

Perspectives for North Macedonia's EU Integration after the French EU Framework Solution in 2022

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Abstract: This paper discusses the influence of Bulgarian–North Macedonian bilateral relations on the perspectives of North Macedonia's EU integration after the adoption of the EU–North Macedonia negotiation framework in July 2022, advanced by the French EU Presidency. The main focus is on two of the most salient and sensitive elements of these relations – the incorporation of the Bulgarian community in North Macedonia's constitution and the role of the Joint Historical Commission in adjusting and synchronising the historical perspectives of the two societies. Progress in both issues would be extremely beneficial for North Macedonia's prospects. Any retreat from or erosion of the French EU framework solution would mean a return to the stalled situation before 2022, which would be hardly beneficial either for North Macedonia or for the wider Southeast European region.

Keywords: EU Enlargement, Negotiation Framework, North Macedonia, Constitutional Amendments, Joint Historical Commission

Introduction

In June 2022, the French presidency of the Council of the European Union advanced a negotiation framework (Negotiation Framework, 2022) for North Macedonia's accession to the EU that managed to resolve the

disputes over framework's content that had been raging for two years and had thwarted the country's progress. After minor revisions of its wording, it was adopted both by all member states, including Bulgaria, and the authorities of the candidate country. Sofia's approval was crucial because since March 2020 (Statement by the Republic of Bulgaria, 2020) it had advanced specific requirements to the framework that prevented the opening of the accession negotiations with Skopje. On 17 July 2022 the protocol of the Bulgaria–North Macedonia Joint Intergovernmental Commission established under Article 12 of the bilateral 2017 Treaty of Friendship, Good-neighbourliness and Cooperation was signed in Sofia. On the next day, the relevant conclusions of the Council of the EU on enlargement were adopted in Brussels. Thus, on 19 July, 2022 the leaders of the EU and North Macedonia were able to officially declare the start of the opening phase of the accession negotiations. These developments had the side effect of allowing the beginning of accession negotiations with Albania as well, on the very same day. Dubbed as the “French proposal” by both the media and political actors, the Paris-driven EU move has in fact provided a framework solution to the previous impasse in North Macedonia's accession process.

Most of the subsequent attention of foreign analysts and the dynamics of internal politics has switched to a great extent to the requirement of introducing the Bulgarian community in North Macedonia's constitution as a condition for ending the initial opening period and starting the first cluster/chapter of the negotiations. The framework indeed emphasizes the Copenhagen criterion of the importance of human rights and the protection of minorities or communities. Politically adopted by the Council of the EU of 18 July, 2022 (Council Conclusions, 2022) and later delivered by different EU leaders, the constitutional amendment requirement was first officially inscribed in the bilateral protocol of Bulgaria–North Macedonia Joint Intergovernmental Commission, signed on 17 July, 2022, agreeing that “the next Intergovernmental Conference with the EU to close the opening phase of the negotiations for the membership of the Republic of North Macedonia in the EU will take place after the entry into force of the amendments to the Constitution of the Republic of North Macedonia to include those of its citizens who live on the territory of this country and are part of other peoples, such as the Bulgarian people, according to internal procedures, including through a constitutional law for their implementation” (Protocol 2022, p. 23).

This approach is connected to the second important feature of the negotiation framework: an enhanced emphasis on regional cooperation and good neighbourly relations, which has been a hallmark of the EU approach to the integration of the Western Balkan countries through the Stabilization and Association Process since the late 1990s. Thus, the framework provides that North Macedonia's progress in preparing for accession and fostering economic and social convergence will be measured by requirements that include the country's "commitment to good neighbourly relations and closer regional cooperation, including through achieving tangible results and implementing in good faith bilateral agreements, including the Prespa Agreement with Greece and the Treaty of Good Neighbourly Relations with Bulgaria of 2017 as well as the annual reviews and measures for its effective implementation under its Article 12" (Negotiation Framework 2020, p. 7). Precisely this bounding of the framework with the implementation of the Treaty of Friendship, Good-neighbourliness and Cooperation was the main impetus that induced the Bulgarian parliament (in a situation of intensive internal political turmoil with a deposed government and looming new general elections) to accept the negotiation framework on 24 June, 2022 (Decision 2022).

