

Analysen Positionen Essays

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Parliamentary Elections in Macedonia: Inconclusive Result, Continued Instability?

Summary

Macedonia held early parliamentary elections on 11 December 2016. They were part of the EU mediated process to resolve the country's ongoing political crisis. The poll led to a narrow majority for the former ruling coalition of VMRO-DPMNE and DUI, but also substantial gains for the opposition SDSM. Even though DUI has governed with VMRO-DPMNE for many years, it has not ruled out a potential change of coalition partner. Still, irrespective of the party's decision and the outcome of negotiations, it seems unlikely that either of the possible coalitions will result in a stable government, needed to initiate an important step towards crisis resolution. The article argues that both constellations are based on very tight majorities and face foreseeable internal frictions as well as external pressure that would soon put the partnership to a hard political test.

The outcome of post-electoral negotiations might thus well be another early parliamentary election, potentially in May 2017 together with the local elections. It remains an open question, however, if such a re-run would lead to a different result and enhance the changes for a continuation of the reform process.

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Parliamentary Elections in Macedonia: Inconclusive Result, Continued Instability?

■ Introduction: Elections in Macedonia as a step towards crisis resolution

Macedonian's ongoing political crisis reached a provisional climax when the country held early parliamentary elections on 11 December 2016. A massive wiretapping scandal revealed by the opposition in 2015 had confronted the government with allegations of electoral fraud, corruption, and abuse of office. An EU brokered deal led to the resignation of Prime Minister Nikola Gruevski in 2016, but subsequent attempts to organize new elections failed twice in April and June 2016. When President Ivanov tried to end the wiretapping affair by issuing a pardon for those under investigation, it was not only met with heavy international criticism, but also stirred massive protest by the so-called 'colourful revolution' movement that led thousands to the centre of Skopje.

Similar to the standoff shaking the country for the past two years, the December elections did not offer a conclusive result. The conservative ruling party VMRO-DPMNE and its ethnic Albanian partner DUI suffered heavy losses, but still managed to secure a tight majority of one seat in parliament. The opposition and especially the social democratic SDSM made large gains, but too little to outperform their rivals. The ethnic Albanian parties and first and foremost DUI are now in the position of kingmakers having a veto on every possible coalition apart from an unlikely grand coalition. Even though Nikola Gruevski received again the mandate to form a government on 9 January 2017, it is yet unclear whether DUI is willing to continue cooperation. At the time of writing, it is an open question how the next coalition will look like and if an agreement will be reached at all. Still, against the backdrop of the tight result and both pre-electoral and post-electoral developments it seems already now clear that the country is unlikely to have a stable government any time soon. The main argument presented here is that even though both VMRO-DPMNE and SDSM could potentially form a coalition with ethnic Albanian parties, these coalitions would be unstable due to foreseeable internal frictions and external pressure.

The article analyses the results and implications of the Macedonian early parliamentary elections in the context of crisis resolution. The election results are therefore

accompanied by an overview of the developments leading to the polls on 11 December 2016. This is followed by a discussion of the freedom and fairness of elections. Then, both political camps' chances of forming a stable coalition are discussed, taking into account internal and external challenges to stability. The article closes with a discussion of possible implications from different parties in power on the continuation of reforms in the realm of the *Pržino Process*. In the current situation, it seems that only a change of government would make serious investigations into the wiretapping affair and important steps towards independence of the judiciary and accountability of institutions at least more likely.

Early parliamentary elections in Macedonia

The Macedonian parliament decided on 17 October 2016 unanimously for its dissolution, allowing for early elections on 11 December 2016. The ballot developed as a tight race between the two main contenders, the conservative VMRO-DPMNE and the social democratic SDSM. Ultimately, the long-time ruling party (2006-2016) came out slightly ahead with 38.14 % and 51 parliamentary seats, while the oppositional

Table 1: Results of the Early Parliamentary Elections on 11 December

Party(-Coalition)	Votes	Percent (difference 2014)	Seats
<i>Ethnic Macedonian Parties</i>			
VMRO-DPMNE Coalition	454,577	38.14 % (-4,83 %)	51 (-10)
SDSM Coalition	436,981	36.66 % (+11,32 %)	49 (+15)
<i>Ethnic Albanian Parties</i>			
DUI	86,796	7.28 % (-6,43 %)	10 (-9)
BESA	57,868	4.87 % (new)	5 (+5)
Alliance for Albanians	35,121	2.95 % (new)	3 (+3)
DPA	30,964	2.60 % (-3,32 %)	2 (-5)
Total	1,191,521	66.79 % (+3,84 %)	120

Source: Macedonian State Electoral Commission 2016, ¹ *Parliamentary Election's Handbook 2014* ²

- ¹ *Macedonian State Electoral Commission* (2016): 'Parliamentary Elections – Macedonia 2016', available at <https://rezultati.sec.mk/Parliamentary/Results?cs=mk-MK&r=r&rd=r1&eu=All&m=All&ps=All> (accessed 5 January 2017).
- ² *Dimeski, Jane* (2014): 'The Republic of Macedonia's 2014 Parliamentary Elections Handbook', available at http://www.kas.de/wf/doc/kas_37896-1522-1-30.pdf?140529150937 (accessed 5 January 2017).

