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MACEDONIA: THE NEXT STAGE

MAVROVO, MACEDONIA DECEMBER 17-19, 2004

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PREFACE

The roundtable organized in Mavrovo in December 2004 by the Project on Ethnic Relations (PER) and the Swiss Embassy in Macedonia was the fourth major roundtable in the so-called "Mavrovo process," a series of roundtables for Macedonia's governing coalition and opposition parties to discuss and debate the process of implementing the Ohrid Framework Agreement.

The event brought together the members of the governing coalition, including the newly appointed prime minister and cabinet members in a government that had been confirmed only hours before the meeting. The discussions emphasized what participants characterized as "constructive criticism" and problem-solving. A number of specific issues were proposed for the government's 2005 agenda.

The December 2004 discussions came in the wake of political disagreements within the coalition, as well as the resignation of the previous prime minister, and provided a fresh opportunity for the coalition members to review recent developments and to assess their future course. The session for the coalition members was followed by one in which leaders of opposition parties also took part, and where the conduct of the upcoming local elections was considered. There was also an extended discussion of the problems of smaller ethnic communities, including the Roma, Turks, Serbs, and Bosnjaks. The participants recommended that steps be taken to assure that the program on equitable representation in the government administration in Macedonia is extended to all ethnic communities, giving special attention to the Roma. They underlined this as a necessary step toward building a genuine Macedonian multiethnic state.



Left to right: Radmila Sekerinska, Thomas Füglister, Allen Kassof, Vlado Buckovski, and Musa Xhaferri.

PER is grateful to the Swiss Federal Department of Foreign Affairs for its support of this initiative and to the Swiss Embassy in Macedonia, especially to Thomas Füglister, the Swiss Ambassador, to Matthias Siegfried, the Adviser for Peace Building, and to Mimoza Angelovska, the Assistant to the Ambassador. We also thank U.S. Ambassador to Macedonia Lawrence Butler, EU Special Representative Ambassador Michael Sahlin, Head of the Delegation of the European Commission Ambassador Donato Chiarini, U.S. Deputy Chief of Mission Paul Wohlers, and Senior Adviser to the EU Special Representative Jesper Thomsen for their much valued assistance.

Professor Steven Burg of Brandeis University is the author of this report. Alex N. Grigor'ev, PER Senior Program Officer, who was responsible for organizing the meeting, contributed as well. The report was edited by PER staff. Except as otherwise noted, participants' statements are without attribution, following PER's practice of encouraging frank and open discussion.

The participants have not had the opportunity to review the text of this report, for which PER assumes full responsibility.

Allen H. Kassof, President Livia B. Plaks, Executive Director

Princeton, New Jersey January 2005



Arben Xhaferi



Meri Mladenovska Georgievska



Thomas Füglister

NOTE ON TERMINOLOGY

Except as otherwise noted, the term "Albanian" is used to refer to ethnic Albanians living in Macedonia.



Left to right: Ivan Stoiljkovic, Rafet Muminovik, Kenan Hasipi, and Nezdet Mustafa.



Left to right: Vlado Buckovski and Musa Xhaferri.

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INTRODUCTION

The fourth round of discussions in the Mavrovo process was held in mid-December 2004, at a moment of great challenge for Macedonia. A new government, necessitated by the former prime minister's resignation on November 15 and his public allegations of corruption against a government member, was confirmed by parliament on the very day the Mavrovo meeting was to convene. Nonetheless, the new prime minister and his government elected to attend the Mavrovo meetings, and use them to foster open and frank discussion among the coalition partners in the government including the parties of the smaller ethnic communities and with opposition parties. In comparison to earlier sessions of the Mavrovo process, these discussions were characterized by a significant increase in the proportion of time and attention devoted by participants to what they described as "constructive criticism" and problem-solving. Although the first session of discussions was abbreviated because of the government's need to convene its first, organizational meeting following parliamentary confirmation, this round of the Mavrovo process covered a number of important and sensitive issues facing the new leadership team. Participants discussed their understanding of the nature of representation and accountability, from the perspective of both government and opposition. Attention was devoted to the meaning and implications of "equal representation" as a principle embedded in the Ohrid Framework Agreement and as a practical goal of government policy. There was substantial discussion of the relationship between political parties, their leaders, and the government, and its crucial effect on government authority and performance. Discussion turned several times to the importance of improving the performance of the economy for resolving social and political problems, and therefore its importance for the new government. Improving the functioning of the electoral system was the focus of a substantial amount of discussion, prompted by the upcoming local elections, scheduled for March 13, 2005. Participants put forward a number of specific issues and problems for inclusion on the government policy agenda. Participants also engaged one another in candid discussion of sensitive and contentious issues concerning the integrity of electoral processes in Macedonia. These discussions led participants to consider the adoption of a "code of conduct" to guide parties in the upcoming and future elections.

