

# 2009

## Four Years from the Candidacy Status:

what has been done and what can be expected?



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## Four Years from the Candidacy Status – what has been done and what can be expected?

### Introduction

Much has been said and done in the past four years since Macedonia became a candidate country for the EU. As the date for publishing this year's EC Report approaches, the questions of whether this year will be 'the' year for getting the much aspired date for starting the negotiations for full membership occupy public discussions. To find a quick answer to these questions seems a rather difficult task. Problems stem not just from domestic concerns, as complex and challenging they are, but also from the confusion over Europe's future within Europe's capitals and in Brussels.

The path that Macedonia has to walk to get to the much wanted 'destination' – Brussels, is particularly difficult and full with bumps. From domestic issues and set benchmarks through disputes with its neighbors, Macedonia also has to find a way to 'win' Europe in spite of the global economic crisis and the unfinished ratification of the Lisbon Treaty. It seems as mission impossible when combined altogether, albeit it could be accomplished.

This report will focus precisely on that, the real chances of getting the recommendation for starting full membership negotiations with the EU through analysis of the developments in the past four years and their influence over the process. Furthermore, the opinions of the relevant stake holders in Macedonia and abroad that are either directly involved in the EU accession process (the Government, the EC Mission in Skopje) or else are experts on the topic and follow closely the development of Macedonia and Western Balkans EU relations will be presented and discussed. The final analysis will include getting in the gist of: How big are the chances of Macedonia to get the recommendation for starting date of the negotiations with the EU?

The structure of the report is organized in the following parts. In the first part of the report, the events of the past four years in Macedonia will be presented. Special review will be done for the developments occurring around the NATO Summit in Bucharest, Romania in 2008, which set the path of its relations with the Euro-Atlantic organizations. Macedonia's progress on the reforms is evaluated on the second part. The latest developments in the country with an emphasis of the last year, 2009, and the impact that the name dispute has over Macedonia's Euro-Atlantic integration process is discussed in the third part. In the final part analysis will be done of the main stakeholders' opinions on Macedonia-EU relations followed by Analytica's own position on the question of Macedonia's preparedness to start the negotiations, EC's

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preparedness to give the date and whether the scenario of waiting more is as bad as it is thought to be.

1. Chronological explanation of the events that occurred in the last four years:
  - 1.1 2005-2006
  - 1.2 2006-2007
  - 1.3 EU's Eight Benchmarks

EU's "carrot and stick" policy is widely known, especially amongst the Western Balkans countries<sup>1</sup>. After years of negotiations, painful reforms and conflicts, the EU decided to award Macedonia, Croatia and Turkey at the European Summit in the UK in December 2005 with candidate status for the first two and decided on starting negotiations for the later two. This EU Policy was designed to push the region forward and give incentives to all WB countries to continue with the reforms despite EU's internal issues and enlargement fatigue.

1.1 Macedonia's progress since that date has had some ups and unfortunately, many downs. The first major change happened in 2006 parliamentary elections, in which VMRO-DPMNE led coalition won the majority of seats 45 of the 120 and took over the government from SDSM.<sup>2</sup> While on the other hand ethnic Albanian DUI (Democratic Union for Integration) led coalition won 60% of ethnic Albanian community votes, but was left out of the government because DPA<sup>3</sup> (Democratic Party of the Albanians) was VMRO's choice for coalition partner. This in turn led to DUI boycotting the parliament in protest of not being invited to be part of the new government.

1.2 In September 2007 during the voting for the election code there was a confrontation in the parliament, which escalated into physical violence between ethnic Albanian parties. Other people were also injured, including journalists. This incident was a result of the 'heated'

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<sup>1</sup> Carrot and stick policy refers to the promise of reward – "the carrot", combined with the threat of force – "the stick" i.e. with sanctions if the conditions set by the EU are not met by the country in question.

<sup>2</sup> VMRO-DPMNE (right-wing) and SDSM (left wing) are the two principal ethnic Macedonian parties.

<sup>3</sup> DUI and DPA are the two main ethnic Albanian parties.

