

MACEDONIAN EU PERSPECTIVE: WINDOW OF CHALLENGE OR OPPORTUNITY

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Abstract

The paper analyses the Macedonian approach towards the EU integration process and the latest updates on EU enlargement. Namely, after a decade of positive recommendations by the European Commission for opening accession negotiations, the Macedonian EU perspective was encouraged by the Council that has finally decided to launched them in March 2020. During this period, for more than ten years, Macedonian authorities faced the challenge of maintaining a level of interest in the European prospects of the country without receiving many positive signals that the integration will happen in reasonable timeframe.

Still Macedonian political reality is more than complex: Prespa Agreement was expected to accelerate the development of relations with the Union after the name dispute with Greece has been closed, but new challenges have been imposed for the country's European future.

Key words: EU enlargement, Macedonian case, negotiation methodology.

Introduction

„In light of the progress achieved on reforms and the fulfilment of the conditions set unanimously by the Council in June 2018, the Council, subject to endorsement by the European Council members, decides to open accession negotiations with the Republic of North Macedonia.“¹ The General Affairs Council conclusions on enlargement and stabilization and association process

¹ General Affairs Council- Council conclusions on enlargement and stabilization and association process for the Republic of North Macedonia and the Republic of Albania, Brussels, 25 March 2020. Available at: <https://data.consilium.europa.eu/doc/document/ST-7002-2020-INIT/en/pdf>. Accessed on 27 March 2020.

for North Macedonia and Albania were confirmed by the Members of the European Council on 26 March 2020.² Despite this optimistic announcement, less encouraging is the fact that there is no precise date when the negotiations will be opened. The history of EU enlargement shows us that the decision to launch negotiations with other countries from the region (Serbia, Montenegro, Croatia) has always been accompanied by a start date for the negotiations, but this is not the case now. According to the Council conclusions, and as the updated country reports identify, both countries (North Macedonia and Albania) „had demonstrated their determination to advance the EU reform agenda and had delivered tangible and sustained results, fulfilling the conditions identified by the June 2018 Council for the opening of the accession negotiations“.³ The first intergovernmental conference should be convened as soon as possible after the adoption of the negotiating framework by the Council. However, prior to the first intergovernmental conference, both countries have to implement a number of reform measures which will impact on the actual start of negotiations. The fight against corruption and organised crime remains a long-term objective, tangible progress regarding reform of public administration as well as further progress in the adoption of legislation. The Commission expects that reform work will continue in both countries respectively and that the conditions will be met soon in order to launch the accession negotiations.⁴

In addition to the list of required reforms, a Statement by the Republic of Bulgaria with regard to the adoption of the Council Conclusions on Enlargement and Stabilisation and Association Process⁵ has become one more conditioning issue for Macedonian European integrative process. The statement refers to the unsatisfactory level of implementation of the Treaty on Friendship, Good-Neighbourliness and Cooperation between the Republic of Bulgaria and the Republic of North Macedonia, which has been affected by congestion of the work of the Joint Multidisciplinary Expert Commission on Historical and Educational Issues. Bulgaria states that the implementation of the Bilateral Treaty will be evaluated at all stages of the accession process of the Republic of North Macedonia to the EU, including prior to giving the Republic of Bulgaria's consent to holding the first Intergovernmental Conference (IGC). The sensitivity of the

² Joint statement of the Members of the European Council Brussels, 25 March 2020. Available at: <https://www.consilium.europa.eu/media/43076/26-vc-euco-statement-en.pdf>. Accessed on 27 March 2020.

³ General Affairs Council- Council conclusions on enlargement and stabilization and association process for the Republic of North Macedonia and the Republic of Albania, Brussels, 25 March 2020. Available at: <https://data.consilium.europa.eu/doc/document/ST-7002-2020-INIT/en/pdf>. Accessed on 27 March 2020.

⁴ „Accession negotiations opened with Albania and North Macedonia but no date set yet“. Brussels Times. Available at: <https://www.brusselstimes.com/all-news/eu-affairs/103517/accession-negotiations-opened-with-albania-and-north-macedonia-but-no-date-set-yet/>. Accessed on 30 March 2020.

⁵ Statement by the Republic of Bulgaria with regard to the adoption of the Council Conclusions on Enlargement and Stabilisation and Association Process. Available at: https://www.parlament.gv.at/PAKT/EU/XXVII/EU/01/66/EU_16606/imfname_10969905.pdf Accessed on 4 May 2020.

issues which have to be revised by the Joint Multidisciplinary Expert Commission might cause further delay in start of the negotiations, since Bulgaria is conditioning the future negotiating framework with tangible actions and results in the implementation of the Bilateral Treaty.

