



Weekly Briefing

The Initial Draft of EU's Screening Report for N. Macedonia Concludes Country Is Only "Partially" Prepared for EU Membership

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Summary

The EU's Directorate-General for Neighbourhood and Enlargement Negotiations released the inaugural draft Screening report for N. Macedonia on July 24th, 2023. It marks a phase within the screening process that was initiated right after the primary political Intergovernmental Conference concerning accession negotiations held in July 2022. Among other things, the report evaluates the outcomes within the 'Fundamentals cluster,' which pertain to essential areas that are considered to be the foundation of a robust, democratic, modern, and an effectively functioning state. These encompass functional democratic institutions and the restructuring of public administration. Its main finding is that “N. Macedonia is only “partially” prepared for EU membership in relation to the fundamental criteria”.

The revised enlargement methodology introduced in 2020 emphasized the central role of the Fundamentals cluster in the accession talks, a perspective mirrored in the Negotiating Framework established with N. Macedonia. Consequently, the country must adopt and execute reforms across core domains, including the rule of law—especially judicial reform and combating corruption and organized crime—fundamental rights, fortifying democratic institutions and reshaping public administration, and meeting economic criteria.¹ As stated in the first draft of the screening report, the cluster encompasses the following elements, which when combined, form the foundation of a stable, democratic, contemporary, and efficiently operating state: Effective democratic institutions that establish power's origin in the populace, facilitated by a representative system centered around transparent and equitable elections; Reform of the public administration, encompassing aspects like public financial management, to guarantee efficiency, professionalism, fairness, and responsibility. As noted in the report, the Commission's assessment is based on the information received by the country throughout the screening process, the Commission's annual country reports within the Enlargement package,

¹ Screening report - North Macedonia, published on 24.07.2023, available at

https://neighbourhood-enlargement.ec.europa.eu/screening-report-north-macedonia_en accessed on 12.08.2023

as well as a diverse range of additional sources. This analysis delves into the main conclusions drawn from these sections of the Report within the two pivotal domains “Function of democratic institutions” and “Public administration reform”, while also providing an overview of the discussions that emerged among the Macedonian public in response.

Within the segment on the “Functioning of democratic institutions”, three pillars are assessed including: 1) the electoral process and the functioning of the electoral administration, media in relation to elections campaigns and financing of political parties and election campaigns; 2) the functioning of parliaments in a democratic system; (3) the role of civil society. In relation to the first pillar, the report found that “N. Macedonia has laid down in its constitutional order the foundation of a democratic state and it is pursuing the consolidation of its democratic institutions.”² Moreover, it finds that the legal and institutional framework for democratic elections is broadly in place but requires further strengthening. It also finds that: transparency in political advertising is lacking and there are gaps in political party financing. Regarding the functioning of Parliament, the report finds that the Macedonian Parliament has progressively strengthened its democratic functions. However, it also adds that more work is required to establish an improved, streamlined approach to the legislative process, aimed at minimizing the reliance on fast-track procedures.

In the report, the second segment assesses “Public Administration Reform” including: the Strategic framework for public administration reform, Policy development and coordination, as well as Public service and human resource management. As indicated by the report, N. Macedonia demonstrates a moderate level of readiness concerning its strategic direction for public administration reform. It also stresses the necessity of promptly creating and endorsing new strategic planning documents to ensure a continuous and uninterrupted course of action, thereby sustaining advancements and avoiding implementation gaps. Additionally, the report underscores the significance of harmonizing the national interoperability framework with the European interoperability framework.

² Ibid

Domestic commentary on the Draft report

Domestic commentary on the Draft report reflects a mix of perspectives. Vice Prime Minister Maricic regards the report as a guiding framework for roadmap development: "This is only a draft report that will still be discussed by the EU member states and it comes at the right time when we are intensively working on the development of the roadmaps," said Vice Prime Minister Maricic.³ "As far as we're concerned, the report serves as both a guiding framework and a foundation for formulating crucial documents—roadmaps. Simultaneously, it mirrors the comprehensive screening process that spans nearly a year. We intend to provide commentary on the specific findings in due course, as they become integral to the Roadmaps. These Roadmaps will undergo consultation with all societal stakeholders, following a transparent and all-encompassing approach," Vice Prime Minister Maricic clarified.

However, the draft report's overall assessment suggests that the country is only "partially" prepared for EU membership in terms of both legislation and its practical implementation aligned with EU standards. These conclusions undeniably imply that even if a Bulgarian minority is included in the Constitution as per their condition, the country could promptly encounter several new challenges from other EU member-states. These issues include the inefficient judicial system and the insufficient efforts to combat corruption. This situation creates a substantial opportunity for potential obstacles, not solely from Bulgaria but also from other EU member states. According to European affairs experts, there are numerous possibilities for impasses, particularly when a country has numerous unresolved internal matters that come to light during the screening process.

EU experts and former officials have pointed out precisely these issues: "Corruption, as well as any other unforeseen challenges, can pose obstacles. We can't predict what might emerge. Any developments concerning institutions like the Judicial Council or the Department for Organized Crime could become hurdles," stated EU affairs expert Malinka Ristevska Jordanova. She added that the potential for a blockage could also arise if the current procedure

³ The draft report from the European Commission on Cluster 1, "Fundamental Values" has been published, published on 04.08.2023, available at

<https://meta.mk/objaven-e-nacrt-izveshtajot-od-evropskata-komisija-za-klaster-1-fundamentalni-vrednosti/> accessed on 10.08.2023

changes—specifically, if individual member states start voting separately on the screening report for Macedonia. Former Deputy Prime Minister for European Integration and Ambassador Ivica Bocevski believes that it is disheartening for the country that, after more than three decades, it still finds itself only "partially aligned" with the crucial EU cluster. “It's evident that institutions don't transform overnight, but issues pertaining to the rule of law, safeguarding human rights, and enhancing the competence of the civil service have persisted for an extended period. The obligation to amend the Constitution stems from Bulgarian influence, yet the challenges related to the initial cluster reflect poorly on the Macedonian political sphere and the legal community”, Bocevski emphasized.⁴ If, until recently, Bulgaria obstructed historical matters without substantial justification, it can similarly legitimately exercise its veto power tomorrow over the functioning of the Judicial Council and the inadequacy in addressing corruption and crime. Such assertions would likely garner support from fellow member states, as previously conveyed by Dutch and Austrian ambassadors. There's an evident need for a substantial revitalization of the nation; otherwise, we may end up joining the EU merely as constituents of other countries, conclude the interlocutors.

The release of the draft EU Screening report for N. Macedonia, highlighting only partial progress, casts a sobering shadow over the nation's EU membership ambitions. While Vice Prime Minister Maricic perceives it as a roadmap, this report underscores experts' concerns regarding corruption and judicial efficiency. The identified gaps suggest that Macedonia's path to EU membership is rife with significant challenges. While Bulgaria's conditions, including constitutional changes, are notable, the report's findings imply potential vetoes from other EU states due to broader concerns encompassing institutional, rule of law, and public administration reforms. These identified gaps emerge as the primary impediments to the country's accession. It's evident that extensive reforms and substantial efforts are required to bridge these divides, rendering EU accession a distant horizon, contrary to the Government's assertive goals and claims of dedicated endeavors towards this end.

⁴ “Macedonia is partially ready for membership in the European Union”, published on 10.08.2023, available at <https://novamakedonija.com.mk/pecateno-izdanie/makedonija-delumno-podgotvena-za-chlenstvo-vo-evropskata-unija> accessed on 12.08.2023