



Freedom in the World 2015 - Macedonia

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2015 Scores

Status: Partly Free

Freedom Rating (1 = best, 7 = worst): 3.5

Civil Liberties (1 = best, 7 = worst): 3

Political Rights (1 = best, 7 = worst): 4

Ratings Change:

Macedonia's political rights rating declined from 3 to 4 due to serious shortcomings in the April general elections and a related legislative boycott by the opposition.

OVERVIEW

On April 13, 2014, Macedonia held presidential and parliamentary elections. The ruling party, Internal Macedonian Revolutionary Organization-Democratic Party for Macedonian National Unity (VMRO-DPMNE), won both elections, giving Nikola Gruevski a third consecutive mandate as a prime minister and Gjorge Ivanov a second consecutive presidential term. The opposition accused the party of stealing the elections and rejected the results. The ruling party did not respond to opposition calls for new elections but allowed the European Union (EU) to mediate a solution between the two main political parties. As opposition parties commenced a legislative boycott, thirty-one newly elected opposition legislators refused to take their seats. The conflict continued at year's end.

In June, a Skopje court convicted six ethnic Albanians for the murder of five Macedonian fishermen, which took place in 2012 during a prolonged period of interethnic tensions. In July, ethnic Albanians took to the streets to protest the convictions, which they claimed to be unfair and motivated by Islamophobia. Protests clashed with police officers, which led to several arrests. While protests ultimately ceased, interethnic tensions remained high at the end of the year.

POLITICAL RIGHTS AND CIVIL LIBERTIES

Political Rights: 23 / 40 (-3)

A. Electoral Process: 7 / 12 (-1)

Members of the unicameral, 123-seat Assembly are elected to four-year terms by proportional representation. The Assembly elects the prime minister, who holds most executive power. The president is elected to a five-year term through a direct popular vote. Most postindependence elections have met international standards.

Both presidential and early parliamentary elections took place in April 2014. The VMRO-DPMNE-led bloc won 61 parliamentary seats, followed by the Social Democratic Union of Macedonia (SDSM) with 34 seats. The ethnic Albanian Democratic Union for Integration (DUI) – the VMRO-DPMNE's coalition partner – won 19 seats, the Democratic Party of Albanians (DPA) won 7 seats, while two minor parties took one seat each. Gruevski retained the seat of the prime minister, and in the presidential election, incumbent president Ivanov of VMRO-DPMNE was reelected. The SDSM rejected the election results, claiming that the ruling party had manipulated the vote. Nevertheless, Gruevski formed a government in June.

The elections were criticized by international observers for a number of shortcomings, most of them regarding the campaign period. The Organization for Security and Co-operation in Europe noted that while the elections were "efficiently administered," the separation between party and state electoral campaigns was not always sufficient or clear, and several instances of alleged voter intimidation were reported during the campaign period.

The State Election Commission is vulnerable to political influence, as its seven members are divided among party lines. A number of weaknesses remain in Macedonia's Electoral Code, particularly regarding campaign regulations. The Electoral Code was last amended in early 2014, only a few months before the presidential and parliamentary elections.

B. Political Pluralism and Participation: 10 / 16 (-1)

Since independence in 1991, power has alternated between center-left and center-right governments. The center-right VMRO-DPMNE has won every parliamentary election since 2006, ruling in coalition with several parties representing ethnic minorities. The left-leaning SDSM held power through much of the 1990s and early 2000s, and is currently the leading opposition party.

Following the April 2014 elections, the SDSM refused to recognize the legitimacy of the new government and commenced a parliamentary boycott. Elected SDSM legislators did not attend subsequent parliamentary sessions.

Ethnic Albanians comprise 25 percent of the population. A political party representing Albanians has sat in each ruling coalition, and certain types of legislation must pass by a majority of legislators from both main ethnic groups in the Assembly. Violence between ethnic Macedonians and ethnic Albanians continues to erupt periodically. Both ethnic Macedonian and ethnic Albanian political parties increasingly engaged in nationalist discourse in the run-up to the 2014 elections. Confrontations between ethnic Albanian parties also occurred.

In 2011, the Assembly added three seats for representatives of Macedonians living abroad.

C. Functioning of Government: 6 / 12 (-1)

A total of 31 opposition legislators were absent from the newly elected Assembly in 2014, and persisting discord between the SDSM and the ruling coalition undermined the country's democratic functions. A parliamentary committee mandated to handle the crisis, comprised of members of the ruling coalition, signaled the possibility of revoking the absent legislator's mandates on multiple occasions, while in September the VMRO-DPMNE announced the possibility of early elections. A move to revoke the mandates of the 31 legislators did not succeed in December, and no solution had been reached by year's end.