SDSM secured 36.66 % and will send 49 representatives to the *Sobranie*. Even though the electoral coalition led by VMRO-DPMNE will again provide the biggest parliamentary group, its support was much reduced (see *table 1*), while the SDSM considerably improved its position. In line with the losses of the ethnic Macedonian ruling party, its ethnic Albanian coalition partner DUI received only slightly more than half of its votes and seats compared to 2014. Support went instead to the SDSM and the newcomer parties in the ethnic Albanian camp: The movement BESA surprisingly obtained almost five percent of the vote and is now the second strongest ethnic Albanian party. The 'Alliance for Albanians', consisting mainly of a splinter from the DPA founded by Struga's mayor Zijadin Sela, finished also ahead of DPA, whose drop in support could well mean a deterioration into national level insignificance.

The new parliament will have only 120 seats, as the diaspora failed to reach the quorum for its three representatives.³ This gives the former ruling coalition of VMRO-DPMNE and DUI a narrow majority of 61 seats despite of their overall losses. Still, the elections failed to produce an obvious winner. On the one hand, VMRO-DPMNE declared its victory after remaining the strongest party in parliament. On the other hand, the opposition feels much emboldened by its considerable gains and its support almost matching the ruling party's, claiming on election day that "the regime has fallen".⁴ Drawing the right lessons from this tight result is thus not only difficult for Macedonia's political elite, but also for electoral analysis. Before the results and potential coalitions can be discussed, it is important to highlight the context in which the elections took place.

The political crisis and elections in Macedonia

The early parliamentary elections in Macedonia were necessary after the country has been shaken for the last two years by its most severe political crisis since 2001. The early elections have thus to be understood in the context of this crisis and as a measure intended to contribute to its resolution.

The crisis escalated in 2015, after the opposition uncovered a massive wiretapping programme in the country. The so-called 'bombs' – pieces of intercepted communication, released by opposition leader Zoran Zaev (SDSM) – revealed discussions among senior government officials about electoral fraud, blackmail, and meddling with justice. It shed light on two different sets of crimes: On one hand the massive eavesdropping

3 *Marusic, Sinisa Jakov* (2016): Balkan Insight 'Macedonia's Knife-Edge Election Ends in Uncertainty', 12.12.2016, available at <http://www.balkaninsight.com/en/article/macedonia-s-tie-election-ends-in-uncertainty-12-12-2016> (accessed 5 January 2017).

4 Skopje Diem (2016): 'Zaev: SDSM has Won one more MP Seat than VMRO-DPMNE', 12.12.2016, available at <http://www.skopjediem.com/-latest-news/29510-zaev-sdsm-has-won-one-more-mp-seat-than-vmro-dpmne.html> (accessed 5 January 2017).

on thousands of Macedonian citizens, and on the other hand the crimes mentioned and plotted by those intercepted. The revelations stirred massive street protests against the government and the opposition's boycott of parliament. It also triggered the EU to get involved: The Commission sent an expert team to determine reform priorities and started a dialogue process between the by then four main parties VMRO-DPMNE, SDSM, DUI, and DPA. These parties ultimately consented in the *Pržino Agreement* (2 June 2015) and an additional protocol (15 June 2015) on a 'transitional period' that would lead the country out of the crisis.

The *Pržino Agreement* is based on two main points, the initiation of a reform process and the preparation of early elections. First, the EU expert group delivered a report on the most urgent reform priorities in light of the communication interception programme.⁵ This so-called *Priebe Report* urges the government to improve oversight over the intelligence service UBK, which has the technical means to intercept communication without court orders; allow for an open investigation of evidence for electoral fraud; to stop pressuring the judiciary and the media, and let them act independently instead; and to allow for free and fair elections, especially by separating party and state and reforming the voter list.⁶ In order to overcome the reluctance of existing institutions to investigate the evidence for crimes revealed in the 'bombs', a *Special Prosecution* (SPO) was created and responsible for these cases. Second, political actors also agreed on the organization of early parliamentary elections. SDSM returned to parliament and stopped the further release of intercepted conversations. Nikola Gruevski consented to step down as Prime Minister at the beginning of 2016, and made place for a shared interim government to prepare early elections in April 2016.

