

EUROPEAN UNION INTEGRATION OF MACEDONIA: NEGOTIATION FOR MEMBERSHIP

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—Abstract —

Although the Republic of Macedonia since 2005 is a candidate country for membership in the European Union (EU), it is important that, through this paper to analyze the circumstances of the start of negotiation and the process of negotiations to be held with the EU. In this paper, I will explain institutional path and development process of the negotiations, as well as platforms for negotiations. In the end will be carried out a survey of citizens for their beliefs about the government's negotiating capacity; the time frame for the negotiations; the impact of open issues with neighboring countries; as well as the opportunity for full membership in the EU. At the end, conclusions and recommendations are issued in order to facilitate the negotiation process for membership in the EU.

Key Words: *Membership Negotiation, Republic of Macedonian, Institutional Capacity*

JEL Classification: H7

1. INTRODUCTION

The Republic of Macedonia has been a candidate for accession to the European Union since 2005. Accession to the EU has been defined as the highest strategic priority for the country's government. Currently, it is one of five remaining candidate countries, together with Iceland, Montenegro, Serbia and Turkey.

A major obstacle for the accession process is the Republic's still unresolved dispute with Greece over its name. While the country prefers to be called by its constitutional name, Republic of Macedonia, the European Union, in acknowledgment of concerns raised by Greece, has maintained a practice of recognizing it only as the "former Yugoslav Republic of Macedonia", the compromise "provisional reference" introduced by the United Nations in 1993. Greece, being an EU member state of long standing, has veto power against new accessions, and has repeatedly stated that it will block Macedonian accession unless the naming issue is resolved beforehand (Bakoyannis, 2006). Since 2008, resolution of the naming conflict has also been added to the official preconditions raised by the EU (BalkanInsight, 2008).

Bilateral conflicts also exist with Bulgaria, mainly related to conflicting views about the two countries' shared 19th and 20th century history and the ethnic separateness of the two nations. Bulgaria joined the EU on 1 January 2007. In July 2006, Bulgarian foreign minister Ivaylo Kalfin and President Georgi Parvanov stated that Bulgaria's support for Macedonian membership might not be unconditional, citing concerns over negative and aggressive attitudes against Bulgaria and Bulgarian history fostered by the Macedonian authorities (Kalfin, 2006). Defiant answers were reported from the Macedonian political leadership (Focus, 2013).

In October 2012, the European Commission recommended for the fourth consecutive year that membership negotiations with Macedonia be launched. On each previous occasion the opening of negotiations were vetoed by Greece. In 2012 Bulgaria also utilized their veto (EurActive, 2012).

A solution for the long lasting naming dispute however moved considerably closer, when the Greek foreign minister on 4 October 2012 forwarded a draft for a Memorandum of Understanding to settle the question. According to the Euractive website the proposal was answered positively by the Macedonian foreign minister on 8 November 2012 (Reuters, 2012).

Štefan Füle, European Commissioner for Enlargement and European Neighborhood Policy, stated that the softening of positions by the two states could allow for accession negotiations to begin before a compromise on the naming dispute was reached.

On 11 December 2012, the Council of the European Union concluded that Macedonia could start accession negotiations as early as the second quarter of 2013, conditional on reaching an agreement on its dispute with Bulgaria and Greece. The Council was encouraged that progress on the latter dispute had recently been made by a UN mediator (Council conclusions, 2012).

2. MACEDONIAN INSTITUTIONAL INFRASTRUCTURE FOR EUROPEAN INTEGRATION

The Macedonian government has established a management infrastructure for the European integration process on the basis of a paper adopted in 1997 under the title "The strategic bases of the Republic of Macedonia on achieving the membership of the European Union". It consists of the following institutions:

- The Committee for Euro-Atlantic Integration plays the central role in the decision – making of the country's policies in the European integration process. It is chaired by the Prime Minister and the Deputy Prime Ministers; all ministers in the Government, the Governor of the National Bank of the Republic of Macedonia and the President of the Macedonian Academy of Sciences and Arts are members of the Committee.
- *The Working Committee for European Integration of the Government of the Republic of Macedonia (WCEEI)* – it is chaired by the Deputy Prime Ministers in charge of EU Integration. The members are the secretaries from all Ministries. It is an operational, inter-ministerial body establishing the methods and dynamics

for implementation of strategic decisions, political guidelines and priorities of the Government, as well as monitoring the realization of the concrete tasks.