Macedonian „Window of Opportunity“ for European Integration

Many political debates were launched about the *enlargement* of the European Union after the European Council meeting in October 2019 failed to agree to open accession negotiations with North Macedonia and Albania. The EU's commitment to the European perspective of the region was in question. The debate for the profound disillusionment with the European project was easily catalyzed in the Western Balkans. The EU's credibility was undermined, in particular in the Macedonian case, where the change of the constitutional name was expected to open the „window of opportunity“ for European integration. This was additionally dynamized by the new methodology for enlargement proposed by France in November 2019⁶ that called for a more merit-based system, able to provide more tangible benefits earlier in the process, and able to be reversed if the country fails to fulfill requirements.

Macedonian political reality was more than complex: the Prespa Agreement was expected to accelerate the development of relations with the Union after the name dispute with Greece has been closed, but the EU responded by postponing the date for start of negotiations and „raising the threshold“ with the new methodology. This generated Euroscepticism among different forces at the national level. A public opinion survey published in February 2020 shows that 31.9% of the citizens responded positively to the question: do you expect that the country will be granted a date for opening of the negotiations in 2020. 57,8% of the Macedonian citizens did not expect this to happen in 2020⁷.

The wider political context of the Macedonian political scene shows that EU integration is one of the driving aspirations of the Macedonian foreign policy since its independence in 1991. Diplomatic relations with the EU were established in 1995 and were followed by the Agreement of wide-ranging cooperation in the fields of trade, financial operations and transport.

Republic of North Macedonia was the first country from the region that signed a Stabilization and Association Agreement (SSA) with the EU in 2001 and the first country in which an SSA has entered into force on 1 April 2004.

⁶ „Non-Paper: Reforming the European Union Accession Process“ (issued by the French Government in November 2019). Available at: <https://g8fip1kplyr33r3krz5b97d1-wpengine.netdna-ssl.com/wp-content/uploads/2019/11/Enlargement-nonpaper.pdf>. Accessed on 28 March 2020.

⁷ Nikolovski I., Kirchner, J.M. (2020). „What now? The Uncertainty of North Macedonia's EU Accession“. IDCS and Konrad Adenauer Stiftung. Available at: https://www.kas.de/documents/281657/281706/A5_What+now+The+uncertaintyof+North+Macedonia%27s+EUaccession+in+2019What%28MKD%29.pdf/96cb9f1b-a7ce-61f6-a31c-30da2d28fc67?version=1.0&t=1582815182418

The SSA provided a framework for political dialogue and strengthened regional cooperation, it strengthened economic relations among parties and established grounds for technical and financial support. The SSA has made a tremendous impact in the process of policy harmonization, legislation and promotion of European values among the institutions and citizens. The European Council awarded the country candidate status in December 2005 and in February 2008, the Council adopted the revised Accession Partnership with the country. After the candidate status was granted, Macedonian foreign policy has been focused on achieving a date for start of negotiations with the EU.

The European Commission first recommended to open accession negotiations with the country in October 2009⁸. Positive recommendations have been received for over a decade until it was finally decided to open the negotiations in March this year. During this period of more than ten years, Macedonian authorities faced the challenge of maintaining a level of interest in the European prospects of the country without receiving many positive signals that integration would happen in a reasonable timeframe. The only green light received by the European Council was visa liberalization, granted for the Macedonian citizens at the end of 2009.

The name dispute with Greece has been one of the greatest obstacles to the integration process when it comes to valorization of the reforms implemented: regardless of the internal dynamic of reforms, the country's accession was vetoed by Greece.

A milestone in the country's EU integration process was expected after the name dispute with Greece was resolved and the Prespa Agreement was signed. Macedonian citizens had high expectations that after the painful change of the constitutional name, the EU membership process **would be advanced and the accession negotiations** would be opened. But the EU failed to launch negotiations in June and October 2019. The leading opponents for further enlargement, France and the Netherlands, sounded criticism over reforms in the fields of democracy and fighting corruption. They were both skeptical of allowing in new members at a time when the EU's cohesion was already affected by Britain leaving the Union. This pattern of decision-making fueled by an 'enlarge fatigue' had been seen before. In fact, back in 2005, France and the Netherlands, after the rejection by referendum of the Union's proposed constitution, both resisted enlargement because the voters perceived it as a threat to the future of their countries. The arguments of these leading states against further EU enlargement were that the Union should focus on its internal weaknesses before launching new negotiations and that the candidate countries must deliver results in the fight against corruption and organized crime.

