visible example).

The latest crisis to rock the country is the revelation of a vast wiretapping operation providing evidence of alleged corruption by a government that seems to ignore due process and operates by its own rules. The voices on the released tapes are clearly recognisable, and include conversations between the Prime Minister and several Ministers and other senior officials, not least the chief of the state security, Saso Mijalkov, who also happens to be the cousin of Gruevski.

The Prime Minister, while not denying the authenticity of the conversations, claims that the tapes were doctored and that those responsible for the wiretapping operation are foreign intelligence services, which he has refused to identify. He has accused Zoran Zaev, the leader of the opposition party SDSM (Social Democratic Union of Macedonia), who has been releasing the tapes to the public in a series of press conferences over the past two months, of plotting a coup against the government. Zaev has been charged with espionage and has had his passport revoked.

The reaction from the EU to this latest crisis has been very slow and initially limited to expressions of 'serious concern', and calls for an "independent and transparent investigation".² This statement gave the impression that the EU seemed out of touch with reality on the ground, in addition to being inconsistent with the findings of the Progress Report, which had itself raised concerns over the independence of the judicial process.

The Commissioner, Johannes Hahn, paid his first long-scheduled visit to Skopje on 17 February 2015. This was more than two weeks after the Prime Minister had accused the leader of the opposition with espionage. Yet the Commissioner made no reference to the wiretapping scandal during his visit, and confined his remarks to expressions of hope for the country's progress on the EU perspective.

The focus has now shifted to a mediation effort by a delegation from the European Parliament at the request of the Commissioner. The delegation is composed of the Rapporteur for Macedonia Ivo Vajgl, the former Rapporteur Richard Howitt, and Eduard Kukan, a member of the European Peoples Party (of which the VMRO-DPMNE party is a member).

The first meeting which brought together in Brussels representatives from both the ruling party and the opposition took place on March 30th; a further meeting is scheduled for some time later this month (after the Orthodox Easter). However, if past experience is anything to go by, it is doubtful that such a mediation effort with only periodic meetings spread over several months has much chance of success.

It is clear that the only way out of this crisis is for a much more robust and direct involvement of the EU - both the European Commission and the European External Action Service (EEAS), which has been largely silent up to now. The Foreign Affairs Council at its next meeting should also focus on the crisis before it deteriorates further.

The EU should push for an independent investigation of the wiretapping, with the participation of respected international personalities, which would have the power to call witnesses. Leaving this to the current Public Prosecutor would have no credibility in view of the many cases of direct interference by the ruling party in the judicial system. Several of the released wiretapped conversations relate to alleged government interference in judicial proceedings as well as in judicial appointments, giving further credence to the relevant findings of the European Commission's Progress Report.

² Statement by the Spokesperson 31 January 2015, European Union External Action, 150131_01_en.

The serious and repeated failings of the government in its reform record as reflected in successive Progress Reports, and in its management of the electoral process as reflected in successive OSCE/ODIHR election observation reports, point to a government that has lost all credibility. The setting up of a transitional government, which would prepare for a proper electoral process, is probably the only solution to overcome the crisis. This would help to restore some basic legitimacy to the institutions of the state and a restoration of the rule of law. To assist in this transitional process, the EU should consider the appointment of a Special Representative with political clout who would be deployed for a fixed period.

The EU, and in particular the European Commission, also needs to reconsider its overall approach in dealing with the situation in the country. By continuing to insist in its last two Progress Reports that "the country sufficiently meets the political criteria",³ despite the eruption of violence in the Parliament in December 2012, and many other serious shortcomings in its reform record, it will have given the Prime Minister and his ruling party the impression that they can continue to act with impunity.

If the EU lets this latest scandal pass, it will be a serious failure of leadership on its part and that of the member states. It would also be a terrible blow for government accountability and respect for the rule of law in the Balkan region, and would undermine the EU's own policy of putting the rule of law at the heart of its enlargement policy.

Concluding Note

There are undoubtedly reasons to explain the apparent lack of attention to and even understanding on the part of the EU on the severity of the situation in Macedonia, one of them being the low priority given to enlargement in many EU member states. A common refrain is that so long as there is stability in the region, whatever problems there are will sort themselves out.

This is a dangerous assumption. Maintaining stability at the expense of the rule of law and government accountability is a sure recipe for failure in the long term. It is time for the EU to use all the foreign policy instruments at its disposal to address in a more decisive manner the crisis in Macedonia, not only for the sake of the country and its people, but also because of the potential impact in the broader region.

³ See above-mentioned Communication, p. 23.