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# Civil society organisations and North Macedonia's European integration: Towards strategic participation and transparent accession negotiations

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# Introduction

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On 26 March this year, the European Council reached a decision to open accession negotiations with North Macedonia (and Albania). 15 years after being awarded candidate status and following 10 recommendations of the European Commission, North Macedonia finally starts the accession negotiations, the successful completion of which will pave the way towards membership in the European Union.

Unlike in previous rounds of enlargement of the Union, the one with North Macedonia (and Albania) will be carried out according to the new methodology for enhanced accession negotiations. According to this methodology, the accession process is organised into negotiation clusters (thematic fields) which group the previous negotiation

chapters. Presenting the methodology before the European Parliament Committee on Foreign Affairs, the Commissioner for European Neighbourhood and Enlargement Negotiations, Olivér Várhelyi, emphasised that the role of Parliaments will also be of essential importance so that key reforms are adopted and successfully implemented. Parliaments will need to secure political support for the reforms, as well as oversee their implementation. Thereby, the need for strengthened cooperation with the European Parliament on this issue was underlined.

This advocacy paper shares and supports this position of the European Commission, also putting forward the argument that in this process, civil society organisations (CSOs)<sup>1</sup> are natural

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<sup>1</sup> In the literature, there are several different definitions of civil society organisations as well as criteria to determine whether certain organisation belongs (in broader or narrower sense) to the citizens' (or civil) society. For further information, see Markovikj, N. 2020. Civil society: History and modern thought. Institute for Democracy "Societas Civilis" - Skopje, available here: <https://tinyurl.com/yanorz8> (last accessed on June 7 2020). In Macedonian legislation, civil society organisations are recognised and are called "associations". Pursuant to the Law on Associations and Foundations ("Official Gazette of the Republic of Macedonia" no. 52/2010, 135/2011, and 55/2016) „organisation" is any association, foundation, union, as well as any organisational form of a foreign organisation, and any other form of association. This definition does not apply to political parties, churches, religious communities and religious groups, trade unions, chambers and other types of association regulated by other laws.

partners to the Parliament, apart from the institutions of the system. Even more that both the Parliament and CSOs represent and safeguard the same interests - the interests of the citizens of North Macedonia.

Thereby, this paper focuses on the role of these two major players in the accession process of North Macedonia and advocates<sup>2</sup>: 1) *institutionalised involvement of CSOs in the accession negotiations through their participation in the work of Parliament in implementing its oversight function*; 2) *ensuring transparency by involving the public and timely provision of information to the public*; and 3) *expanding and orienting the assortment of financial assistance instruments for participation of CSOs in the accession negotiations by the European Union and the Government*.

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<sup>2</sup> For broader analysis about the role of CSOs in the process of negotiations see Nikolovski, I. 2018. Macedonian model of inclusion of CSOs in the accession negotiations. Institute for Democracy "Societas Civilis" - Skopje. Skopje, available here: [https://idscs.org.mk/wp-content/uploads/2018/09/web\\_A5\\_CSOMKD.pdf](https://idscs.org.mk/wp-content/uploads/2018/09/web_A5_CSOMKD.pdf) (last accessed on 23 April 2020).

# Involvement of CSOs in Parliament's oversight role in the accession negotiations

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Without a clearly defined, but also a logical framework on institutional action which will rest upon European values and the fundamentals of the liberal and democratic constitutional order of North Macedonia, the participation and contribution of CSOs can lose their essence and influence, and turn into decor.

The institutional involvement of CSOs in the accession process directly, as is the case with Montenegro (participation in the work of governmental institutions and working bodies) and indirectly, in a consultative fashion (by establishing so called national conventions of CSOs

that monitor the progress of accession negotiations and give recommendations as to the negotiating positions), as is the case with Serbia, is not new, but is also not immune to obstructions by the authorities.<sup>3</sup>

The role of civil society in the integration process is recognised and stimulated for the first time with the resolution of Parliament on the priorities of North Macedonia's accession to the European Union from 2007. Pursuant to this resolution, the Parliament pledged to include CSOs in all activities directed towards intensifying the accession negotiations and recommended the Government to utilise all potentials in society.<sup>4</sup>

Over the years, CSOs have been consulted when drawing up the National Programme for Adoption of the Acquis Communautaire (NPAA) as well as

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<sup>3</sup> Ibid.

<sup>4</sup> Parliament of the Republic of Macedonia. 2007. Resolution on the priorities of accession of the Republic of Macedonia to the European Union and opening negotiations for membership in the European Union, available here [https://www.sobranie.mk/WBStorage/Files/Rezolucija%2027\\_11\\_2007.pdf](https://www.sobranie.mk/WBStorage/Files/Rezolucija%2027_11_2007.pdf) (last accessed on 21 April 2020).

regarding the distribution of IPA funds.<sup>5</sup> Furthermore, CSOs, among other things, are included in the work of several bodies of the Government and the Parliament, with direct or indirect competences in terms of the European integration process, as in the National European Integration Council, the Council for Cooperation with and Development of Civil Society, Council for Monitoring the Implementation of the Strategy on Judicial Reforms, Council for Civilian Oversight of the Security Services, as well as in the working groups of individual ministries and IPA sectoral groups. It is important to underline here that CSOs have the opportunity to get involved in the work of all parliamentary bodies with presence in sessions open to the public.<sup>6</sup>