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relations between the two biggest Albanian parties since the parliamentary elections in 2006, and over the choice of Albanian partner in the government. The fact that it was very little done in the mediation process in trying to resolve inter-party quarrels that have stalled crucial reform process was followed by criticism from Brussels. While receiving a visit from the President, Mr. Branko Crvenkovski at that time, Oli Rehn answered on a reporter's question: "How can you expect big decisions from us when things like this are happening."<sup>4</sup>

1.3. Before discussing the new election incidents this report will focus on a practice that was introduced by the Commission after the 2007 events. The EC set 'new conditions'<sup>5</sup> and only with their fulfillment can Macedonia hope to get a date for starting the accession talks. These conditions are known as the EU's eight benchmarks and they are:

1. A constructive political dialogue.
2. Effective enforcement of the new police law.
3. Political independence of the public administration.
4. Improvement of the business climate.
5. Speeding up of property legislation.
6. Strengthening of judiciary's independence.
7. Implementation in a sustainable way of anti-corruption legislation.
8. Creating conditions for the employment of the young.

Since these conditions were established at the end of 2007 until today, September 2009, Macedonia is still on the road of fulfilling them. The biggest progress happened in 2009, while the biggest disturbances occurred in 2008. Moreover, 2008 was a very critical year for Macedonia with the NATO Summit and its consequences. This period is characterized as a big turmoil, with intensified negotiations with Greece over the name dispute, mediated also by USA and the leaving Bush administration (labeled as pro-Macedonian); the NATO Summit and the infamous veto on Macedonia's membership in NATO from Greece; the preterm elections and the incidents with fatal outcome, which resulted with new warnings from the EU.

<sup>4</sup> Slobodanka Jovanovska, Utrinski Vesnik, Brussels is wondering why are we looking for a date for starting the negotiations, (Brisel se cudí zasto baramo datum za pregovori), 5<sup>th</sup> of October 2007, <http://www.utrinski.com.mk/?ItemID=3EDBB9CEF05A1F409E59F23F0421C59E>

<sup>5</sup> It is more of a new practice to put in one document certain benchmarks that the country needs to fulfill in order to progress in the EU approximation. It gives a clearer view of what needs to be done

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These issues will be thoroughly discussed in the next chapter.

2. Special review of the events pre and post NATO Summit in Bucharest in 2008.
  - 2.1 Developments prior to NATO summit
  - 2.2 The early parliamentary elections and the incidents

2.1 After the incidents in the Parliament in September 2007 and another negative progress report, at the beginning of 2008 the European Commission expressed hopes to set a start date for accession talks with Macedonia that year. "I hope that we will be able to do this as early as during 2008 which is a year of key importance for the western Balkans, Oli Rehn (the EU Commissioner for Enlargement) said on Macedonia's Kanal 5 television station."<sup>6</sup> The key importance was the upcoming NATO Summit on which the countries from the Adriatic Charter (consisted of Croatia, Macedonia and Albania, created in 2003) expected an invitation for full NATO membership.

However, the ever present name dispute with Greece started to threaten the whole deal months before the Summit.<sup>7</sup> Subtly but firmly, Greece began to send signals that without a compromise over Macedonia's official name a veto on its entrance in NATO will be more than probable. The negotiations started to intensify, more because of the fact that it was an election year in the USA and George Bush held his second and last term.<sup>8</sup> All concerned parties, EU, NATO, the UN, the United States and the mediator Matthew Nimitz were advising Macedonia to accept a compromise over its name before the Bucharest Summit as time was running out and the favors were slowly shifting away from Macedonia's courtyard. However, neither Greece nor Macedonia was prepared to give up the initial stances and there was no compromised solution brought before the eve of the Summit.

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<sup>6</sup> Balkan Insight, EU Commissioner Emboldens Macedonia, 18<sup>th</sup> of January 2008, <http://www.balkaninsight.com/en/main/news/7434/>

<sup>7</sup> This report will not go into details over what was negotiated in that specific period, since the name dispute is a very important issue that cannot be described with few sentences.

<sup>8</sup> George W. Bush and the Republicans in general counted as big supporters of Macedonia. At the beginning of his second presidential term in 2004 the USA recognized Macedonia under its constitutional name which caused big uproar in Greece. Also the US and NATO aimed to stabilize these countries further and strengthen the southern wing of the alliance so lobbied for the whole Adriatic Chapter to be accepted in NATO.

