

Nations in Transit 2021 - North Macedonia

TRANSITIONAL OR HYBRID REGIME

47

/ 100

Democracy Percentage 47.02 / 100

Democracy Score 3.82 / 7

LAST YEAR'S DEMOCRACY PERCENTAGE & STATUS

46 / 100 Transitional or Hybrid Regime

The ratings are based on a scale of 1 to 7, with 7 representing the highest level of democratic progress and 1 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year. The Democracy Percentage, introduced in 2020, is a translation of the Democracy Score to the 0-100 scale, where 0 equals least democratic and 100 equals most democratic.

Changes in 2021

- National Democratic Governance: This rating improved from 3.25 to 3.50, reflecting overall democratic advancement since the difficult transition of power in 2017; during 2020, the country's caretaker government functioned better than previous caretaker administrations, and political dialogue improved slightly.
- Electoral Process: This rating improved from 4.25 to 4.50 because the July parliamentary elections were more competitive, less charged, and marred by fewer irregularities than previous votes.

As a result, North Macedonia's Democracy Score improved from 3.75 to 3.82.

Executive Summary

By Jovan Bliznakovski

North Macedonia advanced in its democratic development, despite the persistence of several crucial weaknesses and the COVID-19 pandemic. The coalition government of the Social Democratic Union of Macedonia (SDSM) and the Democratic Union for Integration (DUI), which was reelected in July, continued to endorse liberal-democratic principles and Euro-Atlantic integration. However, many of its reforms remained limited in effect. The government addressed the COVID-19 crisis by declaring a state of emergency, which allowed rules to be issued by decree. This was done without oversight, as the parliament refused to reconvene after its mandated preelection dissolution. The highly politicized Constitutional Court provided some oversight to the executive decrees, but this was done selectively, slowly, and without clear regard for public interest.¹

The year began with the resignation of Prime Minister Zoran Zaev (SDSM) in January, who called snap elections for April after the European Union (EU) declined to open accession negotiations in 2019. By law, the country is governed in the 100 days before elections by a "technical" administration, which includes both ruling and opposition parties. The 2020 technical government seemed to function with fewer controversies and less obstructionism than its previous instantiation circa 2016, despite several disputes between politicians from the SDSM and its rival, the opposition Internal Macedonian Revolutionary Organization–Democratic Party for Macedonian National Unity (VMRO-DPMNE). The state of emergency led to the postponement of the general elections, which extended the mandate of the technical government, headed by technical prime minister Oliver Spasovski (SDSM), until August.

Political dialogue incrementally improved as the SDSM and VMRO-DPMNE agreed to long-sought legislation regarding the public prosecutor. However, the DUI and VMRO-DPMNE prevented the parliament from reconvening after the outbreak of the COVID-19 pandemic and VMRO-DPMNE

blocked the SDSM's plan for online parliamentary sessions near the end of the year. The parliament was dissolved for much of 2020 and confronted difficulties in functioning toward year's end.

The government imposed strict measures to prevent the spread of COVID-19, including curfews, limitations on gatherings, border closures, and online work and teaching. Some measures were gradually revoked or eased during the second half of the year. Other measures were implemented to mitigate the socio-economic consequences of the crisis² and organize the repatriation and quarantine of expatriates.³ The number of infections continuously grew during the year, peaking in December.⁴ By the end of 2020, authorities had recorded a total of 83,743 COVID-19 infections, 7,522 hospitalizations, and 2,510 deaths⁵—the second highest case-fatality rate in the Western Balkans.⁶ The health care system, however, managed to prevent significant hospital overcrowding.

The lockdown instituted due to the coronavirus saw the country's gross domestic product (GDP) shrink by an estimated 4.5 percent in 2020, after increasing by 3.6 percent in 2019.⁷ Despite government relief measures, the unemployment rate increased to 16.7 percent, the first increase since 2011.⁸

Early general elections were conducted on July 15, after being rescheduled from April 12 due to the pandemic. The coalition led by the SDSM and the ethnic Albanian party Besa won by a small margin of two seats over their primary rivals, the right-wing VMRO-DPMNE, which had been in government from 2006–17. Amid low turnout, these two blocs lost eight and seven seats, respectively, with the DUI and the Alliance for Albanians–Alternative (AAA) significantly improving their representation (by five and nine seats respectively). After negotiations, the SDSM and DUI once again formed a government, joined by Besa and the Democratic Party of Albanians (DPA) to form a slim 62-seat majority in the 120-seat parliament. Prime Minister Zaev was appointed for a second consecutive term, and the DUI's Talat Xhaferi retained the position of parliamentary speaker.