With regard to the accession negotiations in the segment of participation of CSOs, North Macedonia foresees a negotiating model similar to the one of Montenegro, at least in the part where the Government is in charge. The country's negotiating structure is defined by seven decisions of the Government published in the Official Gazette of the Republic of North Macedonia on 1 August 2019.<sup>7</sup> The involvement of CSOs is prescribed by Article 6 of the Decision on forming working groups for preparation of the National Programme for Adoption of the Acquis Communautaire (NPAA) and development of the negotiating positions for membership negotiations with the EU, stipulating that:

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<sup>5</sup> Department for Cooperation with NGOs within the General Secretariat of the Government of the Republic of North Macedonia. 2020. Report on measures and activities undertaken as foreseen in the Strategy of the Government for Cooperation with and Development of Civil Society (2018 – 2020) in the year of 2019, available here [https://www.nvosorabotka.gov.mk/sites/default/files/lzvestaj\\_Strategija\\_2019.pdf](https://www.nvosorabotka.gov.mk/sites/default/files/lzvestaj_Strategija_2019.pdf) (last accessed on 21 April 2020); and Department for Cooperation with NGOs within the General Secretariat of the Government of the Republic of Macedonia. 2017. Report on measures and activities undertaken as foreseen in the Action Plan on Implementing the 2012 - 2017 Strategy, available here [https://www.nvosorabotka.gov.mk/sites/default/files/dokumenti/lzvestaj\\_zap2012-6\\_2017.pdf](https://www.nvosorabotka.gov.mk/sites/default/files/dokumenti/lzvestaj_zap2012-6_2017.pdf) (last accessed on 21 April 2020)

<sup>6</sup> See Article 70 of the Constitution of the Republic of North Macedonia, available here <https://www.sobranie.mk/content/Odluki%20USTAV/UstavSRSM.pdf> (last accessed on June 7 2020) and Rules of Procedure of the Parliament of the Republic of North Macedonia, available here <https://www.sobranie.mk/content/Delovnik%20na%20RM/DelovniknaSRMPrecistentekstAvgust13.pdf> (last accessed on June 7 2020).

<sup>7</sup> Decision on establishment of a Working Committee for European Integration, Decision on establishment of an EU Accession Negotiations Committee of the Republic of North Macedonia, Decision on establishment of a State Delegation for EU Accession Negotiations of the Republic of North Macedonia, Decision of forming an EU Accession Negotiations Group of the Republic of North Macedonia, Decision on establishment of an Office of the Chief Technical Negotiator for EU Accession Negotiations of the Republic of North Macedonia, Decision on carrying out activities for EU accession negotiations of the Republic of North Macedonia and Decision on forming working groups for preparation of the National Programme for Adoption of the Acquis Communautaire (NPAA) and development of the negotiating positions for membership negotiations with the EU.



*Working group members can be representatives of: state authorities, services of the Government of the Republic of North Macedonia, ministries and other authorities of the state administration and administrative organisations, legal entities entrusted with the use of public authorisations, regulatory bodies, judicial authorities, units of local self-government, business community and chambers of commerce, trade unions, the academic community and civil society, as well as other stakeholders.*<sup>8</sup>

It is highly probable that the negotiating structure, including the governmental working groups, will undergo change so that they are aligned with the new revised methodology for enhanced accession negotiations according to which negotiations will be conducted per “cluster” (thematic fields). Nevertheless, the selection procedure for representatives

of CSOs in working groups is filled with vagueness and can easily become subject to abuse.

On the other hand, though, there is a draft model on inclusion of the *Council for Cooperation with and Development of Civil Society* (which also needs to undergo change in the direction of alignment with the revised enlargement methodology) defining what civil society means and stipulating nomination of representatives of CSOs in the working groups by CSOs themselves through the Council,<sup>9</sup> the governmental decision reads that the composition of the working groups is determined upon proposal of the chief political and the chief technical negotiator,<sup>10</sup> upon prior consultation with the managing person of the institution leading the chapter of the working group, whereas the selection is made by the chief political negotiator

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<sup>8</sup> Government of the Republic of North Macedonia. 2019. Decision on forming working groups for preparation of the National Programme for Adoption of the Acquis Communautaire (NPAA) and development of the negotiating positions for membership negotiations with the EU. Official Gazette of the Republic of North Macedonia No. 159, available here <http://www.slvesnik.com.mk/Issues/298cdc15d12e4c5486658a6eae6de1d7.pdf> (last accessed on 21 April 2020).

<sup>9</sup> Council for Cooperation with and Development of Civil Society. 2019. Draft model on inclusion of civil society organisations in EU accession negotiations, available here: <https://www.nvosorabotka.gov.mk/sites/default/files/16%2004%202019%20Predlog-model%20za%20vklucuvanje%20na%20gragjanskite%20organizacii.pdf> (last accessed on 23 April 2020)

<sup>10</sup> At the moment, holders of both functions are representatives of the Government, i.e. the Deputy Prime Minister of the Government in charge of European Affairs and the National Coordinator for EU Integration, the Berlin Process and Regional Cooperation respectively.

by decision, upon proposal of the chief technical negotiator.<sup>11</sup>

Thus, the governmental decision sees the possibility for inclusion of CSOs (but not an obligation), however there is vagueness and lack of clear conception, procedure and criteria as for the manner of inclusion in line with the commitments and ideas of CSOs. That is why, when reviewing the negotiating structure, if that happens at all, it is necessary to further define the selection of CSOs and improve the communication with them.

