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# Geopolitical Challenges and the Macedonian Path to EU Accession

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**Abstract:** While formally founded on a variety of values and rules, the enlargement of the European Union (EU) has also been consistently influenced by geopolitical considerations, including within the Western Balkans (WB). The author particularly focuses on the Macedonian case in this regard, observing it in the context of the enlargement policy's diminished credibility, the lack of progress towards fulfilling membership criteria, and more recently, the complications caused by Russia's invasion of Ukraine. Apart from the veto imposed by Greece due to the naming dispute (which began in 2005), Skopje's progress towards EU accession was further hindered by additional challenges related to democratic regression, state capture, and corruption. However, even the change of government and the subsequent conclusion of the Prespa Agreement with Athens in 2018 failed to result in the initiation of EU accession negotiations, which were initially blocked by France and later by Bulgaria. Meanwhile, concerns regarding the high degree of corruption persisted, while Bulgarian bilateral demands became integrated into the broader EU expectations from Skopje. The author concludes that the Macedonian case is characterized by a significant degree of bilateral and geopolitical considerations, further undermining the legitimacy and objectives of the enlargement policy.

**Keywords:** EU enlargement, Western Balkans, conditionality, geopolitical considerations, bilateral disputes, corruption.

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## Introduction

The Article 49 of the Treaty on the European Union states that “[a]ny European state which respects the values” [of the Union] and is committed to promoting them may apply to become a member of the Union.” Indeed, accession of new member states has been on the European agenda since the creation of the European Economic Community in the 1950s. To join, European states have to fulfill political conditions and should have developed into stable democracies. The EU’s guiding tenets, upon which membership criteria are based, are “human dignity, freedom, democracy, equality, the rule of law and respect for human rights, including the rights of persons belonging to minorities.” Enlargement is a key instrument of the Union’s so-called “soft power.” On the other hand, EU enlargement and geopolitics are coupled in principle.

The question is when is a European state ready to become an EU-member? Although built on values and rules, European Union enlargement has been influenced by geopolitical considerations since the founding days of the EU. In the 1960s France repeatedly blocked Britain’s attempts to join what was then the Common Market. Change of governments in Paris and strong US support to British accession in the context of the Cold War prevailed. Despite their recent authoritarian governments, geopolitics was a strong driving force behind the accession of Greece, Spain and Portugal. The central objective was achieving democratic stability and to strengthen the West in its competition with the Soviet bloc in southern Europe. Enlargement to the formerly neutral Sweden, Finland and Austria after the fall of communism also contained a geopolitical connotation. Aiming to curtail Russia’s influence, the so-called “Big bang”, or the fifth enlargement, was an exceptional success story premised on the transformation of the enlargement policy into a central foreign policy instrument of the EU. The expansion of the European Single Market to turn EU into the largest single market in the world also contained geopolitical elements and ramifications.

Likewise, geopolitics plays a major role in the accession of Western Balkans to the EU. Since becoming a candidate country in 2005, Macedonia has been denied a clear path to membership due to geopolitical consideration. In the period until 2015 the country was blocked by Greek objections over the name. In 2015-7, beyond the name questions, issues of democratic backsliding, state capture and corruption prevented Skopje to open EU accession. Once a new government took power in 2017 and concluded the so-called Prespa Agreement with Athens in 2018, the country was supposed to continue on the path to EU membership. Yet, first France blocked the opening of membership negotiations at the EU Council Summit in October 2019 in order to reform the enlargement

methodology, and then in 2020 Bulgaria applied a veto. Meanwhile, the state capture and corruption issues remained unresolved. Apart from that, the EU backed Bulgarian demands regarding the prospective start of the accession negotiations. Such political and geopolitical phenomena harm the legitimacy of EU and the enlargement. This becomes even clearer when one considers the recent granting of candidate status to Ukraine and Moldova.

### **Conditionality, geopolitics and EU enlargement**

The EU agenda in the Western Balkans is focused on building a better shared future, while tackling elements of the past which act as an impediment to future co-operation, stability and prosperity. This for example was reflected in the EU's 2020 Economic and Investment Plan for the Western Balkans. Overcoming the legacy of the past in the region is supposed to contribute to anchoring sustainable socio-economic development in the region. Indeed, reconciliation and achieving good neighborly relations through the resolution of outstanding issues between countries has been promoted as a key precondition for the enlargement process (2009 Enlargement Strategy and Main Challenges 2009-2010). The pre-accession conditionality towards the Western Balkan states regarding neighborly relations as defined by concerned EU countries serves well the positions of the enlargement-reluctant member states. Candidate countries have thus often faced 'obstruction from one or more member states who have tried to delay their progress towards the EU, sometimes successfully, due to bilateral issues' (Denti, 2014).

In this context, Winn and Harris rightly so argue that "postcommunist transitions to democracy showed that it is easier to erect democratic institutions, formal rules and procedures than to change historically evolved practices, norms and *collective identities* [emphasis added by author]" (2003: 3). If the conditionality touches upon identity politics, the EU's transformative power appears to be very weak and ineffective. Nowadays it is manipulated by sometimes 'uncompromising nationalist and particularistic member-state demands' (O'Brennan, 2013:39). In particular, it is difficult for candidate countries to reach an agreement on bilateral disputes when the power in defining the solutions typically rests with the member states. It is true that lessons from past enlargement experiences and unresolved disputes that have affected EU policymaking, such as the division of Cyprus, show that it is preferable if candidate countries resolved outstanding bilateral questions before accession, but this is very complicated in the Western Balkans. Moreover, the abuse of the veto power "for issues that have nothing to do with the criteria

and conditions with which each candidate country must comply highlights the inherent weakness and hypocrisy of the EU's decision making process in relation to its enlargement policy" (Fouéré 2022, 1).