The EU has learned its lesson from previous enlargements, when underprepared Member States joined the Union and a heavy price was paid. But this

⁸ EU enlargement: The Republic of North Macedonia. Available at: <https://www.consilium.europa.eu/en/policies/enlargement/republic-north-macedonia/>. Accessed on 28 March 2020.

shortsighted approach might lead the EU not to see the forest for the trees. If the EU can't identify its strength and use its potential transformative power in the societies that are in an urgent need for reforms, then the momentum will be lost. It is a fact that the Western Balkan countries are facing serious problems in tackling corruption, organized crime, rule of law, strengthening the democratic processes, media freedom, etc. The EU shouldn't undermine its transformative impact on national level decisions among EU aspirant countries. As Uslaner emphasizes, „Societies develop „cultures of corruption“ because they are trapped in a vicious cycle of high inequality, low out-group trust, and high corruption“⁹. There has to be a way to come out of this process and the EU has practical knowledge how to achieve it. That is why strong engagement in the region is essential.

New enlargement methodology, old issues

When France proposed the new methodology for enlargement last November there were different interpretations for this renewed approach in the enlargement policy. Some considered it as an indictment of the lack of reforms done by the Balkan countries¹⁰, but by other analysts it was seen as a „justification for the blockade towards opening accession talks with North Macedonia and Albania“¹¹ and for a third group of EU specialists it was an attempt by the French to reflect a more serious engagement in the Enlargement process after Macron's statement that the EU needs to 'deepen' before it takes a decision to 'widen'¹². Regardless of the motives, the French proposal was based on replacing the current 35 negotiating chapters with seven stages of the accession process, with „stringent conditions in order to effectively converge towards European norms and standards“.¹³ Additionally, there was a „reversibility“ component allowing the EU to abandon membership talks if the government fails to deliver the required standards. The non-paper also included gradual association, stringent conditions and tangible benefits.

The French proposal has its advantages in respect of setting out much needed interim benchmarks and rewards by segmenting the accession negotiation process. But instead of accelerating accession, the negotiations will slow down the process because „once the negotiations are opened, the integration process

⁹ Uslaner, Eric M. (2008). „Corruption, Inequality, and the Rule of Law: The Bulging Pocket Makes the Easy Life.“ Cambridge University Press. p. 6.

¹⁰ „The French non-paper: Are there any implications for Kosovo's EU integration process?“. European Western Balkans. Available at: <https://europeanwesternbalkans.com/2020/01/27/the-french-non-paper-are-there-any-implications-for-kosovos-eu-integration-process/>. Accessed on: 31 March 2020.

¹¹ „Seven stages of EU accession: This is how France would reform the process“ European Western Balkans, 18.11.2019. Available at: <https://europeanwesternbalkans.com/2019/11/18/seven-stages-of-eu-accession-this-is-how-france-would-reform-the-process/>. Accessed on 29 March 2020.

¹² Ibid.

¹³ "Non-Paper: Reforming the European Union Accession Process“ (issued by the French Government in November 2019). Available at: <https://g8fip1kplyr33r3krz5b97d1-wpengine.netdna-ssl.com/wp-content/uploads/2019/11/Enlargement-nonpaper.pdf> . Accessed on 28 March 2020.

would no longer be based on simultaneous opening of a large number of thematic chapters, but on several successive stages, which would form coherent policy blocks“.¹⁴ It is almost impossible to expect Western Balkans leadership to implement painful reforms and carry out concessions on national matters when the reward is expected to happen after 20 years or even more, considering the fact that there are numerous vetoing opportunities and unilateral political requirements in the meantime.

However, the French methodology was bypassed by the Council’s unanimous decision to open negotiations in the Macedonian and Albanian case, but this doesn’t mean that the EU will not revise the accession criteria.

A proposal for a new enlargement methodology adopted by the European Commission is already on the table and has been presented for the Macedonian authorities as more credible, with a stronger political steer, more dynamic and predictable.¹⁵

The new methodology includes clustering 33 negotiating chapters into six clusters which will be opened as a whole. The Commission believes that this ‘...will allow a stronger focus on core sectors in the political dialogue’ and will help identify the most important and urgent reforms per sector. More focus will be placed on the rule of law and fundamental values of the EU through instruments such as roadmaps, more involvement of the individual EU Member States in the process. The integration of the candidates in various EU policies if the reforms are duly implemented will be gradual and the lack of progress will be sanctioned with the reversal of the process.