Corruption is a serious problem in Macedonia. While relevant anticorruption legislation is in place, and measures to clarify party funding and prevent conflicts of interest have been strengthened in recent years, implementation is weak. Graft and misconduct are widespread in public procurement. The judiciary lacks experience handling high-level corruption cases, and greater interagency cooperation is needed to identify problem areas in anticorruption efforts, according to the European Commission. The Public Prosecutor's Office for Organized Crime and Corruption suffers from low administrative capacity. Macedonia was ranked 64 out of 175 countries and territories surveyed in Transparency International's 2014 Corruption Perceptions Index.

Civil Liberties: 37 / 60 (-1)

D. Freedom of Expression and Belief: 11 / 16

The constitution provides for freedom of the press. Macedonian media, however, are subject to political pressure and harassment, resulting in self-censorship. Media outlets are also divided along ethnic lines. In September 2014, an appellate court in Skopje upheld a ruling against an editor and journalist working for *Fokus* magazine. The two must pay penalties that combined amount to more than €9,000 (\$12,000) to a high-level government official who had sued the magazine for defamation over an article suggesting that he had engaged in corruption. Media coverage of the 2014 elections was largely divided along partisan lines. Internet access is unrestricted.

The constitution guarantees freedom of religion. A long-standing dispute between the breakaway Macedonian Orthodox Church and the canonically recognized Serbian Orthodox Church remains unresolved. Islamophobia is present in the rhetoric of official politicians and in public discourse.

Although academic freedom is generally unrestricted, the education system is weak by European standards. Textbooks barely cover the postindependence period, primarily because ethnic Macedonians and ethnic Albanians interpret the 2001 conflict differently. In 2012, the European Association of History Educators urged reform in the instruction of history. Increasingly, schools are becoming ethnically segregated.

E. Associational and Organizational Rights: 8 / 12

Constitutional guarantees of freedoms of assembly and association are generally respected. On July 4, 2014, several thousand people gathered in Skopje to protest the controversial sentencing of six ethnic Albanians to life in prison. The defendants were convicted of the 2012 murder of five Macedonians and also faced terrorism charges, as authorities accused them of inciting ethnic tensions. After protesters began throwing rocks at police, officers disbanded the demonstration with teargas, water cannons, and stun grenades. A subsequent demonstration against the sentencing on July 11 took place peacefully. In November and December, thousands of students staged mass demonstrations against higher education reforms that require state-supervised testing in universities.

Nongovernmental organizations generally operate freely but are often polarized along political lines. Workers may organize and bargain collectively, though trade unions lack stable financing and skilled managers, and journalists have reportedly been fired over their union activities.

F. Rule of Law: 8 / 16

Improving judicial independence, impartiality, and efficiency remains a priority for Macedonia, which has been carrying out comprehensive reforms of the judiciary over the past decade. In 2014, however, a number of fundamental problems remained – including growing concerns over the

weak independence of the Constitutional Court. Although the court system is technically independent of the executive and legislative branches, a number of Constitutional Court maneuvers in 2014 raised concerns about political influence on the body. In January, the court declined to examine the constitutionality of the country's controversial 2013 budget, the passing of which had sparked protests from the opposition and public. In April, the court declined to examine the constitutionality of a lustration law, passed in 2012 with the aim of removing former Yugoslav secret police collaborators from public office. The court had previously invited feedback about the law from the Venice Commission of the Council of Europe. The law has raised domestic and international concerns about its provisions for privacy and its potential to be abused on politically motivated grounds.

The June 2014 ruling against six ethnic Albanians for the 2012 murder of five Macedonians raised interethnic tensions in the country, inviting rhetoric of distrust in the judicial process from ethnic Albanians. A lack of transparency in the judicial process was among the factors criticized by those protesting against the case.

Roma, ethnic Albanians, and other vulnerable groups face discrimination. Minority groups say that the ongoing Skopje 2014 urban development plan ignores their heritage, claiming that it presents a mono-ethnic image of the country.

A 2010 antidiscrimination law does not prohibit discrimination on the basis of sexual orientation, and anti-LGBT (lesbian, gay, bisexual, and transgender) sentiment is widespread.

G. Personal Autonomy and Individual Rights: 10 / 16 (-1)

Travel and movement are generally unrestricted. Membership in a party within the ruling coalition is often an informal precondition for employment in the public sector. While the government has streamlined procedures to launch a business, licensing fees can be prohibitively expensive. Official unemployment is 30 percent, but the actual figure may be smaller given Macedonia's sizeable shadow economy.

In July 2014, the VMRO-DPMNE proposed a constitutional amendment that would narrow the definition of marriage, making it applicable only to a relationship between a man and a woman. The parliament agreed to consider its proposal.

While women in Macedonia enjoy the same legal rights as men, societal attitudes limit their participation in nontraditional roles, and women rarely participate in local politics. In Albanian Muslim areas, many women are subject to proxy voting by male relatives. Forty women were elected to the 123-seat legislature in 2014. Despite the ongoing implementation of a strategy against domestic violence, it remains a serious problem, as does the trafficking of women for forced labor and sex work.

Scoring Key: X / Y (Z)

X = Score Received

Y = Best Possible Score

Z = Change from Previous Year

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