These elections then failed twice to materialize, on 24 April and again on 5 June 2016. After the EU and the US had insisted that the country was not yet ready for polls at the beginning of 2016, the opposition threatened a boycott of elections in June.⁷ The boycott was based on the claim that the reform aspect of the *Pržino Process* had yet to be fulfilled, and the creation of a level playing field to guarantee free and fair competition in the elections was still lacking.⁸ In contrast, VMRO-DPMNE was eager to hold elections at the earliest possible date in order to get away with minimal prior reforms. It even tried to run alone in June 2016, and only refrained

5 EC (2015): European Commission 'The Former Yugoslav Republic of Macedonia: Recommendations of the Senior Experts' Group on Systemic Rule of Law Issues Relating to the Communications Interception Revealed in Spring 2015', 08.06.2015, available at http://www.balkananalysis.com/files/2016/06/20150608_recommendations_of_the_senior_experts_group.pdf (accessed 5 January 2017).

6 See footnote 5.

7 *Marusic, Sinisa Jakov* (2016): Balkan Insight 'EU, US Advise Postponing Macedonian Election', 21.02.2016, available at <http://www.balkaninsight.com/en/article/eu-us-advise-postponing-macedonia-election-date-02-21-2016> (accessed 5 January 2017).

8 *Marusic, Sinisa Jakov* (2016c): Balkan Insight 'Macedonia Ruling Party Defends Solo Election', 17.05.2016, available at <http://www.balkaninsight.com/en/article/macedonia-ruling-party-denies-suspending-pluralism-05-16-2016> (accessed 5 January 2017).

from its plans after heavy international pressure, including a threat of possible EU sanctions against individuals.⁹

Following EU-mediated negotiations did thus focus on the creation of a level playing field as a precondition for early elections. A new agreement reached on 20 July 2016 foresaw concrete measures to improve the voter list and exclude thousands of 'phantom voters' that would work at the benefit of the government; the creation of an *ad hoc* body to determine and counteract potential biases in the media; and the formation of a new technical government until election day. Parties ultimately agreed on 31 August 2016 that the intended reforms had appropriately progressed and set the new election date on 11 December 2016, when elections finally took place. In the context of these developments, two aspects or questions are of crucial importance: *First*, were the elections eventually free and fair? The next paragraph argues that due to continued advantages for the ruling party, the strong showing of the opposition has to be understood even more as a vote for change in the country. *Second*, are a stable coalition government and steps towards crisis resolution feasible? I argue that such a stable government seems unlikely, and that therefore also a new round of elections could be a possible outcome.

Were the elections free and fair?

Despite of the highly polarized atmosphere during the campaign, the electoral process worked on election day generally in an "orderly manner without major incidents".¹⁰ This calmer than expected situation led some observers to assess the ballot as the "most free and fair elections ever" in Macedonia, which is surely a result of the massive observation efforts by both international actors as well as Macedonian civil society.¹¹ Overall, it has to be acknowledged that elections were based on the shared agreement of all parties on 31 August 2016 that reforms had progressed in an acceptable manner. Still, it is also clear that time was on the side of VMRO-DPMNE and its efforts to impede and delay reforms. After the second crisis year and two failed attempts to hold elections, both the international community and the population expected to see progress towards a solution. There was thus little space to argue for another postponement, even as conditions were not yet ideal. Ongoing problems were reported on election day and included in assessments of Macedonia-watchers.

9 *Emmott, Robin* (2016): 'EU Threatens Sanctions Over Macedonian Crisis', 21.04.2016, available at <http://uk.reuters.com/article/uk-macedonia-politics-idUKKCNOXI12V> (accessed 5 January 2017).

10 *ODIHR* (2016): 'International Election Observation Mission, the Former Yugoslav Republic of Macedonia, Early Parliamentary Elections, 11 December 2016: Statement of Preliminary Findings and Conclusions', p. 2, available at <http://www.osce.org/odihr/elections/fyrom/279061> (accessed 5 January 2017).

11 *Rey, Johannes* (2016): Konrad-Adenauer-Stiftung, 'Das Volk hat entschieden - Die freisten und fairsten Wahlen in der Geschichte Mazedoniens', 22.12.2016, available at <http://www.kas.de/mazedonien/de/publications/47531/> (accessed 5 January 2017).