PARTIES AND GOVERNMENT

Senior members of the governing coalition stressed the importance of "personal relations among leaders" for the government's "ability to overcome real differences." They acknowledged that the resignation of the former prime minister and his accusations "shook the confidence of the coalition partners" and was a "setback to relations within the government." But they insisted that "more frequent and honest discussions" had already taken place since the resignation, and provided a basis for confidence that relationships could be "restored and even improved." One member of the government pointed out that "each of the partners wants the government to succeed for both personal and policy reasons," but insisted nonetheless on the "need for more intense communication within the coalition." The Mavrovo process itself was cited by senior members of the government as contributing to this process, as it provided an opportunity for discussion "free from the pressures of work in the office" and in a "smaller, more intimate group." It was an "opportunity for freedom to express positions without fear that they will lead to undesirable results."

A senior member of the government suggested that there seems to be a lack of commitment of all government members to the common platform of the government. "Everyone [in the government] insists on the issues that are a priority to them but not on the issues that are of strategic priority for Macedonia." She suggested organizing a special session of the government to be devoted to implementation of strategic priorities. Another government member pointed out that the government does not have a

long-term agenda, a political vision for Macedonia. Such an agenda, according to him, needs to be defined and needs to be more transparent.

Several members of the governing parties suggested that the relationship between political parties, their leaders, and the government was crucial to

establishing the coherence and authority of the new government. A minister pointed out that "if a member of the government feels responsible to a party leader outside the government, this weakens the responsibility and accountability of the government and of the prime minister." The minister

Government members must be responsible to the prime minister, not to their individual parties.

insisted that "government members must be responsible to the prime minister, not to their individual parties." Another minister argued "ministers should not be empty vessels, executors of party will. They need to be authoritative actors in their own right; autonomous authorities who should not need to consult with the party on every small issue - on big issues, yes. But the government is not a technical body, it must be a political body." This minister suggested that the fact that the former prime minister was not a party leader, and that party leaders did not participate in government, left the former government "without authority." He pointed out that up to now the leaders of ethnic Albanian coalition parties have not entered into the government, and suggested that this "led other partners to be reserved." He concluded "perhaps all coalition party leaders must enter into the government." In response to a request for clarification, he underscored the fact that he did not see this as an "ethnic issue," but as "an issue of improving the capacity of government to function." "The ethnic argument is the easiest way to explain the weakness, or the deficiency of ministers," he observed, "but the issue is not ethnic, it is a question of the capability, the effectiveness of members of the government." Strengthening the linkage between government and the main coalition parties by having party leaders assume leadership positions in the government, he argued, might be one way to achieve this, suggesting that "it would have been better if three party leaders were within the government -three ministers-with all others as state secretaries."

An ethnic Albanian opposition party official agreed that it is necessary to strengthen state institutions. However, he cautioned that "we need to make institutions of power more effective, but also more accountable." He acknowledged that opposition parties "often welcome poor government performance as a door to power," but argued "this mentality must change."

EQUAL REPRESENTATION

One minister affirmed that "all members of the government see equal representation of ethnic groups as a common goal," and suggested that "failure to achieve this is a sign of a lack of will." However, this participant insisted that this issue should not be "imposed on all sessions of the government." Another participant suggested that almost one-third of government sessions had been devoted to "equitable representation." The minister proposed instead that "there should be a special session of the government devoted to all aspects of this issue." An ethnic Albanian member of the government acknowledged that "the 'equitable and proper representation' provision of Ohrid is a sensitive

issue, because people feel they were discriminated against. It is an issue linked to the legitimacy and popular support for state institutions and government."