Despite official statements from the EU institutions and periodic summits between the EU and Western Balkan leaders, the EU's enlargement agenda has barely moved in the past few years and has lost almost all credibility (Fouéré 2022, 1). Much of the delay is due to geopolitical considerations. Thus, the enlargement policy of the EU, has evolved from "a promise of a European future" (the Thessaloniki Summit) and "a credible perspective" (the Juncker Commission) to the post-Brexit's "firm, merit-based prospect of full membership", dependent on the Union's very own political, security, and economic interests. The enlargement policy has become increasingly complex. New conditions and procedures have been added to the accession negotiations methodology. Reaching consensus on further enlargements has become close to impossible. Not much progress has been made in recent times. Recently, France, blocked the enlargement process based on the general concerns about the Union's internal coherence and unity and offered ideas for reforming the enlargement agenda. French proposal of a "European political community" (Council 2022) and the similar Charles Michel's offer of a "European geopolitical community" presented in May 2022 (European Western Balkans 2022) represent the initiatives that should run in parallel if not as an alternative to the enlargement process. President Macron argued for the abandonment of enlargement as a Union's geopolitical tool because it is contrary to preserving the EU's internal unity. In his words, "We have ... the historic duty, not to do what we have always done and say the only solution is accession ... but rather to open up a historic reflection commensurate with the events we are experiencing, on the organization of our continent" (Council 2022). Once a successful instrument, the enlargement policy "no longer fits the purpose, even though it would be expected to deliver a similar result in a contemporary era of heightened geopolitical tensions" (Radic and Domaradzki, 2022, 392).

While Western Balkans has already been undergoing its democratic stagnation, Russia's invasion of Ukraine has complicated the democratic transition and EU integration of the region even further. At the EU Council meeting in June 2022, a major shift in EU foreign and enlargement policy occurred with the approval of the candidate status for Ukraine and Moldova in light of the Russian aggression on Ukraine. The war in Ukraine and its application for membership have created a "perfect storm" for the enlargement policy (Kovačević 2022, 354). Western Balkan elites understandably fear[ed] that their countries aspirations to join the Union are now even more unclear. Even before 2022, the lack of a clear path to membership has negatively affected internal political developments in the Western Balkans.

Now, the Russian attack of Ukraine has “emboldened autocratic forces in the Western Balkans and has threatened to further shrink the space for civil society action” (Shentov et al. 2022, 23). Despite the emergency geopolitical situation created with the war in Ukraine, “the EU enlargement policy remains in paralysis while alternative offers (e.g., European (geo) political community) appear” (Radic and Domaradzki, 2022, 405). Under these circumstances Western Balkan leaders have increasingly resorted to authoritarian practices, capturing of state institutions, and widespread corruption.

A variety of reasons including the very low support for enlargement among its citizens, which affects domestic elections and political behavior of member states politicians, influence the thinking of EU leaders to slowdown the integration process of Western Balkan countries into the Union. In order to become a global player the EU needs first to reform itself and then expand. For example, France and Germany are pushing a large-scale institutional reform of the European Union, to abolish the veto on European Council votes in order to simplify the making of the EU’s common foreign and security policy. On the other hand, in June 2023, the CDU/CSU parliamentary group tabled a motion in the Bundestag calling for a new policy towards the Balkans. The reasoning was that if full political membership is currently not available, EU should introduce an attractive intermediate step in the enlargement process - the single market. Citizens of the candidate countries would enjoy the four freedoms (movement of goods, persons, services and capital) within the EU. Brussels would have bigger influence again in a region, while the candidate countries would not have an influence in the decision making process of the Union, no commissioners of their own and no veto rights. This would be an intermediate goal achievable in the foreseeable future that would precede the political membership in the EU. Other EU Member States have also put proposed for differentiated/ sectoral integration, partly with a focus on the internal market, on top of the 2020 revised enlargement methodology.

### **Macedonia, geopolitics and EU conditionality in relations with Greece**

The Macedonian example indicates that the pre-accession conditionality pertaining to good neighborly relations might severely slow down further enlargement. The ‘name dispute’ with Greece represents[ed] a heavy burden for Macedonia. On 22 March 2004, Macedonia submitted an application for EU membership. Greece lobbied against the Macedonian EU candidacy,

(Mavromatidis, 2010, and Pond, 2006) but in November 2005 the Commission recommended to the EU Council that candidate status be granted to Macedonia. The Council confirmed the candidate status in December 2005, but has failed to initiate negotiations for membership despite repeated European Parliament resolutions to do so. Greece objected to the use of the name 'Macedonia', arguing that Macedon was an ancient Greek kingdom and hence the former Yugoslav republic should not bear such name, considering that Macedonia is the name of a region of the Greek state. At the European Council summit on 19-20 June 2008, Greece succeeded, against the objections of some other member states led by the Slovenian presidency, in inserting a statement into the Conclusions that 'maintaining good neighborly relations, including a negotiated and mutually acceptable solution on the name issue, remains essential.' The discrepancy between this position and the view of the Commission that 'bilateral issues should not hold up the accession process which should be based on established conditionality' (Enlargement Strategy 2014: 17) is clear, but not resolved. Although the European Commission in its Progress Reports kept recommending the start of accession negotiations, Greece has maintained its veto power as a diplomatic tool, as was the case with the blocked NATO candidacy of Macedonia (Mavromatidis, 2010:58). Joining Greece, Bulgaria has since 2012 also objected to opening negotiations with Macedonia claiming Skopje uses anti-Bulgarian propaganda and manipulates historical facts badly affecting good-neighborly relations.