- *The Deputy to the President of the Government* is responsible for the European integration as centre in the management and coordination of the operational part of the integration process. Its support and service is the Sector for European Integration within the General Secretariat of the Government of the Republic of Macedonia.
- *The Sector for European Integration* within the Republic's government is given the task to organize, coordinate and synchronize the EU integration process. It is organized in seven units in charge of the approximation of the national legislation with that of the EU, translation of the EU legal acts, institution building, and support to the WCEI, coordination of foreign assistance, and information to the broader public on EU and the European integration process.
- *Departments/Sectors/Units for European Integration within the Ministries* have similar structure and competencies as the central Sector for European Integration within the Government, being a key link in the institutional infrastructure.
- *The Ministry of Foreign Affairs – EU domain –* is responsible for communications with the EU structures through the Mission of Republic of Macedonia in Brussels, gathering valid and timely information that have impact on the integration process and presenting the uniform perspectives and positions in the European structures.

The other institutions supporting the EU integration process are the following:

- *The Republic's Assembly and its Commission for European Issues*
- *The Secretariat for Legislation*
- *The General Secretariat of the Government*
- *The Subcommittee of the WCEI for approximation of the legislation with its working groups*

The secretariat for European Affairs at the Macedonian government has prepared the institutional platform for negotiations with the EU, which defines the duties of the actors involved in this process, such as national delegation, negotiation team,

working groups, committee heads of the working groups, the chief negotiator and his secretary, relevant ministries, the Secretariat for European Affairs, ministry of Foreign Affairs and the Macedonian Parliament (Преговори, 2008).

3. CONDITIONS FOR EU MEMBERSHIP AND ACCESSION PROCESS

The EU operates comprehensive approval procedures that ensure new members are admitted only when they can demonstrate they will be able to play their part fully as members, namely by:

- Complying with all the EU's standards and rules
- Having the consent of the EU institutions and EU member states
- Having the consent of their citizens – as expressed through approval in their national parliament or by referendum.

The Treaty on the European Union states that any European country may apply for membership if it respects the democratic values of the EU and is committed to promoting them. The first step is for the country to meet the key criteria for accession, defined at the European Council in Copenhagen in 1993 known as Copenhagen criteria. Countries wishing to join need to have:

- Stable institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities;
- A functioning market economy and the capacity to cope with competition and market forces in the EU;
- The ability to take on and implement effectively the obligations of membership, including adherence to the aims of political, economic and monetary union.

The EU reserves the right to decide when candidate countries can join. It also needs to be able to integrate new members.

The process of joining the EU (accession) broadly consists of 3 stages:

1. When a country is ready it becomes an official candidate for membership – but this does not necessarily mean that formal negotiations have been opened.

2. The candidate moves on to formal membership negotiations, a process that involves the adoption of established EU law, preparations to be in a position to properly apply and enforce it and implementation of judicial, administrative, economic and other reforms necessary for the country to meet the conditions for joining, known as accession criteria.

3. When the negotiations and accompanying reforms have been completed to the satisfaction of both sides, the country can join the EU.

There are strict conditions for membership to ensure that new members are admitted only when they are fully able to take on the obligations of EU membership. This includes compliance with all the EU's standards and rules. For the purpose of accession negotiations, these are divided into 35 different policy fields (chapters). They are not negotiable, the candidates essentially agree on how and when to adopt and implement them and the EU obtains guarantees on the date and effectiveness of each candidate's measures to do this.

