



# The European Commission's Complicity in Macedonia's State Capture

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**M**acedonia is a textbook example of how the European Commission – instead of acting as a driving force behind the democratic transformation of society – can become a direct accomplice to democratic backsliding. Only after more than a decade under a government led by Nikola Gruevski, party leader of VMRO-DPMNE (the Internal Macedonian Revolutionary Organisation-Democratic Party for Macedonian National Unity) did the European Commission cite Macedonia as an example of “state capture” in its latest country report.<sup>1</sup>

In April of this year, the Parliament building was stormed by an angry mob, which attacked several MPs from the main opposition Social Democratic Union of Macedonia (SDSM) party, injuring many, including the party's leader, Zoran Zaev. The attack came after weeks of simmering tensions following the early elections that took place in December.

The violent incident that showed how far VMRO DPMNE was prepared to go to cling to power also brought an end to the deadlock. Macedonian President Gjorge Ivanov had no option but to grant the mandate to the Social Democrats and ethnic Albanian parties to form a coalition government. Ever since, there has been unreal sense of euphoria in relations between Skopje and Brussels. First, Zoran Zaev, before being elected as Prime Minister, put in an appearance in Brussels in May, in his capacity as PM-designate at a meeting with prime ministers from the region. After his election, Zaev, accompanied by a ministerial delegation, was received in

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<sup>1</sup> European Commission, “[The former Yugoslav Republic of Macedonia 2016 Report](#)”, Commission Staff Working Document, 11 September 2016.

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Brussels at the highest level on June 12<sup>th</sup>. And then Commissioner Johannes Hahn himself visited Skopje on June 26<sup>th</sup>.

Encouraging messages coming from Brussels state that if Macedonia delivers on the reform side, the European Commission is ready not only to replace the *conditional recommendation* for the opening of accession negotiations with an *unconditional recommendation*, but also to work with EU member states to secure a date for the start of accession talks in 2018.<sup>2</sup> Working towards a date for the opening of accession negotiations, the new government in Skopje has adopted a roadmap for reform, called '3-6-9',<sup>3</sup> which identifies urgent steps to be taken in critical areas over a period of three to nine months.

The excitement in Brussels is being mocked in certain circles in Skopje, however, because the encouragements for an acceleration in democratic reform by the new government are largely coming from the European Commissioner. It was Hahn himself who only a year ago stated that elections should take place, even if Zaev's party wasn't part of them.<sup>4</sup> This raised many eyebrows, seeing that the statement came from a Commissioner who is also Vice-President of the European People's Party (EPP), whose national political affiliation is to the Austrian People's Party (ÖVP) of Sebastian Kurz, a staunch supporter of VMRO. At that time, Hahn was focusing on the form of the so-called Przino Agreement,<sup>5</sup> which called for elections in April 2016, and not on the substance of the agreement. The agreement stipulated that for elections to be held, there should have been conditions in place for them to be free and fair.<sup>6</sup>

The elated Hahn is the same person who, when Zaev started releasing wiretapped conversations, which implied serious abuse, crime and corruption of the Gruevski-led government, said that to settle the case it was enough to set up an inquiry committee in Parliament. Once the scale of the scandal was recognised by the other influential actors from the international community and a Special Prosecution Office (SPO) was established, the same Commissioner Hahn requested that the SPO be allowed to investigate, unhindered, the allegations of crime in the wiretapped conversations.<sup>7</sup> Since then, the Special Prosecution has indicted over 100 officials from the previous government in 20 different cases.<sup>8</sup>

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<sup>2</sup> As a reminder, Macedonia received candidate status in 2005 and was then assessed as 'best pupil in class'. At that time Croatia had just launched accession negotiations with the EU, and some of the countries that are now negotiating with EU didn't even exist.

<sup>3</sup> See Government of the Republic of Macedonia, '[Plan 3-6-9](#)', 4 July 2017.

<sup>4</sup> See

[http://www.capital.bg/biznes/intervjuta\\_i\\_komentari/2016/01/22/2690634\\_iohanes\\_han\\_evropa\\_produljava\\_da\\_e\\_uiazvima/](http://www.capital.bg/biznes/intervjuta_i_komentari/2016/01/22/2690634_iohanes_han_evropa_produljava_da_e_uiazvima/)

<sup>5</sup> See: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news\\_corner/news/news-files/20150619\\_agreement.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/news_corner/news/news-files/20150619_agreement.pdf)

<sup>6</sup> See article "Does Hahn get the Macedonia crisis?" by N. Dimitrov and E. F. Fouéré, 8 June 2015, <https://euobserver.com/opinion/129008>

<sup>7</sup> According to SPO, approximately 6,000 citizens directly and 20,000 indirectly have been wiretapped for years.

<sup>8</sup> See: <http://meta.mk/en/the-spo-filed-17-indictments-but-the-thaler-case-will-have-to-wait/>

## The 'name' issue as a pretext

When Nikola Gruevski won the 2006 elections, it seemed that the road towards the Euro-Atlantic integration of Macedonia was as good as assured, and that processes could not be reversed. But, the ethno-nationalist government renamed the airport in Skopje *Alexander the Great airport*, announced the placing a huge monument of Alexander the Great on the main square in Skopje and later renamed the highway from the corridor 10 as *Alexander of Macedon*, thus giving Greece the excuse to block Macedonia's progress towards Euro-Atlantic integration.<sup>9</sup> Greece's position is that its neighbouring country monopolises the use of the term Macedonia, because parts of geographic Macedonia are in Greece, Bulgaria and Albania.