International election monitors from the Organization for Security and Co-operation in Europe (OSCE) evaluated the July electoral process positively but noted that long-term deficiencies in the electoral framework and administration remained unaddressed.⁹ In a negative development, the technical government changed campaign finance regulations just before the elections in ways that favored the three largest political parties—the SDSM, VMRO-DPMNE, and DUI.

Both civil society organizations (CSOs) and media outlets were active throughout the COVID-19 crisis and contributed to government oversight, citizen inclusion, and information dissemination on public health measures. CSOs were involved in analysis and advocacy work as well as the distribution of humanitarian aid. Despite the opening following VMRO-DPMNE's departure from government in 2017, the media sector still struggled to achieve independence and financial sustainability. The spread of “fake news” has been a high-profile problem in the past several years and has had a significant effect on citizens' perceptions and attitudes.

The country continued to implement rule-of-law reforms, with limited success. Most of the cases from the “Wiretapping Affair,” a major scandal dating to the VMRO-DPMNE government,¹⁰ have moved slowly through the courts, and some even reached the statute of limitations. As a result, members of the political and economic elite still enjoy impunity. The State Commission for Prevention of Corruption (DKSK) was more active in 2020, though watchdogs noted that it is insufficiently focused on high-level corruption. Corruption at all levels of government is still widely present.

Following the 2018 resolution of the three-decades-long name dispute with neighboring Greece, North Macedonia joined the North Atlantic Treaty Organization (NATO) in March.¹¹ The country has been unable to commence accession negotiations with the EU since 2009, largely due to Greek opposition. After Greece dropped its objection in 2018, North Macedonia's accession negotiations were expected to begin in 2020, and the European Commission even prepared a negotiating framework by July.¹² However, in a surprise move, neighboring Bulgaria, an EU Member State, vetoed North Macedonia's bid in mid-November.¹³ Relations between North Macedonia and Bulgaria are marked by historical and linguistic conflicts, as the latter insists on the disputed Bulgarian origin of the Macedonian ethnicity and language. The Bulgarian government demanded that North Macedonia acknowledge “its Bulgarian origins” to start the accession process; the North Macedonian government refused.¹⁴

North Macedonia is ethnically divided, and relations between the Macedonian majority and the Albanian minority (roughly 25 percent of the population) are marred by mistrust that sometimes spirals into direct conflict. Mistrust between the groups was amplified at the beginning of the COVID-19 pandemic, as public discourse associated a surge in cases and the noncompliance with lockdown measures with predominantly Albanian regions.

However, for the first time in the country's independent history, an ethnic Albanian party (Besa) and an ethnic Macedonian party (the SDSM) fielded a joint list of candidates in the July elections. Meanwhile, the DUI's campaign proposal for an ethnic Albanian prime minister caused outrage

among ethnic Macedonian parties and affected government formation negotiations. The DUI and SDSM eventually compromised by reinstalling Zaev, an ethnic Macedonian, as prime minister. In the last 100 days of the government's term, though, Zaev will be replaced with an ethnic Albanian prime minister proposed by the DUI. In another positive development, the Albanian community's long-standing demand for an Albanian-language television channel on the public broadcaster was fulfilled.

During 2021, North Macedonia is due to hold a national census¹⁵ and local elections. The last census in the country was completed in 2002, as the planned 2011 census was interrupted by interethnic disagreements. The successful implementation of the census will be a significant test for the SDSM-DUI government as well as for political dialogue in the country, given that the VMRO-DPMNE has publicly opposed it. The last local elections, held in 2017, resulted in a landslide victory for the SDSM, which currently controls most local government units, while the DUI controls most units in regions with large ethnic Albanian populations.

Further liberal-democratic development in North Macedonia will depend on the ability of the ruling parties to implement the democratic and rule-of-law reforms they claim to support. Such moves are also dependent on the behavior of opposition parties as well as the economic elite and the judiciary. In order for North Macedonia to progress further, all relevant actors must prioritize the public interest.