The issue of equal representation also raised the question whether all members of the government are

All members of the government see equal representation of ethnic groups as a common goal.

perceived or even treated as equal. One minister from an Albanian party suggested that "there is an impression that Albanian ministers are here only to implement Ohrid, and are not interested in other issues. This may be partially true, but not completely. Albanian members of the government are interested in other issues." He suggested that too much government effort is devoted to trivial issues, such as the fate of one or two employees in a ministry, "with negative consequences for interpersonal relationships in the government." At the same time, a participant from a party representing one of the smaller communities insisted that more attention should be devoted to the concerns of the smaller communities, and that "progress in interethnic relations requires agreement among all groups, including smaller communities."

LOCAL ELECTIONS: TOWARD A CODE of conduct?

Local elections scheduled for March 2005 were seen by all participants as an impending "test" for the new government. Discussion of these elections led to vigorous and candid exchanges among the participants concerning past problems and the need to correct them. A senior member of the government reported that inter-party discussions on these issues had already been taking place. He suggested that "much depends on how parties behave; the language they use will affect the democratic atmosphere of the elections." An ethnic Albanian opposition party leader "partially" agreed that this is "an issue, a problem of the Albanian parties." But he argued that it is also "a problem of the state electoral bodies that are not composed only of Albanians." He suggested that there had been "alleged theft of votes," "votes gained by Kalashnikovs," and "the use of intimidation and force to steal votes of Albanians." He pointed out "counterforce could be used," but affirmed his party's readiness "to cooperate and fulfill all democratic obligations and responsibilities." Nevertheless, he warned "there may be intra-ethnic conflict around the

Much depends on how parties behave; the language they use will affect the democratic atmosphere of the elections. local elections." An ethnic Albanian member of the government replied that "to suggest that Albanians [in the government] cannot organize appropriate institutions and processes for elections is not justified." He pointed out that "there had been election problems, threats, blackmail, among Albanians even before [my party]

existed." And, he cautioned that "one should not create public expectations of problems in Albanian majority districts; it paints the Albanians black." The opposition figure was undeterred by this, and declared "there cannot be political organization of Albanians if their votes are stolen. The way [the government party] gets votes should be prevented." He declared that his party had taken a "constructive approach in the presidential election, and tolerated problems because of the importance of restoring the presidency. But," he warned, "we will not tolerate manipulation in the local elections."

These exchanges led to discussion of whether a code of conduct could be agreed upon in time to be established, and enforced, for the upcoming elections. A Western participant noted that such an agreement would contribute to successful implementation of decentralization, which is a precondition for Macedonian accession to the EU. "Would it be possible to elaborate and adopt a code of conduct for the elections?" he asked. "What would be agreed on in such a code? And, most important, would there be a credible commitment to prosecute those who violate such a code?" A member of the government reminded participants that local elections in 2005 will be a prelude to parliamentary elections in 2006, and he anticipated "vigorous competition between parties in some areas, especially large cities." Indeed, an opposition party official pointed out "as a result of decentralization, there will be competition for real, expanded powers for the first time in local elections." He suggested "it is likely that local politicians will act unscrupulously, local parties will use all available means, unless the state can limit them through a threat of sanctions."

An ethnic Macedonian opposition party leader noted that the opposition should be critical, but constructive in its relations with the government, emphasizing "a need to distinguish between constructive and merely populist criticism," and to focus on "improving the lives of citizens." Another Macedonian participant called for a written agreement, a "code that addresses overall relations between actors; that bans, for example, hate speech." This participant noted "the example of Romania is a positive example." This might make it more difficult for some parties in Macedonia to agree to such a code. A member of PER offered some additional details about the code of behavior that had been adopted in Romania with the assistance of PER. The parties concluding the agreement in Romania were motivated by concern that extremist forces that otherwise could offer no economic or social program would seek to destabilize the situation in order to increase their electoral appeal. Faced with this threat, the Romanian parties participating in the PER-organized discussions agreed to continue to support interethnic cooperation, to condemn aggressive, nationalist discourse and to focus electoral debate on concepts and programs. An ethnic Macedonian member of the government expressed some skepticism about such an agreement, since "documents cannot be too precise and therefore are easily circumvented." This minister suggested instead a number of concrete institutional and procedural safeguards against election fraud that might be adopted before the local elections. Other specific suggestions for change were also offered by other participants.