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2.2 As the Bucharest Summit began, Greece increased its calls for putting a veto on Macedonia's entrance and diplomats were still zealously working on possible last minute deal between the two countries. "...As NATO decisions have always been taken unanimously since its foundation, Greece has the veto power as well..."<sup>9</sup> However, there was no last minute solution to the name issue and Macedonia did not become a NATO member state. Here it is important to stress that the official stance was never that Macedonia's entrance was blocked i.e. vetoed as it was presented in the media. The Alliance took a different approach to this issue and in the Joint Summit Declaration stated that it: "we recognise the hard work and the commitment demonstrated by ...Macedonia to NATO values and Alliance operations...Within the framework of the UN, many actors have worked hard to resolve the name issue, but the Alliance has noted with regret that these talks have not produced a successful outcome. Therefore we agreed that an invitation to the Former Yugoslav Republic of Macedonia will be extended as soon as a mutually acceptable solution to the name issue has been reached. We encourage the negotiations to be resumed without delay and expect them to be concluded as soon as possible."<sup>10</sup>

After there was no invitation to join NATO in Bucharest, Macedonia was somewhat shocked from the inability of all the other NATO member states to influence Greece to give in and allow Macedonia's entrance in the organization. Greece won the 'fight' and it was soon clear that the 'name card' will be used in other cases too (EU's especially) unless a compromise is struck between the parties. The Macedonian government was advised by all the foreign diplomats of the threats that lay ahead if this dispute drags further and that the momentum is right after to Summit, to consolidate the forces and make a deal (especially because elections were scheduled in the near future in the US and for the EU Parliament). However, the decision that was brought was different and surprising for most of the experts and diplomats: early elections. The reasons why the government decided to go to elections two years after it was elected have never been completely clear. One of the options presented was that after the Bucharest

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<sup>9</sup> Wise Men, Center for Strategic Studies, Review of the Recent NATO Summit: Failure or Success, [http://www.bilgesam.com/en/index.php?option=com\\_content&view=article&id=113:review-of-the-recent-nato-summit-failure-or-success-&catid=122:analizler-guvenlik&Itemid=144](http://www.bilgesam.com/en/index.php?option=com_content&view=article&id=113:review-of-the-recent-nato-summit-failure-or-success-&catid=122:analizler-guvenlik&Itemid=144)

<sup>10</sup> Bucharest Summit Declaration, Issued by the Heads of State and Government participating in the meeting of the North Atlantic Council in Bucharest on 3 April 2008, NATO Press Release, 3.04.2008, <http://www.nato.int/docu/pr/2008/p08-049e.html>

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Summit, a national unification was needed and the government after the failure to seclude the NATO membership wanted to see if it still has the peoples' trust. Another option is that the government was not prepared for the 'veto scenario' and did not handle the situation well and wanted to get another mandate in order to get more time to consolidate its position over this new dimension of the name issue.

2.3 Whatever the reasons were, the decision was made final. After that in April the National Assembly dissolved itself and the new parliamentary elections were scheduled for 1<sup>st</sup> of June 2008. In the period before Election Day there were multiple incidents that escalated on 1<sup>st</sup> of June. "Numerous attacks on party offices and other violent incidents have occurred since the calling of early elections. Incidents have been primarily in ethnic Albanian areas in the north and west of the country. Tensions remain high in some regions. The most significant incident occurred on 12 May, when an attack outside of Tetovo targeted the leader of DUI, the largest ethnic Albanian party represented in Parliament."<sup>11</sup>

The elections on that day can be summed up in one word: failure. The electrified atmosphere before and the NATO Summit escalated and transferred into one if not the worst elections in Macedonia since it became independent state. The result was: "one killed in Aracinovo village near Skopje, few wounded in the incidents in Cair and in few voting places in Tetovo, Gostivar and Kumanovo. The Election Day started with violence and gunshots...Because of these incidents many of the voting places were closed..."<sup>12</sup> More than obvious was that the two rival Albanian parties DUI and DPA continued its 'fight' for power in these elections that started the previous year in the Parliament and the government did not see the warning signs and did not undertake any precautions to deal with the expected incidents.