The international community as well as local NGOs were determined to do their part to ensure free and fair elections. The Parliamentary Assembly of the Council of Europe (PACE) sent election observers on 11 December 2016 and paid a pre-electoral visit to the country on 21 November 2016. In addition, the OSCE provided 277 observers from its member states as well as permanent staff, headed by the Italian journalist and former MP Tana de Zulueta. Civil society organisations observed the elections as well, such as the NGO Civil (300 short term observers), and especially MOST, which had a total of 2,664 own observers on the ground.¹² On 20 November 2016, also the political parties stressed their best intentions and signed a 'code for fair elections', pledging to abstain from pressuring state employees and workers at state companies.¹³

Still, all observing actors reported in one way or the other continued incidents of undue process on election day. To remember, the *Priebe Report* stressed on the basis of the intercepted communications that there is strong evidence for the direct involvement of senior government officials in "electoral fraud, corruption, abuse of power and authority, conflict of interest, blackmail, [and] extortion (pressure on public employees to vote for a certain party with the threat to be fired)".¹⁴ ODIHR found in its preliminary election report again allegations of such incidents during the short campaign period, including "voter intimidation, coercion, pressure on civil servants, vote buying in Roma communities and misuse of administrative resources".¹⁵ In a similar manner, MOST reported incidents of voters taking photos of their ballots on election day, a clear indication of vote buying or pressure.¹⁶ Evidence for vote-buying was also claimed by the NGO Civil.¹⁷

Beyond these irregularities, it is also obvious that the issues addressed by parties in the agreement on 20 July 2016 were not resolved in a sustainable manner. The deletion of 28,341 people from the voter list did not only make the register more accurate, but also apparently deprived some Macedonians of their right to vote on election day.¹⁸ NGO Civil even claimed to have counted 2,000 voters who wanted to cast their ballot but were not on the list.¹⁹ When it comes to the media, the *ad hoc* body worked to create mostly fair reporting in the public, but not in all private

12 See footnote 10; and *MOST* (2016): 'Preliminary Statement', 13.12.2016, available at http://www.most.org.mk/index.php?option=com_k2&view=item&id=419:13-12-2016&lang=en (accessed 5 January 2017).

13 *EWB* (2016): European Western Balkans 'Macedonian Political Parties Sign Code for Fair and Democratic Elections', 21.11.2016, available at <https://europeanwesternbalkans.com/2016/11/21/macedonian-political-parties-sign-code-for-fair-and-democratic-elections/> (accessed 5 January 2017).

14 See footnote 5, p. 6.

15 See footnote 10, p. 8.

16 See footnote 10.

17 *Civil* (2016): 'Stop the Bribery of Voters', 10.12.2016, available at <http://civil.org.mk/2016/12/10/stop-the-bribery-of-voters/> (accessed 5 January 2017).

18 See footnote 10, p. 1.

19 *Civil* (2016b): 'The Voters Register is in an Awful Condition', 11.12.2016, available at <http://civil.org.mk/2016/12/11/civil-press-conference-at-1800-the-voters-register-is-in-an-awful-condition/> (accessed 5 January 2017).

media, while it also neglected online sources.²⁰ It was further stressed that media outlets often practice self-censorship due to their economic dependence on government advertising.²¹ In line with this, Freedom House degraded Macedonia in its Freedom of the Press ranking 2016 to the status 'not free' – the worst position ever held by the country and in Europe only shared by Belarus and Turkey.²²

Overall, it is important to note the ongoing occurrence of irregularities, which are likely to have benefited the ruling party despite of a generally successful process on the very day of election in Macedonia. In addition, many practices mentioned by ODIHR, civil society, as well as in the *Priebe Report*, such as voter intimidation prior to elections, are difficult to detect and hardly observable, making it even more difficult to assess the extent of such activities. The fact that the ruling party has established a high degree of "state capture affecting the functioning of democratic institutions", as the EU put it in the country's 2016 report, offered it still many illicit resources to secure electoral support.²³ This makes the strong showing of the opposition on election day even more remarkable, and hints at an even bigger reform constituency.

Possible coalitions, their stability, and the chances of the reform process

The character of the political crisis in Macedonia and the polarized atmosphere during the election campaign have rendered a grand coalition between the two biggest parties virtually impossible. Therefore, one of them now has to convince the ethnic Albanian camp and especially DUI to form a coalition. DUI is now under heavy pressure as the loss of almost half of its parliamentary representation was a clear warning for the local elections in May 2017. It has thus tried to reinforce its leading position in the Albanian camp by forging together with BESA and the 'Alliance for Albanians' – a joined 'Platform for Albanians'. This platform supposedly sets the threshold for cooperation with any partner, and includes besides others the adoption of Albanian as a second official language in Macedonia; a debate on state symbols to reflect Macedonia's multi-ethnic character; a condemnation of the 'genocide against Albanians 1912-1956'; the creation of a new ministry to support development in neglected areas; the implementation of rule of law reforms as recommended, for example, in the *Priebe Report*; support for the SPO; and fast EU and NATO integration.²⁴ It remains an open question whether this platform will serve as a

20 See footnote 10, p. 2.

21 See footnote 10, p. 10.

22 *FH* (2016): Freedom House, Freedom of the Press 'Macedonia', available at <https://freedomhouse.org/report/freedom-press/2016/macedonia> (accessed 5 January 2017).

23 *EC* (2016): European Commission 'Key Findings of the 2016 Report on the Former Yugoslav Republic of Macedonia', 09.11.2016, available at http://europa.eu/rapid/press-release_MEMO-16-3634_en.htm (accessed 5 January 2017).

