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Overview:

Macedonia is a parliamentary republic. A left-leaning government took power in 2017 after credible allegations of a massive, government-sponsored wiretapping and surveillance program emerged in 2015, prompting a crisis that paralyzed normal political activity. Macedonia continues to struggle with corruption, and while the media and civil society are active, journalists and activists face pressure and intimidation.

Key Developments:

KEY DEVELOPMENTS IN 2018:

- In June, Skopje and Athens signed a comprehensive pact, the Prespa Agreement, to rename the country the Republic of North Macedonia, in exchange for Greek support for its European Union (EU) and NATO membership bids.
- A referendum held in September on the name change received the backing of more than 90 percent of voters, but the turnout was only 37 percent, below the 50 percent threshold required for the vote to be valid. Leaders in the Internal Macedonian



Revolutionary Organization–Democratic Party for Macedonian Unity (VMRO–DPMNE), including President Gjorge Ivanov, had urged voters to boycott the vote, contributing to the low turnout. As a result, the parliament passed legislation in October to rename the country, potentially paving the way for EU and NATO accession.

- In May, former prime minister Nikola Gruevski was sentenced to two years in prison following a corruption conviction stemming from the purchase of a \$700,000 Mercedes in 2012. Gruevski then fled to Hungary in November with the assistance of Hungarian diplomats, and claimed political asylum there, which was reportedly granted by the Hungarian government.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 22 / 40 (+1)

A. ELECTORAL PROCESS: 6 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is elected to as many as two five-year terms through a direct popular vote. President Ivanov of the VMRO–DPMNE won a second term in the 2014 general elections, which were criticized by international observers for a number of shortcomings. The presidential portion was marked by relatively low turnout.

The unicameral Assembly elects the prime minister, who is head of government and holds most executive power. The formation of a new government was delayed for months after December 2016

elections, as Ivanov refused a request by the Social Democratic Union of Macedonia (SDSM) for a mandate to form a government after the VMRO-DMPNE, which had won a plurality of seats in the elections, was unable to cobble together enough support to form its own. VMRO-DMPNE deputies, meanwhile, filibustered a vote to install an SDSM-backed Assembly speaker, Talat Xhaferi, a member of the Democratic Union for Integration (DUI), an Albanian party.

In April 2017, after Xhaferi was finally elected, VMRO-DMPNE supporters stormed the Assembly and violently assaulted several opposition leaders, including Zaev and Radmila Šekerinska Jankovska, a former prime minister. In May, following mediation by the US State Department, the SDSM and their Albanian coalition partners were finally able to form a government, with Zaev as prime minister.

A2. Were the current national legislative representatives elected through free and fair elections? 2 / 4

Members of the 120-seat Assembly are elected by proportional representation to four-year terms. Parliamentary elections took place in 2016. An Organization for Security and Co-operation in Europe (OSCE) monitoring mission deemed the polls “competitive,” but said issues with the media and voter rolls had “yet to be addressed in a sustainable manner,” noted instances of voter intimidation, and concluded that the polls were marked by “a lack of public trust in institutions and the political establishment.” The formation of the SDSM-led government in 2017 marked a democratic transfer of power between parties, and capped the period of political uncertainty that followed the 2016 polls.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 3 / 4

 Election laws are fairly robust, and the 2017 polls saw some minor improvements in the overall accessibility of election results and reporting by the State Election Commission. However, some ambiguities in election laws have yet to be addressed, including regulations governing the registration of candidates, and resolution mechanisms for election-related disputes. Additionally, observers have expressed concerns about inaccuracies in the electoral roll, which have not yet been adequately addressed.

In September 2018, the government held a controversial referendum to approve the Prespa Agreement signed with Greece in June to change the country's name to North Macedonia, which received the backing of more than 90 percent of voters. However, the turnout was only 37 percent, below the 50 percent required for the results to count. Leaders in the VMRO-DPMNE, including President Ivanov, had urged voters to boycott the vote, contributing to the low turnout. As a result, the parliament passed legislation in October to rename the country, potentially paving the way for EU and NATO accession. OSCE observers stated that the referendum "was administered impartially and fundamental freedoms were respected throughout the campaign." However, they noted that the content of the referendum was not adequately explained, and the election commission lacked transparency in carrying out the poll. Opposition parties also declined to organize a campaign against the referendum's passage, while the SDSM ran a robust campaign in its favor, making it difficult for the media to offer balanced coverage of the vote.

Analysts expressed concern about a social media disinformation campaign, which reportedly originated in Russia, urging Macedonians to boycott the vote.