Understandably the outcry from the international community was fairly negative and full with criticism of the manner in which the elections were held. "Violence and attempts to manipulate the campaign sadly cast a shadow over otherwise well-implemented elections," OSCE Parliamentary Assembly Vice President Pia Christmas-Miller said. "Violence...in ethnic Albanian

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<sup>11</sup> OSCE Office for Democratic Institutions and Human Rights Election Observation Mission Parliamentary Elections, 2008 Former Yugoslav Republic of Macedonia, Interim Report 30 April – 19 May 2008, page 1.

<sup>12</sup> Olivera Vojnovska, Utrinski Vesnik, Vonrednite izbori vo Makedonia ja zedoa prvata zrtva (The Early Elections in Macedonia Took the First Victim), 2<sup>nd</sup> of June 2008, <http://utrinski.com.mk/default.asp?ItemID=649BE176680F8C429ED7FE1251EAF88A>

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areas is an unacceptable breach of peace and people's democratic rights." Although Macedonian officials administered the elections well, they enforced laws "selectively" and "failed to prevent violence"..."<sup>13</sup> The messages from Brussels were the same: criticism and disappointment.

In this atmosphere the 2008 EC Annual Report was published. The findings of the EU were foreseeable and the authorities in the country did not expect any positive news or a date for starting the negotiations. The main findings in the Report stated that the "...key international standards were not met in the conduct of the elections. Political dialogue needs to be strengthened and sustained in order to allow the effective functioning of political institutions, in particular the Parliament."<sup>14</sup> It was the first time that Macedonia did not meet the political criteria, which count as the most important part of the Copenhagen criteria. The only optimistic findings were in the economic area as the market and its institutions kept on the positive developing trends.

With these turbulent events Macedonia passed 2008 and entered in 2009.

### 3. Newest developments 2008-2009.

3.1 2009 local and presidential elections,

3.2 Continuance with the reforms and the negotiations over the name issue.

3.3 The negotiations with Greece for the name and their impact on Macedonia getting ready and getting the date for starting the negotiations.

3.1 As the turbulences of the previous year left a mark on Macedonia's development, 2009 was seen as a ray of hope for new beginnings and return on the reform path. The first and most important step (also a benchmark) was the organization of the regular local and presidential elections scheduled for March the same year. This time it seemed that all the political parties involved were determined to behave as it is appropriate in a democratic society since it was stressed by the international community that the country's future was at stake.

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<sup>13</sup> Macedonian News, OSCE-ODIHR say elections in Macedonia were substandard, <http://www.vmacedonianews.com/2008/06/osce-odihr-say-elections-in-macedonia.html>

<sup>14</sup> Key Finding in Progress Report 2008 the Former Yugoslav Republic of Macedonia, page 1, [http://ec.europa.eu/enlargement/pdf/press\\_corner/key\\_documents/reports\\_nov\\_2008/keyfindings\\_the\\_former\\_yugoslav\\_republic\\_of\\_macedonia\\_en.pdf](http://ec.europa.eu/enlargement/pdf/press_corner/key_documents/reports_nov_2008/keyfindings_the_former_yugoslav_republic_of_macedonia_en.pdf)



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The elections passed in rather good atmosphere with minor incidents but the overall estimation was that this time the authorities did their job properly and got appraisals for it. “It is a pleasure to see that the country did many steps on the path of democracy unlike the elections last summer...There were still some irregularities and lack of confidence, and those have to be dealt with, but there is no doubt that the country made an effort in holding elections according to international standards – stated the vice-president of the Parliamentary Assembly of the OSCE, Pia Christmas – Miller, leader of the short-term OSCE’s observer mission.”<sup>15</sup> The representatives of the EU and the US ambassador were also pleased with the elections and the way they folded. Moreover, the ruling party VMRO-DPMNE won these elections, the majority of the mayors was elected from their lines as well as the President of the Republic. From the Albanian block DUI won the majority votes.

After the positive signals from the international community and the recommendation from Olli Rehn that “the proposal for starting the negotiations will depend on the election’s results...”<sup>16</sup> the country was back on the right path. It became clear that the authorities had to work hard and speed up the reforms and make up for the lost time in the past two years. Apart of the implementation of the remaining benchmarks, there was the economic crisis, the name dispute with Greece that and the visa liberalization process that started in 2008, all needing attention.