Whereas up until 2015, "the key precondition for any further integration progress was of an external nature, namely 'resolving the name issue with Greece'; in the subsequent two years, the key issue became one of an internal nature: namely internal democratization" (Reka, 2023, 153). Whether the European Commission would recommend the start of accession negotiations was under question. For the first time, in December 2015 the European Council asked for "the fulfillment of internal conditions, namely the full implementation of 'The Przhino Agreement' of 15 July 2015, and of the Ohrid Framework Agreement (OFA) of 13 August 2001" (Ibid, 14). The events of 2015 and 2016 were turbulent. In February 2015, the Social Democrat (SDSM) opposition leader Zoran Zaev begun releasing sets of illegally recorded phone conversations. The accusations against Prime Minister Nikola Gruevski and the Head of the Intelligence Service (DBK) Sasho Mijalkov were that they have, during the last few years, secretly and illegally wire-tapped some 20,000 people including journalists, opposition leaders, businessmen, NGO activists, academics, religious leaders, members of the judiciary and others prominent intellectuals.

The recordings indicated direct influence on the judiciary, including dismissing criminal charges against government ministers, appointment of party loyal judges,

influence on the media, selective prosecution of political opponents, mass electoral fraud, misuse of police and public administration for party agenda, and pressure on individuals and firms. The recordings have augmented the fear that the system is designed with the objective of maximizing wealth, power, and impunity for the benefit of specific individuals and networks, rather than serving the public interest (Daskalovski 2017). Among the public there was a feeling that Prime Minister Gruevski and his associates have learnt to maximize wealth and power for their own benefits, while undergoing a large-scale extraction of resources from the society and employing part of these resources through clientelism.

Generally, democracy was gravely endangered as the system was designed with the objective of maximizing wealth, power, and impunity for the benefit of particular groups and networks, rather than serving the public interest. A widespread 'sense of impunity' of the VMRO-DPMNE and DUI officials, amplified by a long-standing absence of alternation in government existed. The judiciary "became politicized, party-affiliated, corrupted, unprofessional, selective, inefficient and partial...the similar situation happened in the Council of the Prosecutors" (Mitevski 2018, 105). Moreover, many critically oriented media were closed down. The control of the public institutions was overwhelming. The VMRO-DPMNE led government established control and management of different power systems by "placing suitable and loyal party members/supporters for rectors, directors, general managers, presidents, members of managing and supervisory boards, councils and so on" (Mitevski 2018, 171). Political influence on the judiciary in Macedonia has been apparent for many years. In the period 2006-16, "under the VMRO-DPMNE/DUI coalition, the problem became endemic" (Trpkovski et al. 2020, 70). If we take the standard definition of "state capture", that "it occurs when the ruling elite and/or powerful businessmen manipulate policy formation and influence the emerging rules of the game (including laws and economic regulations) to their own advantage" (Hellman et al, 2000) and that the distinguishing feature of state capture is a high level of secrecy, then we can easily confirm that the rule of the Gruevski government fits in this category. The wiretapping scandal took away the secrecy.

Tensions were high as many people protested the alleged government corruption and state capture, while pro-government rallies occurred as well. Clearly, there was "no place for existence of state capture and corruption in a county aspiring for membership of the European Union." (Hudson 2023, 34) A compromise, brokered by the EU and the USA, between the main political parties was worked on from 2<sup>nd</sup> June to 15<sup>th</sup> July 2015. The agreement foresaw the establishment of a Special Prosecutor to lead the investigations about the eventual crimes highlighted by the wiretapping scandal. As part of the deal, Gruevski

resigned in January 2016, SDSM joined a caretaker government that was to organize early elections, postponed but ultimately held in December 2016. VMRO-DPMNE won gaining 51 seats in the 120-member Parliament but could not renew its coalition with the ethnic Albanian Democratic Union for Integration (DUI) which won 10 seats, thus failing to form a government. Consequently, SDSM created a coalition with DUI and other ethnic Albanian parties and formed a government in the end of May 2017 despite protests, blockade from the president and violent storming of the parliament on the 27<sup>th</sup> of April 2017 after the new coalition government elected an ethnic Albanian as the new speaker.

Coming into office, Zoran Zaev vowed “economic prosperity, EU and NATO integration, and zero tolerance for corruption” (Marusic 2017). Prime Minister Zaev promised “honest and responsible governance, a strong fight against crime, and institutional reform” (Dimeska 2021, 2). He announced a responsible, reformist, European government, seeking to deal with the naming dispute with Greece and an improvement of inter-ethnic relations. He also pledged to rid the courts of political interference so that many high profile graft investigations and trials could be brought to swift and fair conclusions (Marusic 2020). Zaev promised to dismantle the “state capture” across all branches and levels of government and create conditions for the country’s Special Public Prosecutor to get to the bottom of the wiretapping affair (Bliznakovski 2017, 4).

Macedonia signed a bilateral agreement with Bulgaria (2017) and with Greece (2018), which unblocked its Euro-Atlantic integration. After winning the general elections, the SDSM in coalition with DUI won in almost all the municipalities in the local elections of 15–29 October 2017. At a central level, the SDSM-DUI coalition won the early elections of 2020 too and formed a second Zaev government. As a result of the Prespa Agreement, Greece abandoned the veto and on 27<sup>th</sup> March 2020, North Macedonia became the thirtieth member state of the Alliance. Meanwhile, due to French objections on 18 October 2019, the EC Council had taken the decision not to grant a date for the start of accession negotiations for the Republic of North Macedonia to enter the EU, thereby causing yet further delays in the EU integration process. Then, on 24 March 2020, after so many delays, ministers for European affairs gave their political agreement to the opening of EU accession talks with North Macedonia. What was impossible during Gruevski’s rule was achieved under Zaev.