In this context, the following text analyses the influence of bilateral relations with Bulgaria on the perspectives of North Macedonia's EU integration, more specifically two of the most salient and sensitive elements of these relations: the incorporation of the Bulgarian community in North Macedonia's constitution and the role of the Joint Historical Commission in adjusting and synchronising the historical perspectives of the two societies.

Inclusion of the Bulgarian community in North Macedonia's Constitution

The implementation of the above-mentioned Copenhagen criterion takes into account North Macedonia's constitutional context, that since 2001, the Ohrid Framework Agreement has defined the country as constituted by a number of equal ethnic communities. The preamble of the main law of the country states that "the citizens of the Republic

of North Macedonia, the Macedonian people, as well as part of the Albanian people, the Turkish people, the Vlach people, the Serbian people, the Roma people, the Bosniak people and others ... adopt this Constitution” (Constitution 2019, p. 48). Noticing that seven communities are listed but that Bulgarians are conspicuously missing, the bilateral intergovernmental Bulgaria–North Macedonia Protocol and the Council of the EU advanced the provision that Bulgarians should also be included in the constitution (Protocol 2022, p. 23, Council Conclusions 2022).

According to the 2021 census, Bulgarians numbered around 3,500 people, or just 0.2 % of the resident population. This is quite a low figure in comparison with the up to 120,000 Bulgarian citizens of ethnic Bulgarian descent living in the country (Vice President 2017, Radev 2021), yet it is still the ninth group, immediately behind the constitutional communities and the up to 4,200 Torbeshi, a specific Muslim Macedonian ethnoreligious community (Census 2021, p. 8-9).

The new requirement was met with very mixed response in North Macedonia. The government in principle and Foreign Minister Bujar Osmani in particular emphasized the benefits of adopting these constitutional amendments. While all Albanian parties, both in the government (DUI, Alternativa, DPA) and in the opposition (Alliance for Albanians, Besa), supported the changes, the main opposition block led by VMRO-DPMNE, including a plethora of junior partners such as the Socialist Party of Macedonia and the Democratic Party of Serbs in Macedonia, was vehemently against the amendments, as was the openly pro-Moscow *Levitsa* party. Most of the minor parties participating in the government (Liberal Democratic Party, Democratic Renewal of Macedonia) stood by the Social Democratic Union of Macedonia (SDSM) in supporting the French EU framework solution, but the leader of the Democratic Union, Pavle Trajanov voted against it in parliament and later on, in February 2023, withdrew his party from the government and went into opposition (then the Alliance for Albanians entered the government, while Alternativa left it due to unrelated issues).

The issue was further complicated by the treatment of the Bulgarian community in the country, which has influenced bilateral relations. On 4 June, 2022 the entrance of the Bulgarian club “Ivan Mihaylov”

in Bitola was set on fire. The perpetrator of this symbolic attack was allegedly the popular singer Lambe Alabakovski, who enjoyed lenient treatment by the authorities, concluded a deal with the prosecutor's office, and received the minimum suspended sentence of six months (Lambe 2022, Lambe 2023). In September 2022, the Bulgarian club "King Boris III" was subjected to rifle fire in Ohrid, while on 19 January, 2023 the club's secretary Hritiyan Pendikov was severely beaten in the same town, and then transported with a Bulgarian government plane for medical treatment in a Sofia hospital (Government plane 2023). The fallout resulted in the Bulgarian ambassador in Skopje being recalled for consultations for a week.

Even more revealing were the political actions of the authorities in Skopje. The ruling coalition and the VMRO-DPMNE opposition are at loggerheads on virtually every other issue, but they found quick unanimity to adopt amendments to the Law on Foundations and Associations in parliament by a fast-track procedure on 2 November, 2022. Despite the significant impact of the new legislation on civil society, no public consultations were held before it was adopted and entered into force. The legislation was not consulted about with either the EU Delegation or the OSCE mission to Skopje, the Venice Commission, or any other relevant international body. Clearly aimed at the Bulgarian community, under the new legislation, the registration of any association or foundation bearing the name, surname, pseudonym, abbreviation or initials of a historical figure required preliminary permission from a newly established special body, the Commission on the Use of the Names of Historical Personalities. Moreover, the legislation was introduced with retroactive force, requiring all already registered and functioning associations to comply (Law 2022). Thus, out of the more than 17,000 already existing associations the two above-mentioned Bulgarian clubs were earmarked, and the new amendment was only applied to them. By the end of March 2023, the Commission on the Use of the Names of Historical Personalities made an unfavourable decision, and the clubs were banned by the Minister of Justice (Statement 2023). There are no clear, objective criteria based on which the Commission is acting, and the refusal to register a non-governmental organization under a particular name depends entirely on the subjective historical views of its members.