3.2 Seeing Macedonia’s progress since January 2009, it can be easily concluded that it was most successful in the reforms needed for the visa liberalization and least in the negotiations with Greece over the name issue. From five Western Balkan countries<sup>17</sup>, Macedonia got the highest remarks from the Commission on implementing the needed measures and making the required reforms. There were four categories that experts were looking carefully at: Document Security; Illegal Migration including Readmission; Public Order and Security and External Relations and Fundamental Rights. The overall assessments undertaken in these fields were “...that

<sup>15</sup> Dnevnik, Ocenka na stranske nabljuduvaci, Izborite bea regularni so mali nepravilnosti (Estimation of the International Observers, The Elections were regular with slight irregularities), 24<sup>th</sup> of March, 2009 <http://dnevnik.com.mk/?itemID=F142D630C0FC99458FC9CCDD8ACD5690&arc=1>

<sup>16</sup> Dnevnik, Rehn cestita I potsetuva na obvrskite (Rehn gives congratulations and reminds of the obligations), 7<sup>th</sup> of April 2009, <http://dnevnik.com.mk/?itemID=D88C8B94B67C214690D8DCEC12475757&arc=1>

<sup>17</sup> Apart from Macedonia, Serbia, Montenegro, Albania and Bosnia and Herzegovina were also negotiating with the EC about the visa liberalization. There were some fears that the countries will go in ‘package’ and that Macedonia will have to wait for the others although is the only one with a candidacy status. However they were assessed on an individual level.

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Macedonia meets the conditions for visa-free travel, that Montenegro and Serbia meet most of the conditions for visa-free travel, and that Bosnia-Herzegovina and Albania do not (yet) meet the conditions for visa free travel. Kosovo, the sixth Western Balkan state whose citizens are required to obtain a visa to travel to the EU, is not yet included in this process leading to visa liberalization...<sup>18</sup> With this, in July 2009, the Commission recommended granting visa liberalization to Macedonia, Serbia and Montenegro. This has been one of Macedonia's biggest successes in the past four years since the candidacy status was given and it was granted in the right time (although many argue including the author of this report that a country with two million citizens impose no threats regarding inflow of large numbers of migrants and should have got the opportunity for free travel earlier especially for the youth and the students) given the problems that occurred in the previous years and the fear that the country strayed from the reform path.

There have been positive developments in other areas too. In 2009 the Government focused more on the reforms needed and recommended in the benchmarks. This trend has also been acknowledged by Mr. Erwan Fouéré, Special Representative of the European Union and Head of the Delegation of the European Commission in Skopje, in a recent interview for the daily newspaper Dnevnik. He stated that "the reason for the delays in the reform process in 2007 and 2008 are very well known. These reasons showed that the only way to gain success in the reforms and to fulfill the expectation of the citizens is through permanent and consistent effort, which creates a positive climate for political dialogue between all political parties with all parts of the society...We are pleased from the leaders' efforts. The progress in the other reforms and the draft laws that are in a parliamentary procedure are also very encouraging."<sup>19</sup>

Other official representatives of the EU institutions shared Mr. Fouéré's attitudes towards Macedonian reforms, too. The official stance is that Macedonia has done sufficient progress by this September and that there was more progress in the past six months than in the past four years. In addition, there is more constructive language from the authorities when it comes to the reforms and their implementation in the last period. It is also stated that the good elections

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<sup>18</sup> Scorecard – Schengen White List Conditions 22 May 2009 (Based on expert visits and internal assessments by the European Commission of the implementation of the visa liberalisation roadmaps by Western Balkan countries (18 May 2009)), European Stability Initiative, page 2.

<sup>19</sup> Dnevnik, Evrorama, Attitudes on the EU and the Macedonian Government for the euro-integration process of Macedonia, <http://dnevnik.com.mk/?itemID=BEF25DC7B0659B4192CEF8496A105304&arc=1>

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held this year opened avenue of opportunities as the elections of 2008 came as a blast (bad surprise) for the EU.<sup>20</sup> Furthermore during the Prime Minister's visit to the Commission on 1<sup>st</sup> of September 2009, the EU Enlargement Commissioner Olli Rehn stated that "the country makes a good progress in the fulfilment of the eight benchmarks and if it succeeds to fulfil the rest of the reforms, we (the EC) will be able to suggest this year a date for starting the negotiations..."<sup>21</sup> The positive climate in the EC regarding Macedonia's progress this year however, does not sift the focus from the remaining issues that need to be tackled. Reforming is still required when it comes to the political dialogue between the parties, the judicial and administration sectors and the fight against corruption, issues in which Macedonia's progress is still fragile.