The ‘solution’ to the name dispute has “been motivated by geopolitical ‘urgency’ i.e., a need to solidify NATO on the Balkan ‘frontline’ in the context of Second Cold War prospects” (Vankovska 2020, 343). Macedonia’s accession into the NATO Alliance was a geopolitical victory for the USA further pushing Russia’s influence away from the Western Balkan region. The agreement was also both a



geopolitical victory for the EU and a vindication of its vision of how international politics should work (Chryssogelos 2019). The ‘resolution’ of the name issue was supposed to serve as a prelude to solving a far more important geopolitical issue—the Kosovo imbroglio. Rewarding Macedonia “for the ‘sacrifice’ of its name could be seen as an encouragement for Serbia to follow suit” (Ibid). EU was seen as playing a positive role in the assumed resolution of the name dispute in the Prespa Agreement and Macedonia was to start the long overdue accession talks.

While successive right wing Macedonian governments in the period 2006–2016 withstood the pressure to change the name in order to accede to NATO and start negotiations for membership with the EU it did not progress in the democratization of the country, quite on the contrary. State capture, corruption and illiberal rule were characteristics of Gruevski’s rule in 2015–6. The EU and USA supported changes of the regime and once it happened strongly supported the left wing government. The Prespa Agreement was the choice of new ruling coalition even though the dispute between Athens and Skopje was such that it could have lasted indefinitely (Merlicoo 2018, 157). Zaev came to an understanding with Athens and Sofia. Macedonia became member of NATO and Greece became supporter of its efforts to join the EU. Both agreements (with Sofia and Athens) were “concluded under the veil of secrecy, with no public or expert debate, and at the expense of the rule of law principle” (Vankovska 2020, 354). The Agreement has been “baked in the Pentagon and Berlin and as such it serves, first and foremost the interests of the USA and Germany” (Fouskas 2018). Indeed, the implementation of the agreement was possible due to the infamous encouragement of EU Commissioner Hahn to Zaev to do so suggesting a ‘combination of the Balkan and rational approach’ in securing the 2/3 majority necessary for the change in the Constitution and ratification of the PA (Marusic 2018). EU conditionality worked in favor of the EU member, which Bulgaria understood well.

## **Macedonia, geopolitics and EU conditionality in relations with Bulgaria**

Bulgaria and Macedonia signed a bilateral Friendship Treaty in August 2017. According to the Treaty both countries were to set up an multidisciplinary committee on historical and educational issues (Joint Multidisciplinary Expert Commission on Historical and Education Issues) to discuss the two countries, ‘shared history,’ to ‘organize celebrations of shared historical events and personalities,’ and ‘to contribute to the objective, based on authentic and evidence-

based historical sources, scientific interpretation of the historical events.’ In the Preamble there is a point about “taking account of the shared history that ties together the two countries and their peoples.” The Treaty between Sofia and Skopje was presented as a closure of the long-lasting bilateral dispute between the two neighboring countries, which accelerate the EU accession of Macedonia. Gruevski was not ready for any “dramatic concessions – defense of Macedonianness was the key point of his ruling paradigm and ideology” (Vankovska 2020, 387). Zaev promptly accepted everything that the VMRO-DPMNE government did not want to. Thus, while Zaev said that the Friendship Agreement was “a historic step forward for Macedonia and Bulgaria that it shows that the past can be a basis for future cooperation” Bulgarian prime minister Boyko Borissov stated that “the treaty shows that even in the turbulent Balkans, problems can be solved through agreements and without foreign mediators” – an outcome which he said deserves high praise from Brussels (Balkan Insight 2017).

A joint commission was formed in 2018 to serve as a forum where controversial, historical and educational issues could be raised and discussed. However, the commission has not been able to find common ground on the historical interpretations of events and important personalities in the history of the two nations. Bulgaria put strong demands regarding the work of this body and Macedonian history in general. In the fall of 2019, it became evident that the European Commission would likely recommend the opening of accession talks for Macedonia (and Albania) at its December summit. In October 2019, Bulgaria set out a “framework position”, warning that it would block the EU accession process unless Macedonia fulfilled a number of demands regarding what Bulgaria perceived as “anti-Bulgarian ideology” in the country. Among the many stipulations, it demands that North Macedonia remove any plaque commemorating events from the Second World War that contain the phrase ‘Bulgarian fascist occupier’; that EU documents use the phrase ‘official language of the Republic of North Macedonia’ instead of ‘Macedonian language’, and if the term ‘Macedonian language’ is used, it should be clarified that ‘the linguistic norm in the Republic of North Macedonia is tied to the evolution of the Bulgarian language and its dialects in the former Yugoslav republic after their codification in 1944’. Furthermore, it states that ‘no document during the accession process shall be understood as Bulgaria’s recognition of the existence of a so-called “Macedonian language”, different from Bulgarian’ (Council of Ministers of the Republic of Bulgaria, 2019).