Despite the best efforts of the George Bush administration, Macedonia was not invited to join NATO at its Bucharest Summit in 2008, due to Greece's veto. This debacle seems to have marked the beginning of the democratic backsliding of Macedonia, which would last for a decade. It was also the beginning of the chaotic and inconsistent behaviour of the European Commission, which had its tragi-comic moments.

In the expectation that Gruevski was ready to solve the intractable Macedonia name issue, the European Commission recommended opening accession negotiations in 2009, although it was obvious that the country was not meeting the political criteria for EU membership. The then Enlargement Commissioner Olli Rehn clearly stated that the recommendation was given as an incentive to the government to solve the name issue.<sup>10</sup> But, speaking in my capacity as a journalist, I can confirm that the only way to secure an interview with Prime Minister Nikola Gruevski on that day was to swear not to bring up the 'name' issue.

This issue remains unresolved, even today. But Gruevski misused the recommendation for accession negotiations, and those that followed every year from 2010 to 2014, for the purpose of democratic legitimacy at home. In answer to any criticism that the country had a dysfunctional parliament, that the judiciary was under the control of the government or that the media was biased, the government responded that it had received a positive assessment from 'Brussels', with a seal of approval on its certificate of democracy. So, in effect, the European Commission was indirectly undermining the pro-democratic forces in the country, and providing an alibi to the government to continue its autocratic policies and practices.

## Turning a deaf ear

The peak of the European Commission's hypocrisy came in 2015. In February of that year the leader of the then opposition, Zoran Zaev, started releasing a series of wiretapped conversations that took place during the period 2008-15. These conversations revealed government abuses, crime and corruption on a staggering scale. In its Enlargement package of November that year (the annual country progress report and enlargement strategy), the

<sup>9</sup> For an anthology of academic articles, see *The Name Issue Revisited*, Skopje: Macedonian Information Centre 2012.

<sup>10</sup> See: [http://europa.eu/rapid/press-release\\_SPEECH-09-555\\_en.htm](http://europa.eu/rapid/press-release_SPEECH-09-555_en.htm)

European Commission referred to the content of the wiretaps, concluding that “concerns about all of these issues had been signalled in previous EC’s progress reports.”<sup>11</sup>

Below are few notable examples of how the European Commission “signalled” the abuses that could be heard in the wiretaps.

In a wiretapped conversation from 2010, the editor-in-chief of the biggest TV channel is heard to complain to the culture minister that seven out of ten news items had been ordered by the government, which the editor considers to be “cheap news.” Yet, in its Enlargement package of 2010 the European Commission concluded that freedom of expression remained intact and that there was progress in securing diverse and transparent media environment.<sup>12</sup>

We could also hear allegations that the 2011 and 2013 elections were manipulated, for example; how ID cards were issued illegally to Macedonians from Albania and Kosovo to vote in Macedonia (and how 50-60 people were registered at the same flat and address); how employees in the civil service were pressured to secure an additional 10-15 voters (for VMRO-DPMNE) for the elections; what was done to have renewed voting in the Central Municipality in Skopje (where the then opposition won) in order to change the electoral result at any cost to ensure victory for the VMRO-DPMNE candidate. The wiretaps also revealed how electricity was cut on purpose in multi-storey buildings so that the lifts wouldn’t work and the senior citizens who were considered unlikely to vote VMRO-DPMNE would be prevented from voting. Despite this tampering with the organisation of the elections, in its annual progress report the European Commission noted that “the country continues to sufficiently meet the political criteria” and that “the June parliamentary elections were mostly in line with international standards.”<sup>13</sup>

Similarly, in wiretaps of 2013, we heard the government agreeing to how much of a cut the government was to take from the Chinese company entrusted to build two highways in Macedonia. The then Prime Minister asked the Transport Minister if they should take a cut from the total sum or a fixed cut, and they are heard to agree on €15 million. Nevertheless, in its annual progress report for that year the European Commission concludes: “The High-Level Accession Dialogue has contributed to progress in most priority areas, including ... progress in the fight against corruption.”<sup>14</sup> The wiretaps were confirmation of the reports of abuses raised by the critical media, civil society organisations and the opposition. But the European Commission didn’t want to hear it.

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<sup>11</sup> See: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2015/20151110\\_strategy\\_paper\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2015/20151110_strategy_paper_en.pdf)

<sup>12</sup> See [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2010/package/mk\\_rapport\\_2010\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2010/package/mk_rapport_2010_en.pdf)

<sup>13</sup> See: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2011/package/strategy\\_paper\\_2011\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2011/package/strategy_paper_2011_en.pdf)

<sup>14</sup> See [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key\\_documents/2013/package/strategy\\_paper\\_2013\\_en.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/pdf/key_documents/2013/package/strategy_paper_2013_en.pdf)

Has the European Commission therefore really signalled all concerns, as it stated in the 2015 Progress report? No, is the obvious answer. Rather, it has created many more difficulties for the pro-democratic forces in the country. It has also opened the door to Russian penetration, which can only destabilise the country. Is the current excitement in Brussels really more of an attempt to wipe its conscience clean of grave errors committed in the past? Nobody would openly admit to that.

### **Concluding remarks – and a note of caution about enlargement**

In view of this experience and the inconsistent messages coming from the Commission, I would urge caution about investing too much hope in the EU's renewed attention to the troubled Western Balkans. The European Commission and the member states need to understand that a sustainable democratic development is only possible if they are a strict and fair reviewer of affairs in Macedonia and in the other aspirant countries of the Western Balkans – i.e. Serbia, Montenegro, Albania, Bosnia and Herzegovina and Kosovo, where the same or similar tendencies can be seen. At the same time, the EU should renew its commitment made at Thessaloniki in 2003 to integrate the countries of the Western Balkans. This, along with credible and thorough assessments of progress, would be the strongest signal they could send to help them improve the democratic track record.