From Macedonian perspective, the common consensus in the Government is that the country has made substantial progress this past year and even in the years before that. According to the vice-prime minister, Vasko Naumovski, responsible for European Affairs, the authorities "put maximal effort for all tasks to be accomplished in time...There are approximately three more weeks left until the date for implementing all the obligations needed and for now we are pleased with the dynamics in which they are completed."<sup>22</sup> What is left to be done is for the Amendments of the Law for Civil Servants to be adopted.

Of course a question that remains to be answered is, if all requirements as listed benchmarks are fulfilled whether and how a name dispute with Greece will or can play a role in having green light for starting EU negotiations for membership?

3.3 As it was mentioned in the previous chapters, Macedonia's name dispute took rather dramatic turn in the past two years. Not receiving invitation for NATO membership put Macedonia in a relatively uncomfortable situation. Greece, openly opposing to its neighbor membership demonstrated firmness over the name dispute. A compromise over the name

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<sup>20</sup> Interview with Mr Patrick Paquet, the Head of Political Section within EC Delegation in Skopje, held on Thursday 27<sup>th</sup> of August 2009.

<sup>21</sup> Slobodanka Jovanovska, Utrinski Vesnik, Ren: Makedonija Ima Realni Sansi za Datum (Rehn: Macedonia has real chances for getting a date), 2<sup>nd</sup> of September 2009, <http://utrinski.com.mk/?itemID=55CA65F80E97B34AA24274D32428EF7C>

<sup>22</sup> Dnevnik, Evrorama, Attitudes on the EU and the Macedonian Government for the euro-integration process of Macedonia, <http://dnevnik.com.mk/?itemID=BEF25DC7B0659B4192CEF8496A105304&arc=1>

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must be struck before Macedonia enters NATO and the EU and there is no discussion about that, at least until the voting are unanimous.

In spite of the efforts of the international community and the mediator appointed by the UN, Mr. Matthew Nimitz, the two parties have not reach any agreement yet and are firmly standing on their different positions. There have been some talks, however unverified by any officials on either side or the EU, that with the visa liberalization and the probable recommendation for opening the negotiations Macedonia would get the incentive to make a compromise over its name in the period that comes. How the Macedonian authorities will conduct after and if this year's EC Report is positive it remains to be seen.

Another important event that can influence the course of the negotiation process is the early parliamentary elections in Greece, scheduled for 4<sup>th</sup> of October. "According to the last polls, the opposition All-Greek Socialistic Movement of Yorgos Papandreu (PASOK) has 6.4% bigger support between the voters then the ruling Nea Demokratia of the Prime Minister Costas Karamanlis."<sup>23</sup> Many analysts consider that the apparent change of the ruling party will help and bring the name negotiations in the last phase since PASOK shows positive attitudes towards the name dispute. "...Even before the definite decision for the early elections was published, Andreas Loverdos, one of Yorgos Papandreu's...closest collaborators stated that when they come to power the problem with the name will be solved..."<sup>24</sup> What will be the impact of the events in October 2009 on the future relations of the two countries, remains to be seen.

4. Comparative analysis of the official stands (EC Delegation, Secretariat for European Affairs) concerning Macedonia's progress since 2005 and the expectations from 2009 EC Report.