A comprehensive list of the suggestions that emerged in these discussions was compiled and circulated for further consideration. They focused on three areas: strengthening institutions and processes of electoral oversight, modifying the format of elections, and ensuring greater inclusiveness in local governance. With respect to oversight, participants devoted much attention to the question of reforming the State Election Commission. A Western participant noted that the Commission had not yet reached its full complement of members and suggested that the new government make the appointments necessary to bring it to full strength. The Commission lacks sufficient professional/technical staff and infrastructure—computers and sufficient permanent space for operations—for it to have the capacity to respond in the immediate post-election period to allegations of problems. It was noted in the discussions that these issues had already been addressed and resolved in spring 2002, and that the computers were, in fact, waiting in storage in Skopje for the appointment of staff and assignment of office space. The staffing issue awaited a decision by the government to allocate sufficient resources for salaries. Implementation of the earlier agreement had been delayed by the tragic death of President Trajkovski soon thereafter, and the fact that elections then had to be held within 90 days, a period in which attention was focused on electoral competition, not electoral oversight. The discussions at Mavrovo suggested, however, that the new government would commit itself to addressing this issue, within the constraints imposed by the fact that any legal change to the Commission would require a two thirds vote of the parliament.

At the local, municipal level, participants from various parties enumerated several problems: the need to secure equal representation of government and opposition parties on local election boards; the need to ensure closer supervision of the vote-counting process, including the provision of more advanced voting machines to reduce fraud; the provision of continuous international monitoring of problematic electoral units; and the need to prevent the use of force/intimidation/blackmail against voters and election officials in polling places. It was suggested that local police be kept outside of the actual polling places, but maintain a presence in the local electoral boards.

Voter registration lists were the focus of special attention in the discussions of electoral oversight. Several participants called for the elimination of false and duplicate registrations on voter lists. An ethnic Albanian opposition party leader called for "strict respect for the 'one person-one vote' principle." An official of another ethnic Albanian opposition party pointed to excessive turnout figures as additional evidence of problems in the management of voter eligibility. Both government and opposition party leaders pointed to the large number of voters relative to the size of the Macedonian population as further evidence of problems with the voter lists. A government official noted that addressing this issue would necessarily involve addressing the question of eligibility of Macedonian citizens residing abroad to cast votes in Macedonian elections. A Western participant suggested that the most recent census, although still "characterized by some imperfections," provided a database "accurate enough to significantly reduce registration problems." He argued that the census provided a basis for resolving problems concerning the definition of residents and eligibility of those abroad. A senior member of the government made it clear that he supported

the goal of "cleaning up" the voter lists, and would address the issues articulated in this discussion.

With respect to the format of local elections, some participants suggested moving from two-round to single-round elections. It was also suggested that the 50 percent minimum turnout rule for presidential elections be eliminated. A member of the government pointed out that eliminating this requirement had been considered earlier, but rejected. He also reported that at the local level, elections for council members were conducted in a single round, on the basis of proportional lists, and the minimum turnout requirement was one-third, not 50 percent. It was

conceivable that the election of municipal mayors could be shifted to direct elections, he continued, "but such a change would necessarily involve a shift in the definition of competencies of the position. And this requires careful consideration." Several other par-

Any code of conduct for political parties should be accompanied by a parallel code for the media.

ticipants expressed somewhat conflicting understandings of local electoral rules, after which a member of the government pointed out that, "since it is a legal matter to change rules about local elections, it would be better to discuss these issues at the expert level before considering any policy changes."

Some participants focused attention on the need for mechanisms to ensure the representation or participation of smaller communities in institutions of local governance. One Western participant raised the question of whether Macedonia should consider moving toward principles of proportionality in elections, and "power-sharing" among all parties in municipal governments, as a means of addressing many of the specific concerns expressed in these discussions.