In this complicated context for Bulgarians in North Macedonia, which was not in harmony with the spirit and letter of the French negotiation network solution, the primary attention from abroad has shifted towards the possibilities for a constitutional amendment that would inscribe the Bulgarian community on equal footing with the other ones listed in the constitution. A number of high-ranking EU politicians have visited Skopje and insisted on such changes. However, the government coalition and the opposition Albanian parties, which generally support amendments, are seven to eight MPs short of the required qualified majority of two-thirds (80 votes out of 120). The leader of the opposition VMRO-DPMNE party, Hristijan Mickoski adamantly opposes any constitutional changes in the current parliament and demands early parliamentary elections instead. The only feasible perspective for achieving amendments in 2023 is a repeat of the 2018 Prespa Agreement model, when eight MPs were induced to split from a VMRO-DPMNE-led opposition and vote for the necessary amendments in the constitution. This time a similar option is complicated by the prospect of the impending victory of the opposition: VMRO-DPMNE has a convincing lead over the ruling Social Democrats in the opinion polls, while the regular parliamentary elections should be held in July 2024 the latest. If the changes do not take effect until December 2023, the country will delay or self-block its next accession steps, possibly lagging behind neighbouring Albania, which has no such obstacles hindering the opening of the first clusters/chapters. It remains to be seen if the external pressure, including that coming from the European People's Party, will produce any results regarding VMRO-DPMNE's position and moves.

On the other hand, all mainstream political parties in Bulgaria voted for the French EU framework solution, with BSP abstaining and the pro-Moscow Revival party and the populist "There is such a people" voting against it. Overall, all Bulgarian political players insist on the need to incorporate Bulgarians in North Macedonia's constitution.

Joint Historical Commission in the background

On 4 February, 2023 the entire border was closed for any entry (but not exit) on North Macedonia's side for several hours due to "electricity failures". This suppression of the right to free movement was caused by

the same issues as the prohibitions of the Bulgarian clubs in Bitola and Ohrid – different views on history, and the willingness to preserve a kind of state monopoly over who should be remembered and celebrated and how. On 4 February, the authorities wanted to prevent Bulgarian citizens from commemorating Gotse Delchev at his resting place in Skopje, an Ottoman-era late nineteenth-century revolutionary celebrated by both countries (Traffic across Border 2023, Bulgaria Accuses North Macedonia 2023).

Faced with these long-standing, deep-rooted causes of misunderstanding, at Bulgaria's initiative the two governments (Kaytchev 2021, pp. 231–232) included a provision in the preamble of the bilateral Treaty of Friendship, Good-neighbourliness and Cooperation in 2017 on “their common history that connects the two countries and their peoples”. The provision further postulated that the two states will organize “joint celebrations of the common historical events and personalities aimed at strengthening the good-neighbourly relations in the spirit of European values” (Treaty 2017, pp. 14-16).

To this end, the treaty also established a Joint Multidisciplinary Expert Commission on Historical and Educational Issues “to contribute to the objective, based on authentic and based on proofs of historical sources for scientific explanation of historical events” (Treaty 2017, p. 16). Thus, the concept of a “common history” of the two countries was officially and legally inscribed, and a special bilateral state body was institutionalized for its implementation. This body, both formal and academic, was created for the obvious purpose of encouraging a wider understanding between two societies that should be united rather than divided by historical issues. This process is a major element envisaged by the creators of the Treaty of Friendship, Good-neighbourliness and Cooperation.

Constituted in mid-2018, the Joint Historical Commission has become a constant feature of bilateral relations, achieving some outcomes in the first year, but stalling and producing barely any results after mid-2019, especially since its members from North Macedonia withdrew from its sessions in November 2019, citing the forthcoming 2020 parliamentary elections as their reason for doing so. With the emergence of the Covid-19 pandemic, the interruption was extended for almost a year, to October 2020. The Commission has a wide scope, but it has concentrated

on two major tracks: suggestions for the improvement of textbooks in both countries and recommendations for joint official celebrations of common historical figures and events. The Commission's activities are evaluated and directed by the bilateral Joint Intergovernmental Commission, established under Article 12 of the Treaty of Friendship, Good-neighbourliness and Cooperation. In the protocols of the two sessions of the latter body held so far in June 2019 and July 2022, the work of the Historical Commission has been assessed extensively, and its future progress has been encouraged.