This is particularly important in the context of the new revised methodology since it foresees the inclusion of several portfolios with different competences which will need to be aligned with a view to defining a single negotiating position

for a certain thematic field. Taking into consideration their nature, adaptability for work in various fields and expertise in various topics, the participation of CSOs can contribute towards a balanced and comprehensive approach in determining the negotiating positions, overcoming the potential gaps in the views and knowledge by state institutions. The involvement of CSOs in this way would spark dialogue in society about the importance and goal of negotiations, but would also secure inclusion of all social stakeholders.

Another lack of the negotiating structure so far is the absence of a concept of inclusion of Parliament in accession negotiations. In spite of the calls of CSOs that Parliament should not be left out of the accession process,<sup>12</sup> governmental

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<sup>11</sup> Government of the Republic of North Macedonia. 2019. Decision on forming working groups for preparation of the National Programme for Adoption of the Acquis Communautaire (NPAA) and development of the negotiating positions for membership negotiations with the EU. Official Gazette of the Republic of North Macedonia No. 159, available here <http://www.slvesnik.com.mk/issues/298cdc15d12e4c5486658a6eae6de1d7.pdf> (last accessed on 21 April 2020).

<sup>12</sup> For further information, see Institute for Democracy "Societas Civilis" and EUROTHINK - Center for European Strategies. 2018. Positions of civil society organisations: Model of negotiations with the EU tailored to the whole society, available here: <https://idscs.org.mk/mk/2018/12/13/7559/> (last accessed on 23 April 2020); see Nikolovski, I. 2018. Macedonian model of inclusion of CSOs in the accession negotiations. Institute for Democracy "Societas Civilis" - Skopje, Skopje, available here: [https://idscs.org.mk/wp-content/uploads/2018/09/web\\_A5\\_CSOMKD.pdf](https://idscs.org.mk/wp-content/uploads/2018/09/web_A5_CSOMKD.pdf) (last accessed on 23 April 2020); and Ioannides, I., Damjanovski, I. and Nechev, Z. 2019. The Parliamentary Dimension of North Macedonia's Accession to the European Union. Institute for Democracy "Societas Civilis" – Skopje, Skopje, available here: [https://idscs.org.mk/wp-content/uploads/2019/11/webA5\\_European\\_ParliamentENG.pdf](https://idscs.org.mk/wp-content/uploads/2019/11/webA5_European_ParliamentENG.pdf) (last accessed on 23 April 2020).

decisions creating the negotiating structure mention Parliament only in the political criteria working group<sup>13</sup> which foresees participation of a representative of the cabinet of the Parliament's speaker.<sup>14</sup>

Following the direction of Commissioner Várhelyi's announcement for greater cooperation with Western Balkan countries' Parliaments and in the context of the new revised methodology, the Parliament should be essentially involved in membership negotiations. The Parliament is an incarnation of the citizens (the sovereign) and, therefore, it needs to exert oversight and control over the accession negotiations conducted, above all, by the Government. This

way, accountability and transparency of negotiations is ensured with insight and inclusion of the whole public, taking into consideration that this is a process that belongs to all and that all political and social stakeholders participate in. In this mission, civil society organisations are a natural partner to Parliament. As mentioned above, this partnership has been recognised by Parliament itself already in 2007.<sup>15</sup> That very same year, the Parliament established the National European Integration Council (NEIC) with members representatives of civil society (understood in its broader sense). In NEIC, at the moment, there is only one member representative of CSOs (i.e. associations pursuant to the Law on Associations and Foundations), whereas the remaining civil

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<sup>13</sup> The work of this working group, among other things, is directed towards the functioning of Parliament. The new methodology also encompasses the functioning of democratic institutions, which can be the basis for greater involvement and more precise requirements of the EU in terms of parliamentary oversight and its role in the course of negotiations. For further information about the composition of this group see Government of the Republic of North Macedonia. 2019. Decision on forming working groups for preparation of the National Programme for Adoption of the Acquis Communautaire (NPAA) and development of the negotiating positions for membership negotiations with the EU. Official Gazette of the Republic of North Macedonia No. 159, available here <http://www.slvesnik.com.mk/Issues/298cdc15d12e4c5486658a6eae6de1d7.pdf> (last accessed on 21 April 2020).

<sup>14</sup> Government of the Republic of North Macedonia. 2019. Decision on forming working groups for preparation of the National Programme for Adoption of the Acquis Communautaire (NPAA) and development of the negotiating positions for membership negotiations with the EU. Official Gazette of the Republic of North Macedonia No. 159, available here <http://www.slvesnik.com.mk/Issues/298cdc15d12e4c5486658a6eae6de1d7.pdf> (last accessed on 21 April 2020).