24 Independent (2017): 'DUI, BESA, Alliance of Albanians announce platform with conditions for coalition', 07.01.2017, available at <http://www.independent.mk/articles/40250/DUI+%2C+BESA+%2C+Alliance+of+Albanians+Announce+Platform+with+Conditions+for+Coalition> (accessed 20 January 2017).

basis for any coalition. Still, it seems likely that any outcome of the coalition formation process will stand on very shaky ground due to foreseeable internal frictions between the coalition partners as well as external pressure from those excluded from government.

VMRO-DPMNE and DUI – estranged partners

After the Macedonian parliament held its constitutive session on 30 December 2016, President Ivanov mandated Nikola Gruevski as chairman of the biggest parliamentary party to form a new government on 9 January 2017. VMRO-DPMNE had thus the advantage of making the first move in the process of government formation. Still, the divisive electoral campaign, DUI's poor result, and ethnic Albanians' dissatisfaction with earlier cooperation would make another coalition very unstable. In addition, a new Gruevski cabinet is likely to spark new street protests, especially if it terminates the reform process as announced during the electoral campaign.

First, the main threat to a new coalition between VMRO-DPMNE and DUI is likely to come from internal friction. After many years of cooperation in government, Albanian voters have become disillusioned by DUI's poor deliverance on electoral promises and what they see as a subordinate role for the Albanian party in Gruevski's cabinets. This is the main reason why voters' abandoned DUI in high numbers and turned instead to BESA, the 'Alliance', and SDSM.²⁵ Still, most of them also oppose a further cooperation due to VMRO-DPMNE's at times nationalist rhetoric and policies. For example, the party used oppositional promises to Albanians during the campaign frequently to stir up ethnic Macedonians' fear of a federalization of the country, thereby deliberately putting at stake the country's fragile interethnic relations.²⁶ Beyond that, VMRO-DPMNE even put Macedonia's only internationally convicted war criminal Johan Tarčulovski on its electoral list, a man who served a long sentence for committing atrocities to the Albanian population, and who will now represent the ruling party in parliament.²⁷

It comes as no surprise that such appeals to nationalist votes have led Albanian activists and intellectuals to argue openly against the continuation of the coalition.²⁸ The public mood has also proliferated into the party, and most members of DUI's

25 *Tahiri, Sefer* (2016): Balkan Insight 'Rivals' gains overshadows DUI's 'win' in Macedonia', 13.12.2016, available at <http://www.balkaninsight.com/en/article/rivals-gains-overshadow-dui-s-win-in-macedonia-12-13-2016> (accessed 20 January 2017).

26 Independent (2016): 'Gruevski in Kavardaci: Vote for Macedonia not Zaev and his Criminal Structures', 23.11.2016, available at <http://www.independent.mk/articles/38899/Gruevski+in+Kavardarci+Vote+for+Macedonia+Not+Zaev+and+His+Criminal+Structures> (accessed 5 January 2017).

27 *Andonovska, Elena* (2016): Balkan Insight 'Macedonian War Crimes Convict Enters Parliament', 19.12.2016, available at <http://www.balkaninsight.com/en/article/macedonia-s-war-crimes-convict-enters-parliament-12-18-2016> (accessed 5 January 2017).

28 *Mejdini, Fatjona* (2016): Balkan Insight 'Macedonian Albanians Urge Their Parties to Shun Gruevski', 15.12.2016, available at <http://www.balkaninsight.com/en/article/albanians-in-macedonia-ask-their-parties-to-isolate-gruevski-12-15-2016> (accessed 5 January 2017).

board now oppose a further cooperation with Gruevski.²⁹ These critical DUI members and especially the party's mayors know that their constituents' dissatisfaction matters again as early as May 2017, when the country will hold local elections, and their party might suffer another defeat. Thus, even if Ali Ahmeti manages to continue the old coalition, DUI's mayors seem likely to abandon him or even the party, should a new cooperation with VMRO-DPMNE put their chances for re-election at stake. Such a dissolution of DUI would certainly also put into question the government's narrow majority of only one seat in parliament. At the same time, VMRO-DPMNE's track record gives it little room for manoeuvre when it comes to accommodate the 'Platform's' demands, especially after Gruevski has already declared that the crucial issue of bilingualism was unacceptable.³⁰

Second, also external pressure from street protests and the opposition could give a new VMRO-DPMNE/DUI cabinet a hard time. The ruling party has barely tried to hide its opposition to the reform process and especially the work of the SPO. In April 2016 as mentioned before, President Ivanov tried to pardon the suspects in the wiretapping affair and thus to stop all investigations. The move was only revoked after heavy international pressure, but the President even today continues to defend it as an act to save the country (e.g. in his annual speech on 29 December 2016).³¹ During the campaign and also after the elections, senior party officials constantly criticized the SPO for allegedly serving as a political tool of SDSM leader Zoran Zaev, and underlined their refusal to prolong the body's mandate which ends already in March 2017.³² Still, investigations of the wiretapping affair and a comprehensive reform process were the reasons why thousands of Macedonians took to the streets in 2015 and 2016. An end to these processes would thus likely trigger a new round of protests by the likes of the 'colourful revolution' movement, especially as the ruling party seems also determined to increase the pressure on civil society.