National Democratic Governance 1.00-7.00 pts

Considers the democratic character of the governmental system; and the independence, effectiveness, and accountability of the legislative and executive branches. 3.50 / 7.00

- The July elections resulted in the continuation of the SDSM-DUI government, with Besa and the DPA joining to form a slim parliamentary majority of 62 out of 120 seats.¹⁶ The new government comprised mostly familiar faces¹⁷ and a few fresh ones,¹⁸ with a portion of the cabinet remaining unchanged vis-à-vis the first Zaev government (2017-2020).¹⁹ The SDSM-DUI coalition agreement stipulates that Zaev will remain prime minister until the last 100 days of his term, when he will be replaced by an ethnic Albanian proposed by the DUI.²⁰
- The preelection technical government, which took over in January,²¹ was less flawed than in its previous incarnation circa 2016, when the VMRO-DPMNE obstructed cabinet members from the then-opposition SDSM. However, technical Prime Minister Spasovski (SDSM) and technical Minister of the Interior Nakje Chulev (VMRO-DPMNE) publicly clashed on several occasions, most notably in February, when the cabinet blocked Chulev's attempt to dismiss and reassign government employees,²² and in May, when Spasovski requested Chulev's resignation after police failed to shut down a mass religious gathering during the COVID-19-induced state of emergency.²³
- In February, technical Minister of Labor and Social Policy Rashela Mizrahi (VMRO-DPMNE) held press conferences in front of a banner with the country's former name. The government of Greece submitted a formal note of protest that Mizrahi had violated the 2018 Prespa Agreement, and the parliament dismissed Mizrahi from her position.²⁴ VMRO-DPMNE did not propose a replacement, and the position remained vacant until after the elections.²⁵
- Due to the COVID-19 pandemic, President Stevo Pendarovski declared a nationwide state of emergency for 30 days in March.²⁶ Shortly thereafter, and right before the start of campaigning, the technical government postponed all electoral proceedings, including the April 12 general elections, until the state of emergency ended.²⁷ The president extended the state of emergency for 30 more days in April.²⁸ In May²⁹ and June,³⁰ he prolonged it for 14 and eight days, respectively. The last two extensions followed the course of interparty negotiations over the eventual date of the elections rather than the progression of the COVID-19 pandemic.³¹ The political nature of these extensions undermined the rationale and legitimacy of the state of emergency.
- The technical government imposed strict restrictions to prevent the spread of COVID-19, including extreme curfews (one lasted 85 hours)³² that some outside experts deemed unnecessary. Many measures were adopted without public consultation and parliamentary control. Though they were adopted swiftly, the measures were ignored by citizens in some region, and the authorities could not ensure full compliance.³³
- The parliament was on hiatus between February and August, largely due to the state of emergency (which was declared after its preelection dissolution), and faced difficulties reconvening later on. A group of SDSM, Besa, DPA, and independent parliamentarians attempted to reconvene in April to confirm President Pendarovski's declaration of the state of emergency,³⁴ but the DUI³⁵ and VMRO-DPMNE³⁶ refused. In late November, the VMRO-DPMNE, the AAA, and Levica ("Left") successfully filibustered a proposal to allow online attendance for parliamentarians self-isolating because of COVID-19.³⁷

- According to a public opinion survey conducted in 2020, the parliament is strongly perceived to be controlled by the government,³⁸ and many believe parliamentarians are overwhelmingly concerned with partisan and private interests.³⁹
- Prior to the parliament's dissolution in February, a two-thirds majority approved a new law on the public prosecutor's office (see Judicial Framework and Independence).⁴⁰ Changes to the electoral code were also adopted with broad consensus, indicating an improvement in political dialogue (see Electoral Process).⁴¹ However, the VMRO-DPMNE resorted to organizing protests against the SDSM-DUI government between September and October,⁴² boycotted December parliamentary sessions on the national population census (which was nevertheless adopted by the ruling coalition), and skipped President Pendarovski's annual address.⁴³
- In contrast to his VMRO-DPMNE-backed predecessor, President Pendarovski continued to be highly active during the year, publicly denouncing the parliament for its inability to reconvene, criticizing some of the technical government's moves during the pandemic,⁴⁴ and declaring the state of emergency while the parliament was dissolved.⁴⁵
- In May, the Constitutional Court invalidated the Law on Prevention and Protection against Discrimination on procedural grounds; the parliament failed to reach a constitutionally required absolute majority when the measure was passed in 2019, following VMRO-DPMNE-backed President Gjorge Ivanov's veto.⁴⁶ In October, the parliament passed the law again with 70 out of 120 votes in its favor.⁴⁷ However, the delay temporarily left North Macedonia without an independent antidiscrimination agency.