Moreover, the Bulgarian parliament passed a Declaration on 10<sup>th</sup> October 2019, which listed the preconditions that Macedonia must meet to satisfy Bulgarian demands. The text includes the Bulgarian claim on the Macedonian language as being ‘official according to the constitution’, thereby implying that it is merely a

dialect of Bulgarian, and that Macedonia should acknowledge what Bulgaria perceives as being the shared history prior to 1944, implying that, the shared history prior to 1944 was in effect Bulgarian history (Hudson, 2023, 24). The Bulgarian Declaration (2019) also demanded that North Macedonia should “renounce the existence of an ethnic Macedonian minority in Bulgaria, rehabilitate the victims in Macedonia who were allegedly repressed during communist Yugoslavia because of their ‘Bulgarian national consciousness’, and stop the alleged propaganda or hate speech against Bulgaria and ethnic Bulgarians who are citizens of Macedonia.” One passage which really stands out is that the Declaration: ‘[stresses] that the opening of negotiations should not be interpreted as a guarantee of membership of the European Union, but as an incentive to accelerate reforms, strengthen the rule of law and maintain good-neighbourly relations.’ According to Bulgaria’s interpretation, the population of Macedonia and its language was Bulgarian prior to 1944.

In March 2020, the EU announced that it would start accession talks with Macedonia by the end of the year. At the same time, the Bulgarian government issued an explanatory memorandum, a document that it sent out to all other member states. This memorandum was then attached as an annex to the European Council Conclusions issued in March 2020, but as a unilateral statement of a member state, not as the Council’s position. The memorandum reflects much of what had been stipulated in the Frame-work Position of Bulgaria’s government the previous year, for example, the statement that: ‘The accession path of the Republic of North Macedonia provides a valuable opportunity for its leadership to break with the ideological legacy and practices of communist Yugoslavia. The enlargement process must not legitimize the ethnic and linguistic engineering that has taken place under former authoritarian regimes’ (Kolekjevski, 2020). On November 17, 2020, Bulgaria refused to approve the European Union’s negotiation framework for North Macedonia, effectively blocking the official start of accession talks with this country. Bulgaria had imposed a veto invoking historical and identity issues, the key among them being, as Sofia claimed, the ethnic and linguistic engineering that had taken place in Macedonia since World War II (Georgievski 2020). Bulgarian government demanded that Macedonia accept that both the Macedonian nation and the Macedonian language are Bulgarian in origin and character. Bulgaria justified its veto by claiming that Macedonia has not been complying with the Friendship Treaty due to the lack of results reached by the interdisciplinary committee (Radio Free Europe, 2020). Sofia had the opportunity to lodge a veto on the European Commission decision to open accession talks for North Macedonia in March 2020, but the veto came after the Commission revealed its negotiation framework in June the same year.

A turning point seemed to appear in June 2022, when France presented a proposal for the resolution of the dispute. Bulgaria soon accepted this plan to move past the stalemate. According to this framework, Macedonia would change its constitution to acknowledge a Bulgarian minority in the country, protect minority rights, change textbooks with negative references to Bulgaria, and introduce hate speech laws into the criminal code. Yet, Skopje's EU progress would be contingent on good neighborly relations with Sofia. The proposal gives Bulgaria the upper hand during any stage of Macedonia's accession process. This is because it now effectively has the formal right to veto any of Skopje's subsequent steps. On 24 June 2022, Bulgaria's parliament approved the lifting of the country's veto on opening EU accession talks with Macedonia. In July, 2022, the EU held the first intergovernmental conference with Macedonia following the approval by the Council on 18 July 2022 of the Negotiating Frameworks for the negotiations. The Macedonian opposition sees the French proposal negatively affecting the Macedonian people, its language, history and identity and objects to Constitutional changes.

Clearly, Bulgaria uses the provision of the Friendship Agreement and the work of the interdisciplinary committee as a form of political leverage over Macedonia's accession into the EU. Sofia plays of identity politics, as did Athens in the past. The Bulgarian demands "look more assertive than the Greek ones which mean even tougher conditions on the path to EU membership" (Marusic 2019). By threatening to continuously (ab)use its veto right in the EU, Bulgaria is attempting to impose its own interpretation of history (Vangelov 2023, 212). The shared history as prescribed in the Treaty implies a mutual history of the Bulgarians and Macedonians, and a mutual identity between the two. According to Sofia, the emergence of a Macedonian nation must be understood as a historical aberration, where the Communist International (Comintern) and President of Yugoslavia, Josip Broz Tito engineered a Macedonian identity so as to thwart the 'legitimate' Bulgarian claims regarding the Macedonian people and language. For almost "three decades of Macedonian independence, Sofia has consistently denied the human rights of ethnic Macedonians living in the region of Pirin Macedonia in Bulgaria and has claimed that the Macedonian people were 'invented' by Tito, also denying the existence of a separate Macedonian language, referring to it as a western-Bulgarian dialect" (Hudson, 2023, 22). Indeed, Council of Europe documents have noted numerous instances of non-recognition of the Macedonian minority by Bulgaria (and non-obliging to judgments of the Court of the organizations aiming to achieve "the recognition of the Macedonian minority in Bulgaria (Parliamentary Assembly of the Council of Europe 2019). The Treaty encourages further denial of human rights of Macedonians in Bulgaria. Yet, if Bulgarian interpretation "is not

accepted as an indisputable fact during North Macedonia's accession process in the EU, North Macedonia must not be allowed to join the bloc" (Vangelov 2023, 212). The Bulgarian veto came as a shock particularly to the advocates of the agreement with Greece. The well-known South Slavic linguist Viktor Friedman argues how "perhaps the most insidious part of the Prespa Agreement is the result that by opening the way to North Macedonia's membership in the EU it has also opened the way for Bulgaria to pursue its denialist policies toward the Macedonian language and to lay claim to all its dialects" (Friedman 2019, 85). It seems that the Macedonian side "just exchanged one deadlock with another, which is far more serious and threatening than the Greek one" (Vankovska 2020, 394). In any case, the Bulgarian veto and its blackmail position suit those big EU powers who object to further enlargement of the Union.