It was also suggested that any code of conduct for political parties should be accompanied by a parallel code for the media.

THE ECONOMY

A Western participant emphasized that the poor condition of the economy was in fact the most important issue facing the government. He questioned whether, up to now, there has been any economic policy "in practice," and called for an intensified effort to root out corruption. A representative of one of the smaller ethnic communities supported this view. He underscored the social consequences of a poor economy and its negative impact on interethnic relations. An ethnic Macedonian opposition figure agreed that economic policy and related social issues demand that highest priority of the government. Economic improvement, he suggested, "will improve ethnic relations."

THE REFORM OF THE JUDICIARY

Participants from all political parties agreed that one of the urgent issues that the new government has to deal with is the reform of the judiciary. This is important not only in connection with preparing the country for

Nobody trusts the judges.

one government member put it: "Nobody trusts the judges." A Western participant suggested that

an eventual EU membership. As

the fact that not a single corruption trial has been concluded shows that judges in Macedonia do not do their job. This reflects badly on the coalition.

An opposition member agreed that the judiciary needs to be reformed and offered help in accelerating its reform. He stated that he is worried about the increased partisanship among the judges.

MACEDONIA AND THE EU

Several times during the course of discussions, participants cited EU membership not only as the most important goal for Macedonia, but also as "the solution to our problems." A Western participant cautioned against optimism with respect to Macedonia becoming a candidate state in 2005. "I would be cautious about this, given the 'internal metabolism' in the EU." He reminded participants that "the political criteria [for accession] must be met in advance. They are not negotiable." He asked "do local politicians understand what is required?" He suggested that there should be "a separate seminar" on this topic. "If there were understanding of this," he reasoned, "there would be a positive effect on the behavior of political leaders." He went on to point out that entering into candidacy will require Macedonia to undertake a long list of "adjustments required by the EU, and an action plan by the government as to how these are to be carried out." He suggested that presenting this list "to all parties might help the government achieve unity among

Macedonian parties, as the government cannot change the *acquis communautaire*." This suggestion was supported strongly by a Macedonian opposition party leader, who noted that "popular sentiment is strongly in favor, as is the opposition. The government should use this to push necessary real reform processes, with opposition support."

THE SMALLER ETHNIC COMMUNITIES

Representatives of the smaller ethnic communities in Macedonia shared a number of concerns with the Mavrovo participants, both in the formal sessions and in extensive discussions with senior members of the government between sessions. One of these con-

cerns was that the process of decentralization now underway in Macedonia may result in the loss of what one ethnic group leader characterized as "rights that have been present for 50 years." He noted that official status for languages of

Mainstream" parties could develop electoral "platforms" that are more attractive for minorities.

groups that constitute less than 20 percent of the local population will be subject to a vote of municipal councils and, therefore, local party politics. Another participant pointed out that smaller groups face Albanian or Macedonian majorities in their local constituencies, and "these majorities must be open and inclusive toward the smaller groups." He suggested "perhaps there could be some mechanism for ensuring minority representation in such places." He noted that "mainstream" parties could develop electoral "platforms" that are more attractive for minorities, and this might allow these parties to "represent" minority interests. "Majority parties could include minority candidates on their lists," he suggested. The issue of exclusion was a recurring concern of the representatives of smaller communities, as one of their participants noted that they had been excluded from the Ohrid process.

Members of the government agreed that the governing coalition "should reflect the multiethnic character of Macedonia." Therefore, the electoral "coalition 'For Macedonia Together' will likely include representatives of multiethnic groups" in the upcoming elections [as it did during the 2002 parliamentary elections]. The government "will do everything it can to ensure" that the principle of "equitable representation" is achieved, including determining "how to create teams from each community to participate in government working groups to determine how to achieve the goal," while recognizing that "the challenge is especially great with respect to the smallest communities." The government will also make an effort to reach informal agreements in certain municipalities for the smaller

The governing coalition should reflect the multiethnic character of Macedonia.

communities "to be able to use their languages" if the coalition wins local power. An ethnic Albanian member of the government suggested that, because the Roma "are in the least favorable situation," policy toward them is likely to include "positive discrimination" in employment, and

efforts to integrate Roma into the school system "as a precondition for achieving integration in all other areas [and] competency on the labor market as a means of reducing unemployment." By singling out the Roma, this government official advised participants, he was not excluding other communities from such policies. This statement was welcomed by a leader of a smaller ethnic community who said that he has heard for the first time a serious commitment by an ethnic Albanian party toward improving the situation of other communities.