Electoral Process 1.00-7.00 pts

Examines national executive and legislative elections, the electoral framework, the 4.50 / functioning of multiparty systems, and popular participation in the political process. 7.00

- The fifth subsequent early general elections took place on 15 July. Fifteen parties and coalitions fielded candidate lists for the 120-member parliament.⁴⁸ The SDSM-Besa "We Can" coalition claimed the largest share of votes with 35.89 percent, translating to 46 seats, with the opposition VMRO-DPMNE a close runner-up, winning 34.57 percent of the vote and 44 seats.⁴⁹ Among parties catering to ethnic Albanians: the DUI claimed the most support with 11.48 percent (15 seats); the AAA registered its best election result, winning 8.95 percent (12 seats); and the DPA lagged far behind with 1.53 percent (1 seat). One other party managed to enter parliament, the newcomer Levica ("Left"), taking 4.1 percent of the vote (2 seats).
- The pandemic significantly affected voter turnout, despite compensatory measures: only 51.34 percent of voters participated,⁵⁰ a large decline from 2016 (66.79 percent).⁵¹ On election day, authorities kept polling stations open for two additional hours to prevent crowding. They also organized an additional day of early voting for those who were self-isolating.⁵²
- The pandemic also affected political campaigning: parties turned to smaller-scale outreach methods, such as door-to-door canvassing and meetings, and relied more heavily on online media. While the campaign was largely negative in tone and early campaigning was illegally conducted in some places, observers from the OSCE concluded that all contestants could participate freely.⁵³ The OSCE deemed the elections to be well administered, though legal stability was undermined due to expedited and substantial changes to the electoral code prior to election day.⁵⁴ In February, the parliament adopted legislation⁵⁵ introducing several technical changes, including to the territorial boundaries of two constituencies in order to align them with legal requirements (though this was not done for all "problematic" constituencies).⁵⁶ An additional amendment to campaign finance regulations, introduced by government decree in June prior to the end of the state of emergency, established an advantage for the three largest political parties, which received disproportionate amounts of state funding for television advertisements.⁵⁷
- On election day, the newly introduced online system for the presentation of election data was hacked, and the public was prevented from learning the results in real time.⁵⁸ The incident further diminished citizen trust in the electoral system and prompted investigations.⁵⁹ Charges were eventually brought against four members of the State Electoral Commission and the head of the software company that created the system for public procurement irregularities.⁶⁰ However, investigators had not identified the perpetrator of the cyberattack by the end of the year.
- Overall, the elections featured fewer irregularities than in previous years: the OSCE noted limited state-party collusion (i.e., the use of state resources for electoral purposes) and fewer instances of intimidation. However, vote-buying among the Roma and socially-disadvantaged populations was reported.⁶¹ In the runup to the elections, the VMRO-DPMNE repeatedly accused the SDSM-led technical government of bribing voters through stimulus payments intended to ease the COVID-19 crisis, many of which were disbursed ahead of the elections.⁶²

Civil Society 1.00-7.00 pts

Assesses the organizational capacity and financial sustainability of the civic sector; the legal and political environment in which it operates; the functioning of trade unions; interest group participation in the policy process; and the threat posed by antidemocratic extremist groups. 4.75 / 7.00