The pros and cons of the Joint Historical Commission after the French EU solution

After the adoption of the negotiation framework, the work of the Joint Historical Commission became more difficult in some respects, although in others there was more room for optimism. On the one hand, the public context around the Commission has only deteriorated in North Macedonia. There is permanent political party pressure by the opposition VMRO-DPMNE, which vocally opposes the very existence of the Joint Historical Commission and the Good-neighbourliness Treaty itself. In October 2021, a North Macedonian member of the Commission, prof. Vancho Gorgiev, publicly and vocally resigned in open disagreement, citing alleged pressure from a Foreign Ministry official. In open partisan interference, leader of the opposition Mickoski publicly supported his actions and asked all other members to follow his example and dissolve the body itself: “[the historians from the commission] should be aware that serving those who are selling Macedonia would be written on the dark side of the Macedonian history... they should be careful what they are negotiating and signing” (Mickoski 2021). In August 2022, VMRO-DPMNE launched a new campaign against the Commission. The leader of the opposition personally attacked North Macedonia's co-chairman Prof. Dragi Gorgiev, recounting his alleged gross remuneration (Mickoski 2022). On 4 February, 2023 the party issued a statement against commission member Prof. Petar Todorov, stating that “the treacherous policies of [prime minister] Kovachevski requires treacherous clientelists like Todorov” (VMRO-DPMNE 2023). This pressure is not negligible, given

that the VMRO-DPMNE opposition won the 2021 local elections and is leading in the polls ahead of the parliamentary elections to be held until July 2024.

Equally substantial is the social pressure, articulated by a variety of interested forces. The national media give ample voice to the renunciations of the commission, including those coming from interested fellow historians. In late November 2022, the orthodox bishops of Ohrid and Bitola attacked the commission for meddling in the history of the Ohrid Archbishopric, while on 6 April, 2023 the Holy Synod of the orthodox church in North Macedonia issued an announcement that rejected the Commission's decision on a joint celebration of Sts. Cyril and Methodius and lectured it on church history (Announcement 2023). An especially negative role against the Commission is played by a number of involved historians and members of the Macedonian Academy of Sciences and Arts, including its President.

In this context, North Macedonia's co-chairman declared both during the commission's discussions and in the media that the public environment does not allow reaching decisions in the Commission (Dragi Gorgiev 2023). In my opinion, it is inappropriate to stick to the conjuncture of the day - we, historians, should contribute to the ethics of our profession, to the sources and to the prevailing contemporary historiography, and not follow the public current, which in symbiosis with the fallacies of Yugoslav Macedonianism, does not contribute to the European integration of the region.

As a result, in this wider political and public context in North Macedonia, the Joint Historical Commission is stalled and has not produced any decision for more than a year. The specific issue under discussion is how to address the founding of the Ohrid Archbishopric by Byzantine emperor Basil II in 1019, which is extensively covered in North Macedonia's seventh-grade textbooks. Both historical sources and eminent world historiography (e.g. the Oxford Dictionary of Byzantium (1991, p. 1514) or the Cambridge History of the Byzantine Empire (2008, pp. 528, 671)) are unanimous in that it is a continuation of the church of the First Bulgarian Kingdom, conquered by Basil II in 1018, and that it was created under the name "Archbishopric of Bulgaria", with headquarters in Ohrid. Yet the colleagues from Skopje still refuse to accept unequivocal historical evidence.

On the other hand, the French EU framework solution has had some positive effects on the environment and work of the Joint Historical Commission. After a three-year delay, the decisions of the Commission on fifth and sixth-grade textbooks on ancient history and the joint celebration of five important medieval figures were confirmed in June 2019 by the Joint Intergovernmental Commission established under Article 12, and they were finally made public in August 2022.