B. POLITICAL PLURALISM AND PARTICIPATION: 10 / 16 (+1)

 B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 3 / 4 (+1)

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While the constitution protects the right to establish and join political parties, vast patronage networks hamper democratic competition. In 2017, the election of a SDSM-backed parliament speaker was immediately followed by violent attacks on the floor of the assembly by VMRO–DPMNE backers. Around 100 people were injured in the melee. Tensions between the parties decreased significantly in 2018, and there was no repeat of the previous year's violence in the Assembly, including during contentious constitutional reform debates.

Score Change: The score improved from 2 to 3 because there was no repetition of the previous year's partisan violence in the Assembly, and political forces were able to operate in a more peaceful environment.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

In 2017, power transferred from the right-nationalist VMRO–DPMNE—which had been in power since 2006—to the left-leaning SDSM, which had held power through much of the 1990s and early 2000s. The SDSM had boycotted the parliament on several occasions before taking power in 2017 over claims of electoral fraud, as well as issues related to allegations that the administration of former prime minister Gruevski had directed the secret service to operate a massive wiretapping and surveillance program.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 2 / 4

While voters are largely free to make political decisions, reports of intimidation and vote buying remain common. Patronage networks remain influential in Macedonia political life, and can influence political outcomes.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 3 / 4

Ethnic Albanians make up about 25 percent of the population, and a political party representing Albanians has sat in each ruling coalition. Certain types of legislation must pass with a majority of legislators from both major ethnic groups in the Assembly. In March, the SDSM-led government passed a new language law extending the official use of Albanian to all state-level institutions, including the parliament. Macedonia's Roma community, however, remains politically marginalized.

Despite the introduction of parity laws, and joint initiatives on behalf of nongovernmental organizations (NGOs) and electoral authorities, societal attitudes discourage women from participating in politics. Some women are disenfranchised through the practice of family voting. Despite these challenges, the first female defense minister was appointed in 2017.

Small LGBT (lesbian, gay, bisexual, and transgender) advocacy groups are politically active, but LGBT people are poorly represented in politics—as reflected in Macedonia's lack of any law protecting against discrimination on grounds of sexual orientation or gender identity.

C. FUNCTIONING OF GOVERNMENT: 6 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 2 / 4

For much of 2017, the parliament did not function effectively due to VMRO-DPMNE attempts to prevent the formation of an SDSM-led government, as well as the parliamentary melee in which Zoran Zaev and other SDSM lawmakers were injured. However, the formation of the new government in mid-2017 ushered in a return to more normal parliamentary activity, which continued in 2018.

The government dominates the legislative branch, and the parliament generally does not play an effective oversight role.

C2. Are safeguards against official corruption strong and effective? 2 / 4

Corruption remains a serious problem, and there has been widespread impunity for corrupt government officials, including members of parliament and the judiciary.

In May 2018, former prime minister Gruevski was sentenced to two years in prison following a corruption conviction stemming from the purchase of a \$700,000 Mercedes in 2012. Gruevski fled to Hungary in November with the assistance of Hungarian diplomats, and claimed political asylum there, which was reportedly granted by the Hungarian government.

C3. Does the government operate with openness and transparency? 2 / 4

The law on open access to public information is inconsistently enforced. While the government has pledged to undertake reforms aimed at increasing government transparency, it has yet to register concrete progress.

CIVIL LIBERTIES: 37 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 11 / 16

D1. Are there free and independent media? 2 / 4

 Macedonian journalists are subject to political pressure and harassment, and physical attacks continue to be reported, although the frequency of such attacks reportedly declined during the year. According to the Association of Journalists of Macedonia (AJM), 6 reporters were attacked between January and September 2018, down from 18 during the same period in 2017. In March, the Independent Trade Union of Journalists and Media Workers held a protest against Bekir Asani, a senior official in the DUI, who had allegedly threatened the head of the AJM, Naser Selmani, over a Facebook post by Selmani that criticized Asani's behavior during a traffic dispute.  