## **Geopolitical considerations and state capture 2.0**

Although Macedonia underwent an important political change in 2016, the evidence suggests that this has not brought democratic rule, and that some of the practices and mechanisms of capture remain untouched (Daskalovski 2017, Taseva 2020, Resimic, 2022). Corruption in the judiciary and an unreformed public administration remain an outstanding issue (Taseva 2020, BTI 2020, Bliznakovski 2021). Overall corruption remains "one of the key obstacles to democratic transformation, as evidenced by international governance indices that point to the country's lack of progress in curbing corruption" (Resimic 2022, 5). Macedonia ranks poorly on the Transparency International's Corruption Perception Index (CPI), and World Governance Indicators (WGI) dataset developed by the World Bank. Already in the first year in power, despite the resolute pro-EU rhetoric and support from Brussels, SDSM has "stalled on many of the envisioned reforms... its newly appointed officials demonstrating certain unethical practices, and there have been indications for corruption as well... while promising comprehensive reforms, the rule of SDSM continues[d] as "business as usual" (Vangeli 2017, 7). Problems of politicisation and corruption in public employment procedures, are particularly challenging (Taseva 2021). Much of the captured state during the VMRO-DPMNE and DUI coalition remained intact. SDSM has "inherited an elaborate and apt network of coercive and extractive state institutions, which it has also continued to use in a way that has alienated great portions of the population" (Vangeli 2017, 7). Not surprisingly while the independence of the judiciary is formally guaranteed it has been pointed out that there are "indications of political influence on the decisions of the judiciary" (BTI 2020, 12).

When Zaev signed the so-called “Prespa Agreement” pledging to change the name of the country among other things to get into NATO, he did not secure popular support in a referendum. He proceeded in securing the 2/3 majority necessary to change the Constitution and ratify the Agreement. The process was completed “by means of intimidation and ‘reconciliation’ with eight opposition MPs who had been charged by the Special Prosecutor’s office or by the regular state prosecutor (regarding the events of 27 April), including a quick change of the Criminal Code to provide them guarantees that they won’t be charged in the future” (Vankovska 2019, 73). Their support for the name change came only after the parliament passed a much-disputed Amnesty Law that legally absolved some of the participants of the 2017 riot. The court decided to release the mentioned eight opposition MPs, just a day before the voting on changing the country’s constitutional name.

In any case, Zaev’s government did not fulfill its mission and electoral campaign pledges. A BIRN fact-check in June 2020 showed that of “43 promises Zaev made during the [inauguration] speech, just 16 have been fully met and 12 only partially; no progress has been made on any of the rest” (Marusic 2020). Zaev’s rule was marred by “many corruption affairs, such as a major case that involved the country’s special public prosecutor, an owner of a TV station close to his party and an oligarch close to the previous regime” (Jovanovic 2021). While SDSM made progress in managing the various ethnic Albanian minority coalition partners such successes stand in sharp contrast to “the failures in the field of rule of law” (Marusic 2020). The public also became disillusioned after the so-called “Racket/Extortion” affair in 2019, in which “people close to Zaev allegedly participated with Katica Janeva, the special prosecutor in charge of investigating organized crime and corruption, in extorting money from businessman Jordan Kamchev” (Dimeska 2021, 2). Moreover, “one of Zaev’s top advisers, Dragi Rashkovski, was placed under house arrest for alleged impropriety regarding the purchase of government software, even though Zaev regularly proclaimed Raskovski’s innocence” (Dimeska 2021, 2). In another case, Zaev’s previous deputy prime minister was found by the Anti-Corruption Commission to have concealed a private interest in a decision that the government made. (Jovanovic 2021).

Various reports confirm that in 2021 “the state administration and state - controlled enterprises remain the domain of political appointees, whereas directors and board members in the state-run companies and institutions usually come from the ruling parties’ structures, regardless of their experience in the related field, and even lower-level appointments in schools and hospitals have to pass ruling parties’ filters” (Dimitrievska 2021, Dimeski 2021). In April, 2021 police officers were arrested as part of a criminal gang supplying passports and identity

documents to high level criminals. More than 200 passports were issued to foreign nationals including members of international crime groups and drug cartels as well as an ISIS member (Damovski 2021). A video was also released of police cars escorting a Turkish crime lord that received such a passport, while photos on social media show an off-duty policeman acting as a bodyguard to the same person as he walks through the streets in Skopje. The affair has indicated a high level of corruption within the Interior Ministry.

The country fell drastically in the Transparency International Corruption Perceptions Index (CPI) ranking from 62nd in 2012 to 111th in 2020. Macedonia ranked 67th in 2013, 64th in 2014, 93rd in 2018, 106th in 2019 and 111th in 2021. Sladjana Taseva, president of the Macedonian section of Transparency International, said that the 2021 ranking is “a sign of a captured state, high level political corruption, lack of transparency in public sector and the inefficiency of the control and regulatory bodies that is a consequence of insufficient capacity for their work.” The president, Stevo Pendarovski emphasized in an interview on October 15, 2020, that no senior politician has been brought to justice and held accountable for corruption, ...they all seem to enjoy impunity due to a culture of political protectionism and party control” (Taseva 2021, 6). Zaev’s management of the COVID-19 pandemic was “also disastrous and brought the country to fourth place in the world in terms of the number of COVID-19 deaths per capita.” (Jovanovic 2021) The government did little to cut infection numbers, boost the vaccination rate and deal with the economic damage caused by the pandemic. Corruption allegations were rife in the botched attempts for procurement of Chinese vaccines. Anti-Corruption officials and the president stated that “allegations that the Health Minister pursued a dodgy deal to procure Chinese COVID-19 vaccines for his own profit must be carefully investigated” (Marusic 2021).