Membership negotiations cannot start until all EU governments agree, in the form of a unanimous decision by the EU Council, on a framework or mandate for negotiations with the candidate country. Negotiations take place between ministers and ambassadors of the EU governments and the candidate country in what is called an intergovernmental conference.

On the proposal of the Chairman of the EU, the Council of Ministers will make a decision (by voting unanimously) to open negotiations with the candidate country.

Negotiations will be opened only if the state has fulfilled the Copenhagen political and economic criteria, while the European Commission to recommend a date for the start of negotiation.

After setting the date for the beginning of the negotiation, comes the formation of the Intergovernmental Conference in which participating member states and EU candidate state. EU Member States are represented by the Chairman of Council of Ministers (where participating ministers of Foreign Affairs of the Member States). In the framework of the Intergovernmental Conference, the candidate state is represented by a special delegation that is authorized to negotiate, which included representatives of the highest political level (the delegation is chaired by Minister of Foreign Affairs or the Minister for Euro-Integration). These are negotiations

that take place in professional and expert level, with the task to set up common positions for resolving open issues.

At the highest level the Conference shall conduct a once in 6 months. If conferences function at the level of deputies, the EU side is represented by the members of COREPER (ambassadors), while state-candidate represents the Head of the negotiating team. Intergovernmental Conference is chaired by the Member State who heads the EU.

Negotiations officially begin with the opening of the first session of the Intergovernmental Conference, in the headquarters of the Council of Ministers (Brussels or Luxembourg depending on when it will be held in April, June or October), where the head of state (or head of government) of the country-candidate and Minister of Foreign Affairs of the State chairman of the Council of Ministers make solemn greetings. Thus begins the official work of the Intergovernmental Conference for membership of a candidate country.

Formal negotiations will be conducted by representatives of the state-candidate and member states of the EU. In these conferences, participates also the representative of the European Commission. Usually, meetings are held at certain intervals, which participate, the competent government representative responsible for European Affairs and Foreign Affairs and senior government representatives, responsible for certain sectors. When the IGC holds meetings at the level of deputy leaders, the Member States are represented by their permanent representatives in Brussels and candidate states represented by chief negotiator. Sessions are held every month, at the level of national delegations.

Negotiations under each chapter are based on the following elements:

- Screening – the Commission carries out a detailed examination, together with the candidate country, of each policy field (chapter), to determine how well the country is prepared. The findings by chapter are presented by the Commission to the Member States in the form of a screening report. The conclusion of this report is a recommendation of the Commission to either open negotiations directly or to require that certain conditions – opening benchmarks - should first be met.
- Negotiating positions – before negotiations can start, the candidate country must submit its position and the EU must adopt a common position. For most chapters the EU will set closing benchmarks in this position which need to be met

by the Candidate Country before negotiations in the policy field concerned can be closed.

No negotiations on any individual chapter are closed until every EU government is satisfied with the candidate's progress in that policy field, as analyzed by the Commission. And the whole negotiation process is only concluded definitively once every chapter has been closed.

The pace of the negotiations then depends on the speed of reform and alignment with EU laws in each country. The duration of negotiations can vary – starting at the same time as another country is no guarantee of finishing at the same time.

Throughout the negotiations, the Commission monitors the candidate's progress in applying EU legislation and meeting its other commitments, including any benchmark requirements.

This gives the candidate additional guidance as it assumes the responsibilities of membership, as well as an assurance to current members that the candidate is meeting the conditions for joining.

The Commission also keeps the EU Council and European Parliament informed throughout the process, through regular reports, strategy papers and clarifications on conditions for further progress.

The document that cements the country's membership of the EU is Accession treaty. It contains the detailed terms and conditions of membership, all transitional arrangements and deadlines, as well as details of financial arrangements and any safeguard clauses. It is not final and binding until it:

- Wins the support of the EU Council, the Commission, and the European Parliament
- Is signed by the candidate country and representatives of all existing EU countries
- Is ratified by the candidate country and every individual EU country, according to their constitutional rules (parliamentary vote, referendum, etc.).