Macedonia's media landscape is deeply polarized along political lines, and private media outlets are often tied to political or business interests that influence their content. Some critical and independent outlets operate and are found mainly online.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 3 / 4

The constitution guarantees freedom of religion. However, Islamophobia is present in the rhetoric of politicians and in public discourse, which is directed primarily at the ethnic Albanian community.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 3 / 4

Academic freedom is largely respected. However, corruption in universities is significant, and the large-scale emigration of young scholars has been detrimental to the country's research institutions. Many textbooks minimally cover the postindependence period, primarily because ethnic Macedonians and ethnic Albanians interpret the 2001 civil conflict differently.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 3 / 4

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Allegations of widespread wiretapping and monitoring of private citizens, journalists, politicians, and religious leaders by the previous VMRO–DPMNE government helped bring about its ouster. The SDSM-led government has taken some steps to reform the security services, which were widely believed to have carried out the wiretapping and surveillance program under Gruevski's direction. In December 2018, the parliament passed a law that removed the secret police from overseeing surveillance, bringing it under greater civilian control. Analysts believe that this legislation will reduce potential abuse of surveillance powers. As a result of the change in government, private discussion has been less constrained.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 8 / 12

E1. Is there freedom of assembly? 3 / 4

Constitutional guarantees of freedom of assembly are generally well respected. However, protests have sometimes given way to property damage, and are typically monitored by riot police. In June 2018, a protest in Skopje against the Prespa Agreement turned violent when the police fired tear gas and flash grenades into the crowd to disperse the demonstration.

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights- and governance-related work? 3 / 4

The government has indicated support for civil society. However, groups that focus on human rights- and governance-related work, and particularly those that receive foreign funding, face pressure from the VMRO–DPMNE and its supporters. In 2017, several

figures associated with the party announced the establishment of a movement aimed at scrutinizing NGOs funded by the Hungarian-born liberal philanthropist George Soros.

E3. Is there freedom for trade unions and similar professional or labor organizations? 2 / 4

Workers may organize and bargain collectively, though trade unions lack stable financing and skilled managers, and journalists have reportedly been fired for their union activities. The informal economy is large, leaving many workers vulnerable to abuses by employers.

F. RULE OF LAW: 8 / 16

F1. Is there an independent judiciary? 2 / 4

Concerns remain about the efficacy and independence of the judiciary. The EU has stressed judicial reforms as a key priority for the new government. In 2018, the government adopted a number of reforms aimed at enhancing judicial independence, including the strengthening of mechanisms to address misconduct by judges. However, analysts noted that not all of the judicial reforms promised by the government had been implemented at year's end.

F2. Does due process prevail in civil and criminal matters? 2 / 4

Due process rights remain compromised by corruption and patronage within the justice system, which has a low level of public confidence. In November 2018, authorities announced the commencement of a preliminary investigation into the wiretapping of 70 prosecutors in the Public Prosecution Office building, which began in 2016. Political interference in the work of prosecutors remains a problem, as well as the selective application of justice, although the government has carried out some reforms intended to improve the situation.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 2 / 4

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After the attack against SDSM lawmakers on the parliament floor in 2017, calm was later restored, and a number of police officers and interior ministry employees were disciplined for the slow response to the violence. In 2017, a VMRO-DPMNE supporter was sentenced to four years in prison for assaulting Šekerinska Jankovska, a former prime minister, during the melee.

There are occasional outbreaks of violence in Macedonia. In late 2017, a number of men were convicted of crimes connected to a deadly 2015 clash between police and gunmen in an Albanian neighborhood of Kumanovo. Considerable controversy surrounds the events; prosecutors said the men were terrorists bent on destabilizing the country, while the defendants and their supporters claimed that the men had acted in self-defense against a politically motivated police raid. In 2018, some critics continued to call for an international inquiry into the incident.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 2 / 4

A 2010 antidiscrimination law does not prohibit discrimination on the basis of sexual orientation or gender identity, and anti-LGBT sentiment is widespread. Laws prohibit workplace sexual harassment, but sexual harassment against women is rarely reported, and remains a problem.

Albanians suffer from discrimination in employment and anti-Albanian sentiment has flared in recent years. Romany people face employment and other discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 10 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 3 / 4

Travel and movement are generally unrestricted. Corruption can hamper people's ability to freely choose their place of employment or education.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 3 / 4

The right to own property and establish private businesses is generally respected, though corruption remains a barrier to free enterprise.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 2 / 4

Rape, including spousal rape, is illegal, as is domestic violence, which remains common; both are infrequently reported. The government and some NGOs provide services to victims of domestic violence.

A 2017 ruling by the Administrative Court allowed people to change their gender in the country's official registry.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 2 / 4

Laws do not impose rigid barriers to social mobility, though rampant corruption can effectively hamper individuals from rising to higher income levels.

Human trafficking remains a problem. The government has taken some steps to better identify trafficking victims, notably at government-run transit centers that house migrants and refugees.

However, government support to NGOs that aid trafficking victims has decreased.

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