- North Macedonia's civil society is vibrant and proactive; and the environment for civic action has incrementally but consistently improved in the past several years.
- The civil sector adapted its activities in response to the COVID-19 pandemic, distributing humanitarian aid, disseminating information on public health measures, and analyzing and advocating for government decrees throughout the year. Civica Mobilitas, a civil society support program registered 906 CSO actions connected to the pandemic between March and July.⁶³ Still, officials did not consult civil society regarding emergency measures to the same extent as they did the business sector.⁶⁴
- In a widely criticized April decision,⁶⁵ the government reallocated €525,000 intended for CSO projects to fight the pandemic. In response, the government introduced a special call for civil society projects combating the public health crisis, allocating almost €490,000 (circa June).⁶⁶ However, the government left only five days for applications to be filled and evaluated 549 applicants in just 48 hours before awarding grants to 40 organizations.⁶⁷ This timeline prompted public criticism and devalued public trust in civil society; two members of the grant distribution commission were civil society representatives.⁶⁸
- The Council for Cooperation with and Development of the Civil Society Sector, formed in 2018, continued to meet in 2020, surpassing the legal requirement of four sessions annually.⁶⁹ An analysis from the Macedonian Center for International Cooperation (MCIC) found, however, that the Council is insufficiently connected to the broader community of CSOs.⁷⁰ The government-endorsed Strategy on Cooperation with the Civil Sector 2018–20 also continued, slowly, to be implemented during the year. The Strategy's vision includes improvements in the tax framework, state funding for CSOs, and better inclusion of CSOs in the EU-integration process as well as in social service provision.⁷¹
- Several civic protests took place during the year, some directed against COVID-19 restrictions. Workers in the tourism industry demanded greater state aid in June and July.⁷² In August, secondary-school pupils and parents protested to do away with online-only education and implement a hybrid online and in-person teaching model.⁷³ Performers and venue owners rallied against a ban on music performances in October.⁷⁴ Some protests were effective and prompted changes in government policies. Disinformation and misinformation regarding COVID-19 contributed to small-scale protests against restrictions, the vaccination campaign, and fifth-generation (5G) technology for mobile networks.⁷⁵
- In June, citizens in Strumica protested the opening of the new Ilovica mine, which, according to protesters, presents environmental and health risks.⁷⁶ In August and September, protests were held in Skopje and other cities against a state regulatory body decision to increase electricity prices by more than seven percent.⁷⁷
- Religious institutions were publicly condemned for their unwillingness to comply with restrictions on gatherings. In May, the Macedonian Orthodox Church organized a mass gathering in Struga⁷⁸ and communions prior to Easter.⁷⁹ The Islamic Religious Community (IVZ) organized gatherings during Eid al-Fitr. The head of the IVZ publicly announced that COVID-19 was "dead"⁸⁰ and was later removed from his position.⁸¹

Independent Media 1.00-7.00 pts

Examines the current state of press freedom, including libel laws, harassment of journalists, and editorial independence; the operation of a financially viable and independent private press; and the functioning of the public media. 3.50 / 7.00

- The state and party grip on the media sector was significantly relaxed following the 2017 change of power, but reforms that the SDSM pledged to implement are still far from being completed.⁸² The media are continuously perceived as influenced by political power-brokers⁸³ and corruption.⁸⁴
- Historically, state funding has been used as leverage to control the media and reap politically favorable reporting. In December, Zaev proposed a legal change reintroduce state funding to "help the media" during the COVID-19 crisis, which associations of journalists and media workers strongly protested.⁸⁵ The government adopted a special pandemic support package for media workers in June.⁸⁶
- Legal changes passed in 2019 and 2020 enabled political parties to use state funding to pay for advertisements.⁸⁷ These changes disproportionately benefitted the three largest parties. Media professionals criticized these changes for potentially endangering editorial independence by allowing partisans to steer funds toward friendly outlets.⁸⁸
- OSCE monitoring of the 2020 elections found that public and private television stations largely ensured balanced representation and neutral coverage of the campaign, with some

exceptions.⁸⁹ The media environment in 2020 was much less polarized than it had been during VMRO-DPMNE's rule.