Intended for the needs of this report, the opinions of the both most concerned parties, the Government and the EC, are needed in order for the reader to get a clear image of the stances

<sup>23</sup> A1 News, Vonredni Izvori vo Grcija na 4. Oktomvri (Early Elections in Greece on 4<sup>th</sup> of October),

<http://a1.com.mk/vesti/default.aspx?VestID=113292>

<sup>24</sup> Nova Makedonija, Imeto ne e edna of glavnite temi na izborite vo Grcija, (The Name is Not One of the Main Topics on the Elections in Greece),

<http://www.novamakedonija.com.mk/NewsDetal.asp?vest=949942349&id=9&setIzdanie=21780>

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these sides take when it comes to Macedonia's progress in the accession process since 2005. Since both sides are directly connected to the reform process and the EU accession, having their point of views is crucial in order to get a balanced reporting of the progress made in the last four years and the possible expectations from the next EC Report. However, only one side answered the request for a meeting in which the development of Macedonia was discussed and that was the EC Delegation of the EU Mission in Skopje. Unfortunately, after numerous tries there was no definite answer about the requested meeting from the Secretariat for European Affairs, which is directly responsible for tracing Macedonia's accession in the EU. With these developments the author can only rely on the official statements presented in the media, without having the possibility to directly present the official stand of the Secretariat. The reasons for these actions of the Secretariat, in times when closer cooperation with the public is strongly encouraged and is praxis all around the EU, remain unknown.

In the previous chapters the focus was on the reforms and the benchmarks that Macedonia needs to fulfill in order to get the wanted recommendation date. However little is known about the complexity of the procedure that comes after this recommendation is given by the EC, a procedure that is as if not more important then the recommendation itself. After and when the EC recommends starting date for the negotiations, the Council has to agree on opening these negotiations with applicant country in question.<sup>25</sup> The period in-between is highly important because it is then when the screening i.e. identifying of the gaps is being conducted.<sup>26</sup> Following the end of the screening process a framework for negotiations must be constructed. As soon as that one is adopted by the member states, then the Chapters are being opened one after another. What is important to know, is that while these procedures are going, a change of the set of mind of the candidate country has to happen (this means that it has to take these negotiations seriously and act as if it is already a member state, with responsible government, functioning democracy and rule of law). Once the framework is adopted and there is an

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<sup>25</sup> Interview with Mr. Patrick Paquet, the Head of Political Section within EC Delegation in Skopje (27<sup>th</sup> of August 2009)

<sup>26</sup> The screening process is carried out jointly by the Commission and each of the applicant countries. Sector by sector, it allows a road map to be drawn up for each applicant indicating which legislative instruments must be adopted or amended so that the future member will be able to adhere to Community legislation as soon as possible after accession.

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agreement between EU and the candidate country about which Chapters should be open, there is another important note: the ones conducting the negotiations are not the EC and the candidate country but all the 27 member states with the candidate country. The EC here acts on their behalf. Furthermore there are 62 decisions altogether that are approved unanimously after the recommendation is given and before the end of the negotiations and the recommendation for full membership.

The above mentioned procedures show the complexity of the process of negotiations between the candidate country and the EU and its member states. The hardest part is not getting the date but the work needed afterwards for finishing the negotiations in a reasonable time and with good scores (the conditions after Romania's and Bulgaria's entrance are stricter which makes this task difficult for the WB countries). Those 62 decisions maybe seem far away for now but as the date for publishing of the EC Annual Report approaches, and with the positive attitude between the experts and the EU officials over the recommendation of a date, the authorities should consider their further moves wisely. The fact that those decisions are brought unanimously and with that they include Greece's vote it is a high time for a constructive solution for the name dispute to be searched. The recommendation for a date is without a doubt great acknowledgment for Macedonia's efforts and reforms but it must not be forgotten the hard work that lays ahead once that bridge is passed.

5. Final analysis and stating Analytica's opinion: Will Macedonia get the recommendation for starting date of the negotiations with the EU?

Whilst going through the events of the past four years, the comments and statements from the EU and the Government, the recommendations and the analyses, it can be concluded that the most positive remarks came in the last six months of this year. The overall feeling is the EU decided to encourage Macedonia to keep up with the reforms and the difficult name issue, rather than just be strict, pose conditions and criticize the country. This may also be due to the fear posed by many authors that the WB countries are losing their faith in the EU integration process and that the EU needs to "...adopt a more pluralistic approach to reform processes in the region..."<sup>27</sup> if it wants to keep the countries on the development path. However, this

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<sup>27</sup> Radio Free Europe, Radio Liberty, Helsinki Commission Urged To Renew U.S. Engagement in Western Balkans , Ivana Howard,

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showed to be a Sisyphean task with the uncertain future of the Lisbon treaty, the global economic crisis, the negative impact that the early admission of Romania and Bulgaria has in other member states' public opinion concerning the enlargement process. Also the issues with the fallen states in the Balkans (the constitutional crisis in B&H) as well as numerous still unresolved regional disputes are hampering the EU role in the Western Balkans. Finding the right balance between these issues and the enlargement proved to be rather challenging for the Union and for the countries at its door. It remains to be seen in the period that comes in which way these relations will develop.