Since the elections, instances of government incited intimidation against state institutions and NGOs have proliferated. First, VMRO-DPMNE heavily pressured the State Electoral Commission (SEC) while it was deciding on complaints filed by SDSM

29 *Tahiri, Sefer* (2017): Balkan Insight 'Red lines complicate Macedonia's government talks', 23.01.2017, available at <http://www.balkaninsight.com/en/article/politicians-red-lines-complicate-macedonia-s-government-talks-01-22-2017> (accessed 23 January 2017).

30 Independent (2017): 'DUI leader meets Gruevski and Zaev, positions remain the same', 20.01.2017, available at <http://www.independent.mk/articles/40580/DUI+Leader+Meets+Gruevski+and+Zaev+%2C+Positions+Remain+Same> (accessed 20 January 2017).

31 *Marusic, Sinisa Jakov* (2016): Balkan Insight 'Macedonian President Revokes all Controversial Pardons', 06.06.2016, available at <http://www.balkaninsight.com/en/article/macedonia-president-fully-withdraws-pardons-06-06-2016> (accessed 5 January 2017). Independent (2016): 'Macedonian President Ivanov: Political crisis can be resolved institutionally', 29.12.2016, available at <http://www.independent.mk/articles/40032/Macedonian+President+Ivanov+Political+Crisis+Can+Be+Resolved+Institutionally> (accessed 20 January 2017).

32 Independent (2017): 'Antonio Milososki: SPO works according to SDSM's needs and became pointless institution', 19.01.2017, available at <http://www.independent.mk/articles/40565/Antonio+Milososki+SPO+Works+According+to+SDSM%27s+Needs+and+Became+Pointless+Institution> (accessed 20 January 2017).

and BESA. These complaints were important as they could have altered the election result in case of a re-run in some crucial districts. During the process, VMRO-DPMNE gathered a massive crowd of supporters in front of the SEC's building and demanded for days the rejection of the complaints. The crowd was incited by inflammatory speeches from party officials, making threatening historical comparisons ("this is the night of the long knives"),³³ and Nikola Gruevski himself, who claimed that the SEC was acting in an unlawful manner and as the result of foreign interference in its work.³⁴ Crucially, these statements were made even before the SEC had decided on the matter. It comes as no surprise that both EU and US expressed their concerns over this behaviour.³⁵

Second, VMRO-DPMNE continues to argue for an allegedly existing foreign conspiracy, criticizing unnamed ambassadors and especially billionaire-philanthropist George Soros for their meddling with internal Macedonian affairs. Shortly after the elections, the Public Revenue Office declared to hold financial inspections at critical NGOs, including Soros' Open Society Foundation Macedonia, a step widely interpreted as a measure to threaten government critics.³⁶ On 18 January 2017, several editors of news portals close to the ruling party even announced the foundation of an anti-Soros NGO.³⁷ Such claims of foreign interventions against VMRO-DPMNE sound hollow against the multitude of examples of foreign interventions on its behalf, starting with friendly visits of Gruevski to senior politicians from the European People's Party (EPP) in Munich and Budapest shortly before the elections, and especially the supportive speech by the Austrian Foreign Minister Kurz at a party rally in Skopje.³⁸ However, the claims underline the party's willingness to distract attention from the wiretapping affair and its alleged wrongdoings at all costs.