- The mandates of the members of the Programming Council of the public broadcaster, Macedonian Radio Television (MRT), expired in December 2019. The parliament failed to appoint new members in 2020 but allowed the former Council to continue to function.⁹⁰ In April, MRT introduced a new Albanian-language channel and a special channel featuring the languages of other ethnic communities (previously, programming in all languages other than Macedonian was broadcasted on one channel).⁹¹
- Journalists have been on the frontlines during the COVID-19 crisis, providing coverage of the main developments and often revealing noncompliance with public health measures. A *Sloboden Pечат* journalist who reported on a large wedding in Tetovo was targeted by hate speech and verbal threats on social media and was eventually placed under police protection.⁹²
- From January to July, the Macedonian Association of Journalists registered a total of 12 attacks on journalists, a large increase in comparison to the four attacks registered during all of 2019.⁹³ In July, the pro-VMRO-DPMNE editor of the news portal *Ekonomski Lider* was charged with revealing classified documents in two of his articles.⁹⁴ The editor claimed that the charges were politically motivated. In December, the Primary Court in Skopje rejected a lawsuit brought by two journalists who were attacked during the 2017 parliamentary riots, a move which prompted the Association of Journalists to dismiss the court for its double standards in dealing with the victims.⁹⁵
- In February, financial police began a money-laundering investigation into a pro-Orbán Hungarian businessman who pumped more than three million euros into pro-VMRO-DPMNE media outlets.⁹⁶
- According to a report commissioned by the European Parliament, disinformation in the mainstream media is much less present than during the VMRO-DPMNE government's tenure.⁹⁷ However, misinformation campaigns related COVID-19 accelerated during the year. In a May public opinion poll, only 19 percent of respondents aligned with the official World Health Organization position regarding the origin of COVID-19. Other respondents believed the virus was created in a laboratory (43 percent), that it was connected with 5G technology (5 percent), or that it was fictional (10 percent).⁹⁸

Local Democratic Governance 1.00-7.00 pts

Considers the decentralization of power; the responsibilities, election, and capacity of local governmental bodies; and the transparency and accountability of local authorities. 4.00 / 7.00

- The quality of local democratic governance has stagnated. Most of the 81 local units, and especially the rural ones, remain financially weak and face difficulties in fulfilling their mandates. The previous decentralization reform was never fully completed, though there are possibilities for new reform efforts under the second Zaev government. Local units hold competencies in healthcare, education, public transport, communal activities, and more, but local public utilities are perceived as highly inefficient, politicized, and primarily used for employing party loyalists.⁹⁹ Since the 2017 elections, local units are mostly administered by the SDSM (57 out of 81 units, including the city of Skopje), DUI (10), and VMRO-DPMNE (5). The next local elections are scheduled for fall 2021.
- Two early mayoral contests took place on December 13 in the Shtip and Plasnica municipalities. The elections were scheduled to replace mayors who assumed government positions following the July general elections¹⁰⁰ but were conducted without the participation of the VMRO-DPMNE, which refused to field candidates, citing the COVID-19 crisis.¹⁰¹ As a result, the two contests ended with landslide wins for the SDSM in Shtip and DUI in Plasnica.¹⁰²
- The local administrations contributed to the government's response to the pandemic, implementing the nationwide strategy to prevent the virus's spread. Some municipalities played a proactive role in policy-making,¹⁰³ though tailored measures were introduced only in the municipalities of Debar and Centar Zhupa at the beginning of the crisis.¹⁰⁴ However, disparities in the implementation of public health measures were visible during curfews. Violations of the restrictions caused scandals¹⁰⁵ that were often interpreted through ethnic lenses, as some of the more visible violations occurred in Albanian-dominated municipalities.¹⁰⁶
- A monitoring report by the Center for Economic Analysis found that financial transparency at the local level has improved in the past year; two local government units—Skopje and Prilep—practiced outstanding transparency.¹⁰⁷ Still, there are large disparities throughout the country, and seven units present no public information on their financial activities.
- SDSM leaders commented on reforming the decentralization process throughout the year. In September, the mayor of Skopje (SDSM) argued that the city should be empowered to deal

with illegal construction, which, under present legislation, is a competency of the 10 municipalities that comprise the city of Skopje.¹⁰⁸ This discussion was prompted by the failure of the Municipality of Chair (a constituent municipality of Skopje) to remove an illegal building, citing lack of financial resources to complete the deconstruction. The costs for the deconstruction were in the end covered by the central government, and the removal of the building received great public attention.¹⁰⁹

Judicial Framework and Independence 1.00-7.00 pts

Assesses constitutional and human rights protections, judicial independence, the status of ethnic minority rights, guarantees of equality before the law, treatment of suspects and prisoners, and compliance with judicial decisions. **3.25 / 7.00**