<sup>15</sup> Parliament of the Republic of Macedonia. 2007. Resolution on the priorities of accession of the Republic of Macedonia to the European Union and opening negotiations for membership in the European Union, available here [https://www.sobranie.mk/WBStorage/Files/Rezolucija%2027\\_11\\_2007.pdf](https://www.sobranie.mk/WBStorage/Files/Rezolucija%2027_11_2007.pdf) (last accessed on 21 April 2020).

society representatives come from among the lines of trade unions, chambers of commerce and religious communities. NEIC,<sup>16</sup> even though an advisory body with non-binding decisions which is always presided by a representative of the opposition, has the power to give opinions about the negotiating positions defined by the Government.<sup>17</sup> Still, one representative of CSOs is not enough and will not contribute to effective control and oversight of the accession negotiations by Parliament, particularly taking into consideration its limited capacities in this regard.<sup>18</sup> Cooperation with and participation of CSOs in NEIC, but also its work in general, can be reviewed and complemented following the example of

the National EU Convention in Serbia,<sup>19</sup> so that it enables membership of more CSOs that together with the remaining Council members would monitor the accession negotiations and would point to shortcomings in the implementation of EU legislation.<sup>20</sup> Nevertheless, this body was formed at a time when the circumstances were different and when the complexity of the process was not on the present level, whereas the demand for a comprehensive and inclusive process was not set on a pedestal.

Apart from NEIC, a very important role in the accession negotiations is played by the Committee on European Affairs (CEA). CEA was founded back in 2003

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<sup>16</sup> National European Integration Council, available here <https://www.sobranie.mk/nacionalen-sovjet-za-evrointegracii-16-20.nspix> (last accessed on 23 April 2020) and Parliament of the Republic of Macedonia. 2017. Decision on appointment of chairperson, vice chairperson, members and deputy members of the National European Integration Council. Official Gazette of the Republic of Macedonia No. 89, available here <http://www.slvesnik.com.mk/Issues/f532061df37d49278c7e6e70353a7afa.pdf> (last accessed on 23 April 2020)

<sup>17</sup> Parliament of the Republic of Macedonia. 2007. Decision on establishment of a National European Integration Council. Official Gazette of the Republic of Macedonia No. 140, available here: <http://www.slvesnik.com.mk/Issues/3E47FAFB43EDDC4588947E016BC7D2D5.pdf> (last accessed on 23 April 2020).

<sup>18</sup> Ioannides, I., Damjanovski, I. and Nechev, Z. 2019. The Parliamentary Dimension of North Macedonia's Accession to the European Union. Institute for Democracy "Societas Civilis" – Skopje. Skopje, available here: [https://idsocs.org.mk/wp-content/uploads/2019/11/webA5\\_European\\_ParliamentENG.pdf](https://idsocs.org.mk/wp-content/uploads/2019/11/webA5_European_ParliamentENG.pdf) (last accessed on 23 April 2020).

<sup>19</sup> In North Macedonia, there is also a National Convention on European Union, which is a project of the European Movement in North Macedonia, supported by USAID and SlovakAid. However, this is not an institutionalised and official mechanism. For further information, see European Movement Republic of Macedonia. NCEU-MK, available here: <http://europeanmovement.org.mk/nkeu-mk/> (last accessed on June 7 2020).

<sup>20</sup> Nikolovski, I. 2018. Macedonian model of inclusion of CSOs in the accession negotiations. Institute for Democracy "Societas Civilis" - Skopje. Skopje, available here: [https://idsocs.org.mk/wp-content/uploads/2018/09/web\\_A5\\_CSOMKD.pdf](https://idsocs.org.mk/wp-content/uploads/2018/09/web_A5_CSOMKD.pdf) (last accessed on 23 April 2020).

as a working body giving opinions and recommendations on national EU-related strategies, programmes, activities and policies, as well as on the alignment of Macedonian with European legislation.<sup>21</sup> In other words, the laws transposing EU legislation into the Macedonian legal system cannot be adopted without the opinion of CEA.<sup>22</sup> As a result of this competence and role in monitoring the process of alignment, this parliamentary body needs to be essentially included in the negotiations (institutionally recognised in the negotiating structure) and correct (and thereby accelerate) the work of the Government.<sup>23</sup> As a result of the limited capacities for monitoring the work of the Government, as well as the politisation of CEA's work, it is of particular importance to involve CSOs in its work. Through their knowledge and capacity, as well as access to foreign funds and participation in regional and European networks, CSOs could help

CEA in aligning domestic legislation with EU legislation and of course in its implementation by the Government.<sup>24</sup>

Thus, the conclusion we draw in this advocacy paper is that the negotiating structure needs to be complemented and, by that, improved, above all in recognising the role of Parliament, which, supported by civil society, could ensure greater publicity, comprehensiveness, democracy, transparency, and accountability of the accession process. Nevertheless, any institutional framework would not be sufficient by itself without an appropriate financial support to CSOs. Such support is necessary and it would ensure greater efficiency, effectiveness, influence and sustainability of the participation and contribution of Macedonian CSOs to the accession process, in particular in the context of negotiations. More details on this issue can be found in the following chapter.

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<sup>21</sup> Assembly of the Republic of North Macedonia. Committee on European Affairs, available here [https://www.sobranie.mk/working-bodies-2016-2020-en-ns\\_article-committee-oneuropean-affairs-16-20-en.nspix](https://www.sobranie.mk/working-bodies-2016-2020-en-ns_article-committee-oneuropean-affairs-16-20-en.nspix) (last accessed on 23 April 2020)

<sup>22</sup> Ibid.