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- 33 *Marusic, Sinisa Jakov* (2016): Balkan Insight 'Macedonia Government Supporters Pile Pressure on Election Commission', 16.12.2016, available at <http://www.balkaninsight.com/en/article/macedonia-govt-supporters-make-threats-amid-election-uncertainty-12-16-2016> (accessed 5 January 2017).
- 34 *Marusic, Sinisa Jakov* (2016): Balkan Insight 'Macedonia's Gruevski Issues Threats', 17.12.2016, available at <http://www.balkaninsight.com/en/article/macedonia-s-gruevski-gives-threatening-speech-12-17-2016> (accessed 5 January 2017).
- 35 Independent (2016): 'State Department worried about elevated political tensions in Macedonia', 21.12.2016, available at <http://www.independent.mk/articles/39775/State+Department+Worried+About+Elevated+Political+Tensions+in+Macedonia> (accessed 20 January 2017).
- Marusic, Sinisa Jakov* (2016): Balkan Insight 'Macedonian leader's wild language worries EU', 19.12.2016, available at <http://www.balkaninsight.com/en/article/brussels-concerned-by-negative-rhetoric-in-macedonia-12-19-2016> (accessed 20 January 2016).
- 36 *Marusic, Sinisa Jakov* (2016): Balkan Insight 'Macedonia's NGOs face inspections after political threats', 20.12.2016, available at <http://www.balkaninsight.com/en/article/macedonia-s-ngos-face-inspections-after-political-threats-12-20-2016> (accessed 20 January 2017).
- 37 *Marusic, Sinisa Jakov* (2017): Balkan Insight 'New 'Stop Soros' movement unveiled in Macedonia', 18.01.2017, available at <http://www.balkaninsight.com/en/article/macedonia-forms-anti-soros-movement-01-18-2017> (accessed 20 January 2017).
- 38 *Marusic, Sinisa Jakov* (2016): Balkan Insight 'Austrian FM Defends Decision to Back Macedonia Ruling Party', 28.11.2016, available at <http://www.balkaninsight.com/en/article/critics-slam-kurz-s-support-for-macedonia-s-ruling-party-11-28-2016> (accessed 5 January 2017).

Overall, the continued pressure on state institutions and oppositional actors after the elections and the constant use of conspiracy theories underline the ruling party's unwillingness to change its conduct. A new round of protests would thus be a likely response to a new Gruevski cabinet, especially after direct actions against the reform process like the termination of the SPO. This might well also lead to the release of new wiretap 'bombs' by the SDSM, and thus take the process of crisis resolution in the worst case back to square one.

SDSM and ethnic Albanian parties – reform partners, but electoral competitors?

In the case that VMRO-DPMNE fails to form a new government until the end of the official coalition formation period on 29 January 2017, SDSM is likely to be granted the next try. The largest opposition party has shown great openness to the concerns of the Albanian community during the electoral campaign. Nevertheless, this very fact could also make a cooperation more difficult, as SDSM potentially competes with the ethnic Albanian parties in parts for the same votes, and it also leaves the party vulnerable to nationalist attacks and claims to be 'traitors'. Therefore, even if a coalition between SDSM and ethnic Albanian parties is more likely to continue the reform process, it would also be potentially unstable.

At first sight, a coalition between SDSM and ethnic Albanian parties seems potentially much more stable than a cooperation with VMRO-DPMNE. The SDSM made efforts to cross ethnic boundaries during the election campaign and actively struggled for Albanian votes.³⁹ It has not only put ethnic Albanians on its election lists (with two winning seats), but also offered to enhance the status of the Albanian language in Macedonia, thereby attracting support from tens of thousands of disgruntled DUI and DPA voters.⁴⁰ These electoral promises are much closer to the 'Platform', as well as the party's willingness to prolong the SPO's mandate and investigate the wiretapping affair. Still, the SDSM has to prove the credibility of its convictions in government. So far, Zaev has not commented on the 'Platform', and promises for Albanians' rights seem rather vague. When it comes to reforms, the party's current support of the SPO is understandable because it mainly investigates senior government officials. Still, SDSM also has a history of politicized appointments to state institutions just like VMRO-DPMNE, as well as clientelism and patronage. The last local elections under an SDSM government in 2005 were in a similar vein criticized by observers as "they failed to meet key [OSCE] commitments" and "serious irregularities were observed".⁴¹ Nevertheless, the party has since then changed its leadership and now been elected on a distinctive reform ticket. Also, its newly developed links to the

39 See footnote 27.

40 *Musai, Semra* (2016): Balkan Insight 'Macedonian Albanians Mull Joint Platform for Government', 23.12.2016, available at <http://www.balkaninsight.com/en/article/macedonia-albanians-mull-joint-platform-for-government-12-22-2016> (accessed 5 January 2017).

41 *ODIHR* (2005): 'Former Yugoslav Republic of Macedonia, Municipal Elections 13 and 27 March and 10 April 2005, OSCE/ODIHR Election Observation Mission Final Report', 08.06.2005, available at <http://www.osce.org/odihr/elections/fyrom/15401> (accessed 5 January 2017), p. 1.

NGO sector and the protest movement could make it more susceptible to accountability demands. Overall, it seems that both ethnic and reform priorities have at least a much bigger chance of realization with SDSM in contrast to VMRO-DPMNE. Despite of this potential agreement on policies, the party's endeavour to cross ethnic boundaries could also cause trouble, especially during the local election campaign. SDSM is then a direct competitor for Albanian votes, putting a possible coalition to a hard test. In addition, SDSM's lower number of seats means that a coalition would have to include further competing Albanian parties. Thus, even if a minimum winning coalition was formed including only DUI and Sela's 'Alliance' or (less likely) BESA, it could easily fall apart following tensions among these parties during the local election campaign. This is an even bigger danger as both BESA and the 'Alliance' were founded as protest parties and heavily criticized DUI during the last campaign.