Looking at Macedonia's progress and the expectations from the 2009 EC Progress Report, the analysis showed that the foreign experts as well as the EC representatives in Macedonia demonstrate optimism regarding a negotiation date. The conclusion is that there has been more progress in the last six months than in the past three years and that the authorities in Macedonia displayed more constructive language regarding the adoption and implementation of the eight benchmarks and the rest of the reforms. Also the Government in its media presentations recently has shown a positive outlook on its chances for getting a recommendation for a starting date of the negotiations with the EU. The first encouragement came in August with the green light for the visa liberalization process that has given the feeling to the public that the country has been recognized for its efforts in the approximation process. The last condition for Macedonia before the EC report is published on the 14<sup>th</sup> of October was adoption of 4 important laws:

- 1) The law on police reforms;
- 2) The law of funding the political parties;
- 3) The law for parliament;
- 4) The law for civil servants.

From the above mentioned laws only the Law for civil servants remains to be adopted before the EC publishes the Annual Report on October the 14<sup>th</sup>. There are foreign experts working with the Macedonian authorities on making this law according to EU standards so it could be passed with qualified majority voting.

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[http://www.rferl.org/content/Helsinki\\_Commission\\_Urged\\_To\\_Renew\\_US\\_Engagement\\_In\\_Western\\_Balkans/1602962.html](http://www.rferl.org/content/Helsinki_Commission_Urged_To_Renew_US_Engagement_In_Western_Balkans/1602962.html)



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Having gone through all the data presented in this report together with the conducted interviews, it can be concluded that Macedonia was lacking substantial progress in the past three years. The incidents in the Parliament, the standstill in the negotiations with Greece, not becoming a NATO member state, the bad elections and the incidents put a dark mark on Macedonia's development and its effort to join the big European family. With internal and external pressure, this year the authorities started to work on the reforms with more dedication and at faster pace, using more constructive language in the internal and external relations, too. The EC acknowledges this positive trend, praises the effort the country put this year, having in mind that the reforms are far from over.

As it was mentioned before the visa liberalization process has already started, which was another incentive and acknowledgment at the same time, as Macedonia got the highest marks on the reforms from the other four Balkan countries. The last stance for the country is order to get positive remarks is the adoption of several important laws, from which only one is left to be promulgated. When the last needed law is adopted and with the positive atmosphere in the EC regarding Macedonia's progress it is highly expected that recommendation for a start date for opening negotiations with the EU will be given in this year's EC Progress Report. This does not constitute opening the chapters immediately, as it was shown previously in our analysis, but does impact Macedonia's commitment to keep up with the reforms, in the same time being an incentive for the government to work harder in finding a compromise over the name dispute with Greece.



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### Conclusion remarks

The end conclusion that derived from the analysis made in the report was already presented in the last chapter of this paper and states: As soon as the last needed law is adopted in Macedonian Parliament and with the positive atmosphere in the EC regarding Macedonia's progress, it is highly expected that the recommendation for starting date for the negotiation process will be given in this year's EC Progress Report.

However, the work does not stop there as the opening the negotiations and the chapters is a difficult process for which countries needs to be well prepared. Though this may seem far away from today's perspective, as soon as the authorities continue with the reforms the faster will the negotiations for EU membership go.

Nevertheless, the final remark of this report would be that even in a worst case scenario of no date for negotiations, the progress must continue and Macedonia has to go on with the reforms as it cannot "break the door its been knocking on for so long".

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## EU Approximation and Integration Advocacy Program

“Four years from the candidacy status: what has been done and what can be expected?”

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Upcoming publication:

Conclusions from the Roundtable Discussion on the topic: Four Years from the Candidacy Status: what has been done and what can be expected?

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