<sup>23</sup> Nikolovski, I. 2018. Macedonian model of inclusion of CSOs in the accession negotiations. Institute for Democracy "Societas Civilis" - Skopje. Skopje, available here: [https://idscs.org.mk/wp-content/uploads/2018/09/web\\_A5\\_CSOMKD.pdf](https://idscs.org.mk/wp-content/uploads/2018/09/web_A5_CSOMKD.pdf) (last accessed on 23 April 2020)

<sup>24</sup> Ioannides, I., Damjanovski, I. and Nechev, Z. 2019. The Parliamentary Dimension of North Macedonia's Accession to the European Union. Institute for Democracy "Societas Civilis" – Skopje. Skopje, available here: [https://idscs.org.mk/wp-content/uploads/2019/11/webA5\\_European\\_ParliamentENG.pdf](https://idscs.org.mk/wp-content/uploads/2019/11/webA5_European_ParliamentENG.pdf) (last accessed on 23 April 2020).

# Orienting the funds towards strategic participation of CSOs in negotiations

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Recently, the Delegation of the European Union to North Macedonia celebrated its 20th anniversary of its existence. For this purpose, the Delegation prepared an informative video about the relations between the European Union and North Macedonia.<sup>25</sup> In this video, special emphasis was put on the financial support that the European Union, as the greatest donor,<sup>26</sup> has given to the country since the

establishment of diplomatic relations.<sup>27</sup>

One of the beneficiaries of EU financial assistance is Macedonian civil society. Over the last 10 years, the EU has given 75.36 million EUR to CSOs aimed at fulfilling their activities, as well as strengthening their capacities.<sup>28</sup>

The commitments for capacity building of civil society as a key player in meeting the membership requirements,<sup>29</sup> go back to 1989 when, through the PHARE programme,<sup>30</sup> support was foreseen for CSOs aimed at ensuring successful democratic transition and Europeanisation of Central and

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<sup>25</sup> Europe House Skopje. 2020. 20 Years of EU Delegation in North Macedonia, available here <https://www.youtube.com/watch?v=GRfHg-hscXg> (last accessed on 21 April 2020)

<sup>26</sup> For further information, see Nechev, Z., Nikolovski, I., Kirchner, M.J. 2019. Sailing through stormy weather – Macedonia and the EU in 2018. Institute for Democracy “Societas Civilis” - Skopje. Skopje, pages 23-25, available here [https://idscs.org.mk/wp-content/uploads/2019/02/A5\\_Sailing-through-stormy-weather-Macedonia-and-the-EU-in-2018MKD-1.pdf](https://idscs.org.mk/wp-content/uploads/2019/02/A5_Sailing-through-stormy-weather-Macedonia-and-the-EU-in-2018MKD-1.pdf) (last accessed on 21 April 2020)

<sup>27</sup> Includes all 27 EU Member States. Great Britain was a member of the European Union from 1 January 1973 until 31 January 2020.

<sup>28</sup> Europe House Skopje. 2020. 20 Years of EU Delegation in North Macedonia, available here <https://www.youtube.com/watch?v=GRfHg-hscXg> (last accessed on 21 April 2020)

<sup>29</sup> DG Enlargement. Guidelines for EU support to civil society in enlargement countries, 2014-2020, available here: [https://eeas.europa.eu/sites/eeas/files/doc\\_guidelines\\_cs\\_support1.pdf](https://eeas.europa.eu/sites/eeas/files/doc_guidelines_cs_support1.pdf) (last accessed on 23 April 2020) и European Neighbourhood Policy and Enlargement Negotiations. Civil Society, available here Nikolovski, I. 2018. Macedonian model of inclusion of CSOs in the accession negotiations. Institute for Democracy “Societas Civilis” - Skopje. Skopje, available here: [https://idscs.org.mk/wp-content/uploads/2018/09/web\\_A5\\_CSOMKD.pdf](https://idscs.org.mk/wp-content/uploads/2018/09/web_A5_CSOMKD.pdf) (last accessed on 23 April 2020).: [https://ec.europa.eu/neighbourhood-enlargement/policy/policy-highlights/civil-society\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/policy-highlights/civil-society_en) (last accessed on 22 April 2020).

<sup>30</sup> Poland and Hungary: Assistance for Restructuring their Economies. North Macedonia was admitted to this programme in 1995, after establishing diplomatic relations with, at that time, the European Communities.

Eastern European countries.<sup>31</sup> In the context of North Macedonia's accession, the importance of CSOs was already underlined in the Stabilisation and Association Agreement from 2001, which, among other things, prescribes "as greater development of civic society and democratisation".<sup>32</sup>

Over the years, CSOs in North Macedonia have received financial assistance through various financing programmes and instruments, such as the programmes of the Union, Progress, Erasmus+, Europe for Citizens 2014-2020, Horizon 2020, the Creative Europe programme and COSME,<sup>33</sup> as well as EDIHR, the IPA cross-border cooperation instrument,<sup>34</sup> and in

the past also through the PHARE and CARDS programme.<sup>35</sup> Nevertheless, the largest part of financial assistance was used from the funds of the Instrument for Pre-accession Assistance (IPA)<sup>36</sup> which purpose is to prepare North Macedonia for its full-fledged membership in the EU.