The sense of impunity was prevalent when after a fire in September 2021 in Tetovo, at a makeshift COVID-19 hospital, 14 people died, the health minister, Venko Filipce, offered his resignation, but Zaev did not accept it, and when no one took responsibility for 44 victims of a traffic accident in Bulgaria involving a Macedonian agency bus. In April 2022, the Public Prosecutor’s Office for the Fight against organized crime and corruption issued an order for investigative actions against the Secretary General of the Government, Muhamed Zekiri. According to the prosecution, from April 2021 to January 2022, Zekiri, along with two Croatian citizens, made a contract for consulting services worth almost a million Euros without a public procurement. He is a former journalist, who joined SDSM, eventually becoming its Vice- President in 2019. A close associate of Zaev, Zekiri is the second Secretary General of the Government that faces corruption charges.

Other cases of corruption and nepotism have caught the attention of the Macedonian public in 2022. Radio Free Europe reported that tenders in the public enterprise REK Bitola were given to companies of SDSM members (Mitevaska 2022). In November, 2022, Islam Abazi, with a very sparse portfolio and with suspected affiliations to DUI, the junior ruling party, was elected as the new head of the Organised Crime and Corruption Prosecution. He is from Zajaz, the place of birth of Ali Ahmeti, the leader of DUI, and can be seen in a number of photos from the social media together with party functionaries, alerting the public of possible DUI influence in his election. Abazi won despite “being the only one who did not present a platform for his candidacy ahead of the election, and the only one who refused to participate in several televised debates between the candidates” (Marusic 2022a). The Organised Crime Prosecution deals with several high-profile cases involving former officials close to the current Social Democratic government and VMRO-DPMNE. In December, 2022, the government scrapped its decision granting citizenship to Oleksandr Onyshchenko, who is wanted for arrest in Ukraine and on a US blacklist, after BIRN reported that he was given a passport in unclear circumstances. US has put Onyshchenko on a sanctions list in January 2021 for being a “member of the Russian network meddling in the US presidential election”. The question of why the National Security Agency failed to identify his past issues with the law remains unanswered (Marusic 2022b).

The Platform of civil society organizations for fight against corruption released a statement underlining that “the election of the Head Public Prosecutor for Fighting Organized Crime and Corruption and head of the Judicial Council, the turmoil in the councils (the Judicial Council and the Council of Public Prosecutors) destroy the perception of impartiality and do not instill confidence in the improvement of the quality of justice” (Platform 2022). Moreover, the Platform was especially harsh evaluating the fight against corruption of the government explain that problems reoccur in most of the areas vulnerable to corruption. In the press release it noted that “the trend of public procurement with favorable winners, low competition and poor performance control and delivery of goods, works and services continues while the high “tax” of corruption causes the domestic business not to develop or, on the other hand, quality foreign capital does not want to invest in the country; and young people continue to leave the country” (Ibid).

The State Commission for Prevention of Corruption in its Annual Report on the Implementation of the National Strategy for Preventing Corruption and Conflict of Interest noted that 22 out of the 111 activities foreseen to be implemented in 2021 were fully implemented, or just 20%, 27% of the activities are being implemented and a majority of 53% of the activities have not even been initiated for



implementation (DKSK 2021, 9). Realization of activities was not much better in 2022. While the 2022 Annual Report is not yet published the president of the State Commission Biljana Ivanovska in a recent public debate confirmed that the realization of activities remains at 20% and that the level of corruption is worrying. The feeling among the public is that corruption is rampant. In a governance and democracy poll conducted in 2021 a massive 83% of the respondents said that corruption is either a serious or a very serious problem, while in another survey of public opinion only 8% of the citizens claimed confidence in the judiciary and in the prosecution (Jovanovski 2022). Recent surveys of public opinion confirm the perception of prevalence of corruption in Macedonia. In an IRI national poll published in December 2022, citizens had low levels of trust in the three branches of government and in particular in the judiciary where just 4% stated to have a great deal of trust and 19% somewhat trust (IRI 2022, 24).

Corruption is hindering Macedonia's Europeanisation and is intimidating the youth who continuously leave the country. It has become a serious issue for USA and the EU. At an event of the State Commission for the Prevention of Corruption Ambassador Aggeler reiterated the willingness of USA to assist Macedonia's fight against corruption. She argued that corruption "in whatever form – nepotism, patronage, undue political influence, favoritism in employment or contracts – a problem that holds the country back from the economic, social, educational, and structural success it can and should continue to achieve" (Aggeler 2022). Similarly, the EU Ambassador, David Geer, underlined that "Macedonia is at a crossroads and must choose whether to move forward, deal decisively with corruption, or allow corruption schemes to take root even more" (Novinite 2022). According to Geer, the fight against corruption must engage public institutions, which should through laws and codes of conduct, and serious sanctions for corrupt behavior reduce the possibilities for unlawful behavior.