The new Enlargement methodology in its content emphasizes the geopolitical importance of the Western Balkans for the EU and of the major commitments the EU has made to this region in the past. It says, among others, that ‘...firm, merit-based prospect of full EU membership for the Western Balkans is in the Union’s very own political, security and economic interest. In times of increasing global challenges and divisions, it remains more than ever a geostrategic investment in a stable, strong and united Europe.’ It also calls ‘all parties [to] abstain from misusing outstanding issues in the EU accession process’, a clear reference to incidences of using EU enlargement as a hostage of particular interests of domestic political actors.

One of the issues strongly pointed out by the Commission is the priority of fundamental political reforms such as the rule of law, functioning of democratic

¹⁴ "Non-Paper: Reforming the European Union Accession Process" (issued by the French Government in November 2019). Available at: <https://g8fip1kplyr33r3krz5b97d1-wpengine.netdna-ssl.com/wp-content/uploads/2019/11/Enlargement-nonpaper.pdf>. Accessed on 28 March 2020.

¹⁵ „Enhancing the accession process - A credible EU perspective for the Western Balkans“, Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions, Brussels, 5 February 2020. Available at: https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/enlargement-methodology_en.pdf. Accessed on 29 March 2020.

institutions, fighting corruption, or as the document states ‘...negotiations on the fundamentals will be opened first and closed last and progress on these will determine the overall pace of negotiations.’ Potential abuses of rule of law and authoritarian leadership cannot be fully avoided in the region, but the enlargement methodology shows strong will in addressing these issues.

The practice throughout the years of implementation will show how the new system works and if the newly created *carrots* (such as ‘...accelerated integration and „phasing-in“ to individual EU policies, the EU market and EU programmes’ and increasing funding and investment ‘...through a performance-based and reform-oriented Instrument for Pre-accession support and closer cooperation with IFIs to leverage support’) and *sticks* (putting on hold negotiations in certain areas, suspending the entire negotiation, reopening the already closed chapters, reducing the EU funding, pausing or withdrawing benefits of closer integration) will work as expected.

The European Commission is expected to draft and propose the draft negotiation framework with North Macedonia, integrating the elements of the revised methodology.¹⁶ The first intergovernmental conference will be convened as soon as the negotiation frameworks are adopted by the Council.

Conclusions

It is discouraging that the Zagreb declaration adopted at the EU-Western Balkans Zagreb Summit, 6 May 2020¹⁷ does not mention the enlargement of the Union at all. There is no date for start of negotiations, no negotiation framework, neither an announcement for the first intergovernmental conference. The EU leaders stressed the importance of good neighbourly relations, regional stability, and mutual cooperation. This includes implementing bilateral agreements in good faith and with tangible results, including the Prespa Agreement with Greece and the Treaty on Good Neighbourly Relations with Bulgaria. It also refers to finding solutions to bilateral disputes and dedicating additional efforts to reconciliation.

Although the latest developments after the Zagreb Summit don’t spread much optimism about further EU enlargement, both the European Commission and Macedonian national authorities have important tasks in the upcoming period.

The Commission is about to revive EU conditionality, which is the heart of enlargement. Its approach should find a balance between being strict and merit based, and offering concrete rewards and integration impetus for the

¹⁶ „Commission welcomes the green light to opening of accession talks with Albania and North Macedonia“ Press release, 25 March 2020. Available at: https://ec.europa.eu/commission/presscorner/detail/en/IP_20_519. Accessed on 29 March 2020.

¹⁷ Zagreb Declaration, 6 May 2020. Available at: <https://www.consilium.europa.eu/media/43776/zagreb-declaration-en-06052020.pdf>. Accessed on 8 May 2020.

candidate countries in order to encourage them in the harmonization and implementation of European standards and values. If the political will is revived among the EU leadership, the improved enlargement methodology may encourage enthusiasm for reform among the Western Balkans candidate countries. If a merit-based system is introduced replacing the *arbitrary blocking*, together with meaningful rewards and a quicker and more dynamic timeframe, the national authorities will be more motivated to move the process forward.

European promises have a value only if they are realized.

In practice it is hard to find the right balance between positive and negative incentives. The process of undercutting the hope of candidate countries that they will join the EU in foreseeable future and imposing obstacles for further integration usually leads towards isolationism and national policies that mobilize enlargement skeptical actors. The hope is one of the strongest incentives for undertaking painful reforms within candidate countries. Keeping the EU enlargement perspective for Western Balkans is important factor for the European Union and its position of global political actor.

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