Secondly, also an SDSM led coalition would not be immune against street protests and further external pressure from VMRO-DPMNE. The ruling party has shown on multiple occasions that it is able to mobilize people, even if it means to bus them from the countryside to the centre of Skopje.⁴² Such protests were likely to have a strong ethnic component: An SDSM-led government which has given ground to the 'Platform for Albanians' would be very vulnerable to attacks on the basis of alleged external influence from Tirana and Prishtina. It was already argued above that conspiracy theories of external meddling in Macedonia are a staple of VMRO-DPMNE rhetoric. In the case of the 'Platform' they could easily sound credible after Albanian Prime Minister Edi Rama invited the involved parties twice to Tirana before the announcement of the joint platform.⁴³ This visible role of Rama and partly also Kosovo's President Hashim Thaçi could add substance to the threat of an alleged plan to federalize or even divide the country.⁴⁴ Such attacks in combination with protests would give SDSM a hard time to accommodate both ethnic Albanian parties' demands and their own core constituencies' security concerns. The outcome of such a struggle would ultimately depend on the question of whether reform or nationalism is perceived as the most important issue by voters, and whether an opposition led government could credibly implement reforms at all.

In place of a conclusion: New elections soon?

Macedonia held early parliamentary elections on 11 December 2016, which are part of the process of resolving the country's ongoing political crisis. The elections resulted in a narrow majority for the former ruling coalition of VMRO-DPMNE and DUI. Still,

42 See footnote 33.

43 *Mejdini, Fatjona* (2016j): Balkan Insight 'Macedonian Albanian Leaders Plot Joint Strategy in Tirana', 30.12.2016, available at <http://www.balkaninsight.com/en/article/tirana-gathers-leaders-of-albanian-macedonian-parties-12-30-2016> (accessed 5 January 2017).

44 Independent (2017): 'Edi Rama: Albanians do not negotiate for government chairs', 07.01.2017, available at <http://www.independent.mk/articles/40257/Edi+Rama+Albanians+Do+Not+Negotiate+for+Government+Chairs> (accessed 20 January 2017).

the latter has committed itself to a joined 'Platform for Albanians' and open-ended coalition negotiations that might well result in a cooperation with the oppositional SDSM. The article argues that both possible coalition outcomes would stand on very shaky grounds and are thus unlikely to resolve the country's crisis. This argument is based on the expectation of strong internal tensions that could lead to both coalitions' collapse taking into account their only narrow parliamentary majorities. In addition, both coalitions would likely also face strong external pressure in the form of protests demanding reforms (led by SDSM) or a preservation of the inter-ethnic status quo (incited by VMRO-DPMNE).

The outcome might thus well be sooner or later a call for a new round of early parliamentary elections, which would then be a gamble for both camps. On the one hand, the oppositional SDSM and possibly also BESA might expect that the signalling effect from their strong showing in December 2016's elections could increase their fortunes at the ballot box. After people have seen that a majority for the opposition is within reach, those hoping for change in the country but so far reluctant or afraid to embrace it could change their minds in the next round. On the other hand, however, VMRO-DPMNE would most likely use such a campaign to portray its opponents as 'traitors' susceptible to influence from foreign ambassadors, intelligence services, and George Soros. Especially the abuse of Albania's and Kosovo's involvement in the formulation of the 'Platform for Albanians' could turn a next election campaign from a fight for reforms to an exchange of nationalist rhetoric. This would endanger not only the prospects of the reform process and crisis resolution, but also the fragile inter-ethnic relations in the country and potentially stir a different type of crisis.

Ultimately, the question remains whether reforms and thus an end of the crisis in Macedonia are feasible in any political constellation. It is important to remember that many recommendations in the *Priebe Report* do not focus on outright legal changes, but rather on informal rules inhibiting the functioning of existing control mechanisms, such as political pressure on relevant bodies. It is thus not so much a question of formal changes, but rather of change of conduct that will determine whether the rule of law can improve in Macedonia and trust in institutions can be (re)build. For this reason and against the backdrop of VMRO-DPMNE's outright refusal to accept reforms, a change of government is a necessary, but not necessarily a sufficient condition for the initiation of a real reform process.

The election result has clearly shown that a high number of Macedonians is willing to vote for change even under difficult circumstances. This reform constituency should be emboldened by the international community and especially the EU, and any future government pushed to reforms by a high level of international scrutiny in combination with clear incentives. A caveat for the EU's influence, however, is a credible membership perspective and foreseeable progress in the EU accession negotiations. As these are currently blocked by the name dispute with Greece, it seems that also the international community has some homework to do that could ultimately help to resolve the crisis in the country and put Macedonia on a path for change.