Financing through IPA funds started in 2007, covering various priority and thematic (sectoral) areas encompassed by the negotiation chapters.<sup>37</sup> The financing is conducted in line with the multiannual financial frameworks of EU, so in the period 2007-2013 the IPA programme was implemented, at the moment IPA II is implemented (2014-2020), and starting from 2021, it is expected to begin with

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<sup>31</sup> Spasovska, B. Supporting vs fostering: the effectiveness of EU's regional support for CSO partnerships for fostering democratic reforms and rule of law in enlargement countries. Balkan Civil Society Development Network, available here: <http://www.balkancsd.net/novo/wp-content/uploads/2016/06/96-4-BCSDN-The-effectiveness-of-EUs-regional-support-FINAL-web.pdf> (last accessed on 22 April 2020)

<sup>32</sup> Stabilisation and Association Agreement between the Republic of Macedonia and the European Communities and their Member States. 2001, available here [http://www.sep.gov.mk/data/file/SSA/SSA\(1\).pdf](http://www.sep.gov.mk/data/file/SSA/SSA(1).pdf) (last accessed on 21 April 2020).

<sup>33</sup> For further information, see Ostojic, M., and Fagan, A. 2014. Donor strategies and practices to support civil society in Macedonia, Macedonian Center for International Cooperation, page 25, available here: <https://mcms.mk/images/docs/2017/donatorski-strategii-i-praktiki-za-poddrshka-na-gragjanskoto-opshtestvo-vo-makedonija.pdf> (last time accessed on 21 April 2020).

<sup>34</sup> BCSDN. 2015. EU Funds for Supporting Civil Society Development in the Western Balkans 2007-2013, available via <http://www.balkancsd.net/eu-funds-for-supporting-civil-society-development-in-the-western-balkans-2007-2013/> (last accessed on 22 April 2020)

<sup>35</sup> Community Assistance for Reconstruction, Development and Stability in the Balkans.

<sup>36</sup> In English, Instrument for Pre-accession Assistance.

<sup>37</sup> For more information about the relation between IPA sectors and negotiation chapters see Radulović, M., Brnović, M., Lubarda, M., Knežević, I., Mujkić, E, Blagovčanin, S. Murati, A., Kolekeski, A., Maxhelaku, A. 2018. Instrument for pre-accession assistance and the countries of the Western Balkans. European Movement in Montenegro. Podgorica, pages 83 – 106

the implementation of IPA III, which should last until 2027. Within IPA funds, starting from 2008, the instrument for assistance for civil society was activated, also known as a Civil Society Facility - CSF. The goal of this instrument is active civil society with built capacities for influence, involvement and participation in decision and policy making processes, with a view to increasing its knowledge and expertise in support to governments, but also EU institutions in the accession process.<sup>38</sup> From 2007 until 2019, Macedonian CSOs (and the media) received a total of 27 Million EUR assistance through this programme for development of their capacities (see Annex 1, Table 1) in various

areas and initiatives, including good governance, public administration reform, rule of law, and fight against corruption and other reform areas.<sup>39</sup>

In line with the Guidelines on EU political and financial support to civil society organisations in candidate countries,<sup>40</sup> and the long-standing assistance so far, the situation is on a satisfactory level, but it can certainly be much better. In practice, several weaknesses are singled out that have been detected so far, limited working space, resources and capacities, but also insufficient inclusion of CSOs in decision and policy making processes.<sup>41</sup> Regarding financing, there

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<sup>38</sup> AETS Consultants. 2017. Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey, available here: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/csf\\_evaluation\\_report\\_wbt\\_dig.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/csf_evaluation_report_wbt_dig.pdf) (last accessed on 22 April 2020) and European Neighbourhood Policy and Enlargement Negotiations. Civil Society, available here: [https://ec.europa.eu/neighbourhood-enlargement/policy/policy-highlights/civil-society\\_en](https://ec.europa.eu/neighbourhood-enlargement/policy/policy-highlights/civil-society_en) (last accessed on 22 April 2020).

<sup>39</sup> AETS Consultants. 2017. Mid-term Evaluation of the Civil Society Facility for the Western Balkans and Turkey, available here: [https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/csf\\_evaluation\\_report\\_wbt\\_dig.pdf](https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/csf_evaluation_report_wbt_dig.pdf) (last accessed on 22 April 2020) and Macedonian Center for European Education. 2013. Where is the money from IPA: 2007- 2013, available here: <http://mceet.org.mk/gridfs/data/id/d8537f8c315624fb98ca2e44> (last accessed on 22 April 2020).

<sup>40</sup> The Guidelines for EU support to civil society organisations in candidate countries for the period 2014-2020 include commitments for enabling working environment which guarantees independence and sustainability of civil society, but also a combination of financial instruments to meet the needs and capacities of various civil society stakeholders. For more information, see DG Enlargement. Guidelines for EU support to civil society in enlargement countries, 2014-2020, available here: [https://eeas.europa.eu/sites/eeas/files/doc\\_guidelines\\_cs\\_support1.pdf](https://eeas.europa.eu/sites/eeas/files/doc_guidelines_cs_support1.pdf) (last accessed on 23 April 2020)

<sup>41</sup> Spasovska, B. 2019. 10 Years IPA CSF: How to Further Strengthen and Empower Civil Society in Enlargement Countries, available here: <http://www.balkanicsd.net/novo/wp-content/uploads/2019/09/BCSDN-Position-on-the-future-of-EU-support-to-CS.docx.pdf> (last accessed on 23 April 2020)



are already a series of recommendations highlighting the support for CSOs in their operational activities, utilisation of previous successful experiences of financial assistance and of civil society best practices, with an emphasis on mechanisms set to monitor the use of pre-accession assistance funds, as well as implementation of reforms that are a part of the enlargement and conditionality policy.<sup>42</sup>