- The SDSM-led government launched a comprehensive judicial reform effort in 2017,¹¹⁰ but the country has not dealt with political influence in the judiciary, as demonstrated by the lack of a conclusion in the “Wiretapping Affair” from 2015. Most of the wiretapping cases have progressed slowly in the courts, and as a result some have reached the statute of limitations, while others are close to reaching it.¹¹¹ The institution established to prosecute the wiretapping cases—the Special Public Prosecutor’s Office (SJO)—was itself embroiled in a corruption scandal and terminated in 2019. At the beginning of 2020, the SDSM and VMRO-DPMNE agreed on long-sought legislation on the public prosecutor,¹¹²¹¹³ allowing it to resume former SJO cases.
- The European Commission concluded in an October report that “good progress” had been made in the new rules for the appointment and dismissal of judges and prosecutors.¹¹⁴ In November, court fees were significantly reduced in an attempt to provide broader access to the justice system.¹¹⁵ In December, a new methodology for vetting of judges and prosecutors was adopted under a Ministry of Justice initiative,¹¹⁶ in a bid to effectively deal with political influence through qualitative work evaluations. These positive adjustments, however, have not yet yielded concrete improvements.
- The 2019 “Extortion” bribery case that brought down the SJO was concluded relatively swiftly at the first instance in June. The two main defendants, former head of the SJO Katica Janeva and celebrity businessman Bojan Jovanovski, were sentenced to seven and nine years in prison, respectively.¹¹⁷ However, a report by the civil network All for Fair Trials found a range of deficiencies in the process, including a poorly formed indictment, unequal access to evidence, and a lack of evidence on the whereabouts of the money that the defendants had allegedly received to intercede on behalf of businessman Orce Kamchev, a suspect in another high-profile corruption case.¹¹⁸ The third defendant, businessman Zoran Milevski, admitted guilt at the start of the trial and started serving his three-year sentence in October.¹¹⁹
- In connection to the “Wiretapping Affair,” the conviction of former minister of the interior Gordana Jankuloska (VMRO-DPMNE) for the illegal procurement of a vehicle for former prime minister Nikola Gruevski was upheld on appeal.¹²⁰ Jankoloska started serving her four-year sentence in September.¹²¹ In October, the chief of the cabinet of the former head of the secret service Sasho Mijalkov (VMRO-DPMNE) was convicted for embezzling €820,000 from the former Directorate for Security and Counterintelligence (UBK).¹²²
- Former pro-VMRO-DPMNE president of the Criminal Court, Vladimir Panchevski, was convicted at the first instance for deliberately manipulating the Automated Court Case Management Information System to distribute specific cases to favorable judges between 2013 and 2016.¹²³ He received a three-and-half-year prison sentence in August.
- The COVID-19 crisis disrupted the normal work of judicial institutions. Several high-profile trials were postponed because defendants were exposed to COVID-19.¹²⁴ The Center for Legal Research and Analysis found that the courts lacked financial resources, information technology equipment, and personnel to function properly during the pandemic.¹²⁵ Online court sessions were held in some instances.¹²⁶
- The Constitutional Court faced public backlash in April when it invalidated on the grounds of discrimination an executive decree cutting wages for officials (including judges) in order to reallocate funds to combat the COVID-19 pandemic.¹²⁷ In November, the Constitutional Court decided to raise their own salaries,¹²⁸ a move later endorsed by the government.¹²⁹ The Court is perceived as heavily politicized and disengaged from public interest.

Corruption 1.00-7.00 pts

Looks at public perceptions of corruption, the business interests of top policymakers, laws on financial disclosure and conflict of interest, and the efficacy of anticorruption initiatives. **3.25 / 7.00**

- The State Commission for Prevention of Corruption (DKSK) is the most important specialized anticorruption institution, though its competencies are restricted to prevention and oversight. The current commission (2019–24) is much more proactive than former commissions appointed during VMRO-DPMNE’s rule, though its impact is still very limited. DKSK’s oversight contributed to only eight criminal and 24 misdemeanor charges in 2019 (out of 1,165 cases).¹³⁰ None of these charges associated with high level corruption. From January to June