The public's attention was driven mainly to the decisions on the joint celebrations, especially that of the ninth-century spiritual figures of Sts. Cyril and Methodius and their pupils St. Kliment Ohridski and St. Naum Ohridski. The recommendation for the first two figures runs as follows:

The missionary work of the holy brothers Sts. Cyril and Methodius laid down the foundations of the Christian culture and spirituality of the Slavic peoples. The adoption and proliferation of the script and translations of liturgical books allowed Slavic peoples to become familiar with Christian teaching in an understandable language. The work of the holy brothers was preserved and developed in the literary centres in Preslav and Ohrid, which are located in the medieval Bulgarian state, where their pupils found conditions for work. This gives a substantial reason for the modern states the Republic of Bulgaria and the Republic of North Macedonia to jointly celebrate the day of Sts. Cyril and Methodius.

The intensive cultural processes that began to develop in the nineteenth century found also expression in the increased interest in the life and work of Sts. Cyril and Methodius. In the middle of the nineteenth century, the memory of the Holy Brothers became part of the secular cultural tradition, when the day of their church holiday began to be celebrated in schools. For the first time this took place in Plovdiv in 1851. The process of spiritual awakening found expression in the widespread celebration of the holiday in many schools on the territory of the modern Republic of Bulgaria and the Republic of North Macedonia. Subsequently, the work of the Holy Brothers Cyril and Methodius and their students began to be celebrated in other Slavic countries, and their contribution to European civilization was also recognized by the Catholic Church, which declared them "Co-Patrons of Europe".

What has been said so far provides a basis and obliges both countries with the responsibility of preserving the memory of the work of the Holy Brothers Cyril and Methodius and their pupils through annual joint celebrations. (Protocol 2019, p. 19)

Another important historical issue that has been dealt with concerns influential ruler Tsar Samuel, who is prominent in the imagination of both countries. The relatively short recommendation explains that

Tsar Samuel was a ruler of the big medieval state defined by the main part of the contemporary historiography as a Bulgarian kingdom [*tsarstvo*] with a centre on the territory of today's Republic of North Macedonia. It encompassed considerable part of the lands and population of the Balkan peninsula. Tsar Samuel and his dramatic destiny are a symbol of the common history that is shared by the two contemporary states Republic of Bulgaria and Republic of North Macedonia.

The Joint Commission proposes to the two governments in the spirit of the signed bilateral Treaty, the commemoration of tsar Samuel to be a sign of shared values and true good-neighbourliness and friendship. (Protocol 2019, p. 22)

The texts are relatively modest in professional terms, yet they could be viewed as a remarkable achievement precisely because they endorse and legitimize comprehension and mutual agreement on the reading of the common history of the two countries. If there was goodwill, if they were implemented and further advanced by the political and intellectual elites of the two countries, there would be a chance to bring the two societies closer to each other in the spirit of good-neighbourliness and European values.

The second protocol of the Intergovernmental Commission under Article 12 of the Treaty has outlined the next steps for the implementation of the Joint Historical Commission's decisions. Until September 2024, changes in fifth and sixth-grade textbooks on ancient history in both countries should take effect. Furthermore, the two countries drew up a calendar of the official joint history commemoration in 2022-2023. The first ceremony took place on 7 December, 2022 in Skopje, by the two Ministers of Foreign Affairs on the occasion of the Day of St. Kliment Ohridski. If accomplished properly, with the relevant public effect, the official joint

historical commemorations will relax the mood in both societies to a great extent and help in this crucial aspect of the implementation of the Treaty of Friendship, Good-neighbourliness and Cooperation, which has been imbedded in the negotiation framework.

Conclusion

The French EU negotiation framework solution has thus opened a way forward for North Macedonia's further EU integration. The solution requires real equality for Bulgarians and other ethnic communities in the country, including through the relevant constitutional changes. Another important aspect of the negotiation framework is the added value to the Good-neighbourliness and regional cooperation principle, including through the good-faith implementation of the Prespa Agreement and the Treaty of Friendship, Good-neighbourliness and Cooperation with Bulgaria. The bilateral Joint Historical Commission is an important element of that treaty, and the future progress of this body would resolve the causes of the lingering misunderstanding between the two neighbouring countries to a great extent.

Any retreat from or erosion of the French EU framework solution would mean a return to the situation before 2022, which would hardly be beneficial for the candidate country or for the wider Southeast European region. At the end of the day, North Macedonia's political and social elites should decide whether to advance on the road toward EU accession or risk further delays, not unlike those under the VMRO-DPMNE rule in 2006-2017.

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