Once the treaty is signed, however, the candidate becomes an acceding country. This means it is expected to become a full EU member on the date lay down in the treaty, providing the treaty has been ratified. In the interim, it benefits from

special arrangements, such as being able to comment on draft EU proposals, communications, recommendations or initiatives, and “active observer status” on EU bodies and agencies (it is entitled to speak, but not vote).

4. SURVEY RESULTS

For purposes of this paper, in May-July 2013 was made a survey of citizens in Macedonia, which included questions that citizens have expressed their stance over the negotiation with the EU.

Table 1 the citizens' opinion

Question	Answer		
	Yes	No	No Answer
1. Are you satisfied with the performance of the Government in terms of obtaining a date for the start of negotiations with the EU?	35%	58%	7%
2. Do you think that Macedonia has met the terms and conditions of the negotiation, as defined by the EU?	39%	59%	2%
3. Is there an impact on getting a date for the start of negotiations, the resolution of open issues with neighboring states?	83%	16%	1%
4. Does Macedonia can get a date for the start of negotiations, without resolving internal political problems?	32%	49%	19%
5. Does the Government of Macedonia have sufficient capacity that the negotiations with the EU to develop within a time frame up to 2020?	29%	53%	18%

5. CONCLUSIONS

The political will for membership of Macedonia in the EU has not proved effective in improving the situation in this country. For citizens of Macedonia, the determination of the date for the beginning of negotiation for accession to the EU is a hope to come out from the difficult social situation, economic and political situation. This process anyway will last. However, the citizens of this country for over two decades are waiting for a better future which has not happened so far. The state still continues to face with internal problems (democracy, rule of law, politicization of administration, inter-ethnic problems ...) and external problems (the dispute with Greece over the name of the state, and Bulgaria, about the identity of the Macedonian people). Their solution is a prerequisite for getting the date for the beginning of the negotiation, while evaluating the current situation may conclude that this process will last a long time also. In a word, the development of negotiation, as the next stage in the process of Euro-integration, requires genuine commitment and a more correct approach to real problems. Meanwhile, the development of negotiation would also require the commitment of all-available capacity and commitment to new human resources outside government institutions, which can contribute to this process.

BIBLIOGRAPHY

"Bulgaria vetoes Macedonia's EU accession talks". EurActive. 2012-11-02. Retrieved 2012-11-02.

"Bulgaria's Kalfin suggests support for Macedonia's EU bid is conditional". SETimes.com. 2006-07-25. Retrieved 2013-03-25. Also see: "Bulgaria'S Position Concerning Macedonia Unchanged- Kalfin - Bulgaria". The Sofia Echo. Retrieved 2013-03-25.

"Embassy of Greece – Washington, DC". Answer of FM Ms. D. Bakoyannis regarding the FYROM name issue. Retrieved 11 September 2006.

"Foreign briefs - Bulgaria". The Sofia Echo. Retrieved 2013-03-25; FOCUS Information Agency". Focus-fen.net. Retrieved 2013-03-25.

"FYROM appears to welcome Avramopoulos proposal". Kathimerini (English edition). 8 November 2012. Retrieved 9 November 2012.

"Macedonia 'Name' Solution Before EU Talks". BalkanInsight.com. 20 June 2008.

"United Macedonian Diaspora". Interview with Greek Foreign Minister Dora Bakoyannis. Retrieved 2 November 2006.

Council conclusions on enlargement and stabilisation and association process (3210th general affairs council meeting. Council of the EU. 11 December 2012. Retrieved 26 December 2012.

Rinke, Andreas (2012-11-09). "Macedonia's EU talks could start without name resolution". Reuters. Retrieved 2012-11-10.

Преговори за членство во Европската унија”, Секретаријат за европски прашања, Скопје 2008, p. 27