The leader of one of the other communities was "provoked" by these comments to point out that there are already "qualified candidates from the smaller communities." He argued "I cannot participate and contribute to the policy process unless I am invited." He suggested that "letters to the previous prime minister and government ministers had gone unanswered," and hoped that this government would be more responsive. He called for "analysis of the participation and representation of smaller communities in state organs and public enterprises to establish the facts of the current situation," and argued "concrete actions to improve the participation of smaller communities must be undertaken in order to achieve progress." A member of the government responded to these concerns by acknowledging "we need to develop a mechanism for this, created by a committee of technical specialists that will include at least one representative from each community." Another member of government suggested creating a position of a state secretary within the prime minister's office who will be responsible for issues of concern to the smaller ethnic communities.

The leader of another community proposed that, in order to ensure progress on these issues, "a board of representatives of the communities represented in parliament should convene monthly to oversee these issues." This proposal was endorsed by a senior member of the government. Indeed, he went even further, suggesting that there should be a senior government official for each of the communities.

CONCLUSIONS

The participants in the December 2004 Mavrovo meeting identified a number of issues and problems, and moved toward a consensus by government and opposition parties alike that they must be addressed. The discussions were open, candid, and at times quite vigorous. More important, however, they were at all times constructive. All participants

declared their interest in, and willingness to work toward, mutual progress. These discussions have thus set the stage for a government effort to develop and implement concrete policies to solve these problems. Some of the participants cautioned, however, that the institu-

Because the Roma are in the least favorable situation, policy toward them is likely to include positive discrimination in employment.

tional and procedural changes called for in these discussions are likely to require legal action, which must be prepared by experts and is unlikely to be achieved in the near future. On the other hand, the government's leadership seemed to be keen to find a way of implementing these suggestions. The discussions in Mavrovo also made it clear, however, that most of the parties are prepared to enter into an "informal" or "gentlemen's" agreement that would establish an agreed code of conduct for the political parties and media in advance of the upcoming local elections. Such an agreement appears, on the basis of these discussions and PER's experience with the same issue in Romania, within reach. While such an agreement cannot take the place of the institutional and procedural changes identified in these discussions, it represents an important means by which to achieve changes in the short term that will contribute to moving Macedonian politics onto more stable ground.

LIST OF PARTICIPANTS

(English alphabetical order)

Democratic League of Bosnjaks in Macedonia Rafet Muminovik, President

Democratic Party of Serbs in Macedonia Ivan Stoiljkovic, President

Democratic Party of Turks in Macedonia

Kenan Hasipi, President

Democratic Party of Albanians

Arben Xhaferi, President Menduh Thaci, Vice President

Democratic Union for Integration

Agron Buxhaku, Vice President Ermira Mehmeti, Spokesperson Aziz Pollozhani, Minister of Education and Science of Macedonia Musa Xhaferri, Deputy Prime Minister of Macedonia

Internal Macedonian Revolutionary Organization-Democratic Party of Macedonian National Unity

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Liberal Democratic Party

Jovan Manasijevski, Deputy Prime Minister and Minister of Defense of Macedonia Zoran Shapurik, Minister of Environment and Spatial Planning of Macedonia

Party for Democratic Prosperity

Mersel Bilalli, Secretary for International Relations

Social Democratic Union of Macedonia

Vlado Buckovski, President; Prime Minister of Macedonia Meri Mladenovska Georgievska, Minister of Justice of Macedonia Ilinka Mitreva, Minister of Foreign Affairs of Macedonia Radmila Sekerinska, Deputy Prime Minister of Macedonia

United Party of the Roma of Macedonia

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Lawrence Butler, Ambassador to Macedonia Paul Wohlers, Deputy Chief of Mission, Embassy in Macedonia



Left to right: Livia Plaks and Ganka Samoilovska-Cvetanova.

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