When it comes to political support, what is stated is the need for officialisation of the Guidelines for civil society organisations by the European Commission, covering the period 2021 - 2027, greater involvement of CSOs in political and democratic processes on national, regional and local level, but also utilisation of their capacities in terms of promotion and advocacy of the

goals and values of the Union's foreign policy as one of the greatest agents of Europeanisation.<sup>43</sup>

Therefore, greater alignment of EU's political and financial support to CSOs is necessary. In order to reach this goal, what is necessary above all is a single and comprehensive institutional and financial framework which will contribute to more successful accession negotiations and better preparedness of North Macedonia (as well as the remaining Western Balkan countries) to pursue all rights, obligations and responsibilities arising from EU membership.

For the reason of purposefulness of the accession process, apart from the forms of financial support so far, thoughts should be also given to using the funds that would enable CSOs to participate

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<sup>42</sup> BCSDN. 2020. BCSDN's Position on the EU Civil Society Guidelines, available here: [http://www.balkancsdn.net/novo/wp-content/uploads/2020/01/BCSDN-Position-EU-CS-Guidelines\\_final.pdf](http://www.balkancsdn.net/novo/wp-content/uploads/2020/01/BCSDN-Position-EU-CS-Guidelines_final.pdf) (last accessed on 23 April 2020); SELDI. 2020. The New Approach on Enlargement: Good Ideas in Need of a Captain, available here: [https://seldi.net/fileadmin/public/PDF/Publications/New\\_Approach/the-new-approach-on-enlargement-good-ideas-in-need-of-a-captain.pdf](https://seldi.net/fileadmin/public/PDF/Publications/New_Approach/the-new-approach-on-enlargement-good-ideas-in-need-of-a-captain.pdf) (last accessed on 23 April 2020) and Spasovska, B. 2019. 10 Years IPA CSF: How to Further Strengthen and Empower Civil Society in Enlargement Countries, available here: <http://www.balkancsdn.net/novo/wp-content/uploads/2019/09/BCSDN-Position-on-the-future-of-EU-support-to-CS.docx.pdf> (last accessed on 23 April 2020).

<sup>43</sup> BCSDN. 2020. BCSDN's Position on the EU Civil Society Guidelines, available here: [http://www.balkancsdn.net/novo/wp-content/uploads/2020/01/BCSDN-Position-EU-CS-Guidelines\\_final.pdf](http://www.balkancsdn.net/novo/wp-content/uploads/2020/01/BCSDN-Position-EU-CS-Guidelines_final.pdf) (last accessed on 23 April 2020) and Youngs, R. 2020. New Directions for EU Civil Society Support: Lessons from Turkey, the Western Balkans, and Eastern Europe. Carnegie Europe, available here: <https://carnegieeurope.eu/2020/02/18/new-directions-for-eu-civil-society-support-pub-81092> (last accessed on 23 April 2020).

in the accession negotiations at an appropriate level.

Taking into consideration the substance of membership negotiations, the accession process will demand appropriate expertise, technical equipment and having the appropriate information at disposal by CSOs in terms of alignment and adoption of European legislation. Namely, funds such as the Technical Assistance and Information Exchange instrument (TAIEX)<sup>44</sup> are for now available only to state institutions of negotiating countries, candidate countries, but also to the neighbouring countries of the EU. Thus, it would be strategically useful to establish a so called TAIEX for CSOs which would be used for exchange of experiences on civil society level among Western Balkan countries and EU Member States. Or, extension of the support spectrum through the CSF programme directed towards securing such expertise for CSOs.

In this way, CSOs will be able to contribute

in an appropriate way, shoulder to shoulder with state institutions, to the accession negotiations and to the accession process as a whole. This way, CSOs will get better acquainted with European legislation which will enable them more effective utilisation of their capacities and knowledge in the decision and policy making process, as well as determination of the negotiating positions, but also in the part of monitoring the negotiations themselves and implementation of the obligations undertaken by candidate countries. This is particularly important for the role of think-tank organisations which are part of civil society, but which also have a concrete expertise at their disposal in public policy making in various fields.

The result of such an approach would be greater transparency, accountability and inclusiveness in this social, value and transformation process, in which all stakeholders are involved and informed - from national social stakeholders to European institutions and EU

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<sup>44</sup> Technical Assistance and Information Exchange instrument of the European Commission (TAIEX).

Member States. In this way, greater cooperation and communication with other stakeholders in the accession process would be ensured. On the one hand, additional technical and expert assistance to the work of state institutions is ensured, above all to the Government and Parliament, but at the same time control over their operation in the accession process. On the other hand, this approach will secure the EU indirect influence, from within, and in return, it would get a real insight in the conditions and the necessary assistance to overcome the potential challenges.