2020 DKSK reviewed a total of 196 cases but found grounds for further proceedings in only 7 percent of them.¹³¹ A monitoring report by the Institute for Democracy concluded that the DKSK does not prioritize high-level corruption cases.¹³²

- In 2020, though the DKSK initiated several cases against mid-level officials, the government did not always follow up on them. In December, the government appointed a new head of the state electricity operator even though the DKSK determined he had a conflict of interest.¹³³ However, the government did act upon DKSK investigations into financial improprieties in other cases, dismissing the head of the Film Agency¹³⁴ and the head of the National Agency for European Educational Programs and Mobility.¹³⁵
- The DKSK also performed oversight of the election campaign. In July, it opened a case against the government's decision to financially support CSOs because grants were distributed during the campaign period (see Civil Society).¹³⁶ In October, the DKSK initiated an investigation into five political parties that failed to comply with campaign finance regulations¹³⁷ and later initiated charges against one unspecified party.¹³⁸
- A new National Strategy for the Fight Against Corruption and Conflict of Interest was drafted by the DKSK¹³⁹ but it was not adopted by the parliament by year's end. The Strategy seeks to increase the level of political responsibility in the fight against corruption, enhance institutional integrity, strengthen oversight and control mechanisms, and reduce public procurement corruption. The second Zaev government introduced the position of deputy prime minister of for the Fight against Corruption, Sustainable Development, and Human Resources, which was filled by Ljupcho Nikolovski (SDSM).¹⁴⁰ The effectiveness of the Strategy and the new government post in combatting corruption remain to be seen.
- One of the year's prominent scandals involved Minister of Finance Nina Angelovska (SDSM), who came under scrutiny for her withdrawal of personal deposits prior to the bankruptcy of the "Eurostandard" bank.¹⁴¹ Because of her position, Angelovska allegedly had confidential information that she used to save her deposits. However, the DKSK decided not to open proceedings against Angelovska, who was removed from her post after the installation of the new government.
- Urgent procurements to counter the COVID-19 crisis appeared deeply flawed. A Center for Civil Communications monitoring report found that 43 percent of the €6.7 million in coronavirus aid was distributed to only five companies. Further, in 68 percent of all concluded contracts, state institutions failed to publish the relevant documentation within the 10-day legal deadline.¹⁴² Moreover, a third of all the contracts were negotiated with only one bidder, and prices for personal protective equipment significantly differed.¹⁴³ The government's economic recovery effort also hit a snag when evidence came to light that more than 300 companies receiving financial assistance to cover employee salaries used these funds for other purposes, prompting an investigation.¹⁴⁴
- The appointment of management positions in public institutions and companies following the formation of the new government was politically-driven, uncompetitive, nontransparent, and without much regard for competence.¹⁴⁵ Political parties have used public institutions to employ party loyalists without the necessary qualifications and skills at all levels of government and public management for decades. The DUI-dominated Ministry of the Political System, for example, is so overemployed that most employees do not even go to work as a result of limited physical space.¹⁴⁶ In December, the government developed a draft text for new legislation that would see transfer of 1,300 surplus employees from the Ministry to new posts in other institutions,¹⁴⁷ alleviating the problem rather than dealing with it directly.
- Petty corruption remains a pressing issue. According to a 2019 survey, close to 29.5 percent of the population reported having been solicited for a bribe in the past year, while 23 percent bribed an official in the same period.¹⁴⁸ Public perception of corruption is also high: in the same survey, 45 percent of the respondents stated that they believed most public servants were corrupt, and 21 percent believed that nearly all public servants were corrupt.¹⁴⁹

Author: Jovan Bliznakovski is a political scientist working at the Institute for Sociological, Political and Juridical Research, Ss. Cyril and Methodius University in Skopje (ISPJR-UKIM). He holds a PhD in Political Studies from the University of Milan, Italy and MSc in political science from the University of Ljubljana, Slovenia. In 2014–16, he served as program director of the Institute for Democracy "Societas Civilis" in Skopje (IDSCS).

Footnotes

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Austrian Red Cross Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD)	Wiedner Hauptstraße 32, 1041 Wien T (Telefon) +43 1 589 00 583 F (Fax) +43 1 589 00 589 info@ecoi.net	Contact Imprint & Disclaimer F.A.Q. Data Protection Notice
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