### ***In lieu of conclusion: Macedonian Balkan stalled accession***

Both inside the EU and in the Western Balkan region, the enlargement project faces serious obstacles. Following Croatia's accession to the EU on 1 July 2013, no candidate country is on track for membership in the conceivable future. Various EU Member States have repeatedly pointed out that an internal reform of the EU would have to precede any further enlargement. Beyond politics, EU investments in the region have also slowed down. Nationalism has remained a strong force in the region, and in some places it has been supplemented by the growth of Islamist

radicalization. Despite the urgency following the Russian invasion of Ukraine the EU struggles to bolster the enlargement process. The disappointment of people who never expected the path to EU membership to be so long and so difficult is obvious in the Macedonian case where EU accession talks have stalled since 2006, due to bilateral disputes with first, Greece, and since 2019 Bulgaria. The Macedonian example indicates that the conditionality regarding good relations with neighbors might severely slow down further EU enlargement. In particular, it is difficult for candidate countries to reach an agreement on bilateral disputes when the power in defining the solutions typically rests with the member states. EU member states have a veto power and occasionally use it unjustifiably. The EU geopolitics in the case of Macedonia, harms the legitimacy of EU and the enlargement.

Unresolved historical disputes and injustices are a frequent source of tension or conflict in societies. Nationalists use and abuse the EU memory framework to achieve a broad set of goals: seeking acknowledgement, recognition for their own narratives of the past, to pacify tensions, and support or even oppose Europeanisation. In this process, collective memory—knowledge and representation of the past—is constantly reinterpreted in the light of present political (individual or collective) needs. Since memory itself is a tension between what is remembered and what is forgotten, what is present and what is missing, memory actors (ab)use its inherent selectiveness to underpin their agendas and support their interests. As such, divergent interpretations of history continue to trigger confrontations between neighbouring countries and hinder their EU perspective. Disputed historical legacies can be misinterpreted or manipulated to serve partisan political ends, often aggravating prejudice, hatred, and belligerent nationalist sentiments. They can contribute to tensions and discord at the community, national and even regional level. The Macedonian- Greek and Macedonian- Bulgarian historic disputes negatively influence the EU enlargement process.

Once Macedonia agreed with the Prespa Agreement in 2018 to change the name and allow Greek historical interpretations of ancient past to become prevalent in international and domestic relations, it acceded to NATO and was to begin negotiating EU membership. However, the French postponement and Bulgarian objections to opening accession talks, as well as Sofia's insistence on Skopje accepting the Bulgarian historic and cultural understanding of Macedonian history, language and identity reinforce EU enlargement opponents. Moreover, Bulgaria's policy *vis-à-vis* Macedonia, opens the door for further bilateral objections and conditioning of Western Balkan neighbors by the EU member states from the region, such as Croatia, Hungary, Romania or even again Greece. If for a while, one could argue that the Skopje- Athens deal symbolically closed the Pandora box of

conditioning of the EU accession of the Western Balkan candidate states, Sofia's position have reopened it.

Enlargement as a policy and EU conditionality as a tool seem to have reached an exhaustion point. The slow pace of accession and the EU enlargement fatigue among some of the key European actors is a serious issue, affecting rule of law in the Western Balkans. The enlargement process still allows Member States to impose their positions regarding bilateral disputes on the Union level. Inconsistency and geopolitical approach to regional governments is a serious issue. For example, the difference of the EU approach to Macedonia at the time when Gruevski and VMRO-DPMNE was in power and ever since Zaev and SDSM came into office is stark. While in the first case, EU stopped opening membership negotiations until Skopje was ready to give in to Athens' demands *and* stop democratic backsliding, in the second, Brussels supported Bulgaria's position vis-à-vis Macedonia, but turn[ed] a blind eye to the state capture issue. Corruption and state capture by elites that only nominally endorse liberal democratic principles can be manipulated by malign external factors. The unpredictability and the increasing decline of credibility of the process opens door for undemocratic and anti-European influences. The Russian attack of Ukraine has also potential spillover effects on the Balkans. Russia, China, and Turkey, undertake (dis)information campaigns and promote illiberal ideas and alternative modes of governance, which in effect negatively influence democratization and Europeanisation of Macedonia and the region.

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Židas DASKALOVSKI

### GEOPOLITIČKI IZAZOVI I MAKEDONSKI PUT KA PRISTUPANJU EVROPSKOJ UNIJI

**Apstrakt:** Iako je utemeljena na vrednostima i pravilima, politika proširenja Evropske unije oduvek je bila podložna geopolitičkim uticajima. Autor se posebno fokusira na makedonski slučaj u tom kontekstu, posmatrajući ga u okviru smanjene verodostojnosti politike proširenja, nedostatka napretka ka ispunjenju kriterijuma za članstvo, kao i komplikacija izazvanih ruskom invazijom na Ukrajinu. Osim veta koji je Grčka nametnula zbog spora oko imena (što je započeto 2005. godine), napredak Skoplja ka pristupanju EU dodatno su ometali dodatni izazovi vezani za demokratsku regresiju, zarobljavanje države i korupciju. Međutim, ni promena vlasti ni zaključivanje Prespanskog sporazuma sa Atinom 2018. godine nisu rezultirali otvaranjem pregovora o pristupanju EU, usled francuskog i bugarskog protivljenja. U međuvremenu, zabrinutosti u vezi sa visokim stepenom korupcije ostale su prisutne, dok su bugarski bilateralni zahtevi postali deo širih očekivanja Evropske unije od Skoplja. Autor zaključuje da na makedonski slučaj u značajnoj meri utiču bilateralna i geopolitička razmatranja, što dodatno utiče na podpiranje legitimiteta i ciljeva proširenja Evropske unije.

**Ključne reči:** Proširenje EU, Zapadni Balkan, uslovljavanje, geopolitička razmatranja, bilateralni sporovi, korupcija.