All of this is particularly important in the context of the new methodology for enhanced accession negotiations which foresees a more efficient accession process, but also reversibility in case of failure to fulfil the reforms or regression, even though not on the account of financing CSOs.<sup>45</sup>

## Concluding remarks and recommendations

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Having waited for 15 years, North Macedonia is finally starting the EU membership negotiations. Unlike in the previous enlargement rounds of the Union, this time, Member States want to secure themselves that new members will not carry their problems into the Union, having learnt from the experiences with the partially unsuccessful integration and reversibility when it comes to democratisation and rule of law with some of the newer Member States. This is also reflected in the new methodology for enhanced accession negotiations. Thus, both Skopje and Brussels face the challenge that the accession process be legitimate, efficient, effective, successful and sustainable also after North

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<sup>45</sup> European Commission. 2020. A more credible, dynamic, predictable and political EU accession process - Commission lays out its proposals, available here [https://ec.europa.eu/commission/presscorner/detail/en/IP\\_20\\_181](https://ec.europa.eu/commission/presscorner/detail/en/IP_20_181) (last accessed on 23 April 2020).

Macedonia becomes a member of the Union in the foreseeable future.

Even though negotiations have informally started, it is certain that North Macedonia will need to align its existing negotiating structure with the new revised methodology, which will also need to appropriately include CSOs. CSOs have been a partner to the Union in the process since the very beginning, and Brussels sees them as an essential agent of Europeanisation of the state and the whole region. Provided that national institutions, above all the Government and Parliament, also accept the same approach and recognise them as their own partners, then they will significantly improve the chances for real transformation of society.

The support that the EU has been giving to CSOs in North Macedonia over the last two decades is incontestable, continuous and of key importance, and as a result, a part of CSOs have built

their capacities on a satisfactory level, have gained expertise when it comes to enlargement-related reforms, but have also established channels and networks of cooperation with institutions on national, regional and European level. Nevertheless, additional alignment and extension of the spectrum of EU financial support with its political support is necessary, in particular in the case of North Macedonia (this also applies to the remaining Western Balkan countries that are at the same stage of the accession process) which enters into a very complex and demanding process of negotiations.

The financial support would not reach its goal without the existence of a comprehensive, inclusive and transparent negotiating structure. In this sense, the Macedonian Government should offer an appropriate model of inclusion in which CSOs will be partners in the decision and policy making process, but not on the account of their independence and

autonomy. In the end, in order for the overall process of negotiation to be public, accountable and comprehensive, it is of utmost importance to include the Parliament, which, in cooperation with and through the participation of CSOs, will ensure effective control over and oversight of the accession negotiations, aimed at fulfilling the commitments of the European Commission for greater role of Parliaments in the European integration process.

“There is no way back... so a negotiating train has left the station with you on board”, said the EU Ambassador in the country on the occasion of the adoption of the decision of the European Council to open accession negotiations with North Macedonia.<sup>46</sup> That is why it is necessary for the rails that the train will move onto to be set properly so that the train does not run off its rails, but successfully reaches the goal. The speed of the train depends on all of us together.

Therefore, this advocacy paper is in support of strategic participation of CSOs in the accession negotiations and transparency of the accession process, putting forward three key recommendations:

- **Institutionalised involvement of CSOs in the accession negotiations through their participation in the work of Parliament in implementing its oversight function**
- **Ensuring transparency by involving the public and timely provision of information to the public**
- **Expanding and orienting the assortment of financial assistance instruments for participation of CSOs in the accession negotiations by the European Union and the Government**

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<sup>45</sup> Macedonian Information Agency. 2020. Žbogar for MIA: This is not only another decision of the EU, this is a decision to open negotiations, available here: <https://mia.mk/zbogar-za-mia-ova-ne-e-samo-ushte-edna-odluka-na-eu-ova-e-odluka-za-pochetok-na-pregovori/> (last accessed on 23 April 2020).

# Annex 1

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Table 1. Financial support to CSOs via CSF (2007 - 2019)								
Type of instrument	IPA I	IPA II						Total amount (in millions of Euros)
Period	2007 – 2013	2014	2015	2016	2017	2018	2019	27
Amount (in millions of Euros)	2.9	5.5	5.5	2.85	3.95	3	3.3	

Sources: BCSDN. 2015. EU Funds for Supporting Civil Society Development in the Western Balkans 2007-2013, available at <http://www.balkancsd.net/eu-funds-for-supporting-civil-society-development-in-the-western-balkans-2007-2013/> (last accessed on 22 April 2020) and IPA 2014 – 2020 Action Programmes, available here [https://ec.europa.eu/neighbourhood-enlargement/instruments/multi-beneficiary-programme\\_en](https://ec.europa.eu/neighbourhood-enlargement/instruments/multi-beneficiary-programme_en) (last accessed on 22 April 2020).



## Information about KAS

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Freedom, justice, and solidarity are the basic principles underlying the work of the Konrad Adenauer Foundation (KAS). The KAS is a political foundation, closely associated with the Christian Democratic Union (CDU) of Germany. We conduct education programs for the society and cooperate with governmental institutions, political parties, civil society organizations and handpicked elites, building strong partnerships along the way. Together with our partners, we make a contribution to the creation of an international order that enables every country to develop in freedom and under its own responsibility.

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## Information about IDSCS

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IDSCS is a think-tank organisation researching the development of good governance, rule of law and North Macedonia's European integration. IDSCS has the mission to support citizens' involvement in the decision-making process and strengthen the participatory political culture. By strengthening liberal values, IDSCS contributes towards coexistence of diversities.

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# Civil society organisations and North Macedonia's European integration: Towards strategic participation and transparent accession negotiations

Author: Ivan Nikolovski

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