



PISM

POLSKI INSTYTUT SPRAW MIĘDZYNARODOWYCH  
THE POLISH INSTITUTE OF INTERNATIONAL AFFAIRS

# BULLETIN

No. 167 (1238), 10 December 2018 © PISM

Editors: Sławomir Dębski • Bartosz Wiśniewski • Rafał Tarnogórski

Anna Maria Dynier • Sebastian Płóciennik • Patrycja Sasnal  
Justyna Szczudlik • Jolanta Szymańska • Marcin Terlikowski • Tomasz Żornaczuk

## Political Effects of Hungary Granting Asylum to the Former Prime Minister of Macedonia

**Tomasz Żornaczuk**

*The former Prime Minister of Macedonia Nikola Gruevski was granted asylum in Hungary on 20 November. Sheltering a politician who has been convicted of abuse of power in a candidate country for EU membership raises legal doubts and political controversy. Hungary's participation in obstructing the operation of Macedonian state institutions constitutes a challenge above all for EU enlargement policy, which aims to strengthen the rule of law.*

The Hungarian Immigration and Asylum Office granted Gruevski asylum just one week after he applied for it, thus barely into the 60-days allowed for a decision. The grounds for asylum have not been made public; however, Balázs Orbán, the secretary of state in the Chancellery of the Prime Minister, referred to security reasons. Other politicians from governing party Fidesz indicated that fears of oppression and doubts about a fair trial in Macedonia, among other things, could have been decisive.

**Legal Doubts.** The fundamental concern is the procedure Gruevski used to inform the Hungarian embassy in Tirana about his intention to apply for asylum in Hungary. The law does not provide for such a procedure. Therefore, it is not clear on what basis the issuance of a “travel document” allowing one-time entry into Hungary without a passport was made.

The opposition accuses the government of illegally allowing Gruevski to enter Hungary. His passport had been confiscated in Skopje, Macedonia, in connection with the final sentencing. The allegation of illegal entry is based on the Hungarian government's failure to disclose the formula it used to issue the “travel document.”

Also in doubt is where Gruevski applied for asylum. Normally, this should be done at the border but Gruevski submitted his application in Budapest, Hungary. The government justifies it by citing security considerations, namely the 2007 asylum act, which makes it possible for people “in need of special treatment.” However, the government has failed so far to reveal the circumstances, which is why the opposition questions this procedure as well.

The decision contradicts a legislative package adopted in June, described by the government as the “Stop Soros” acts. According to them, people who reach Hungary via “safe” third countries cannot obtain asylum in the country. In fact, Hungary recognises as safe countries Albania, Montenegro and Serbia—through which Gruevski crossed—as well as Macedonia.

**Political Controversy.** Hungary's grant of asylum to Gruevski is a precedent. Before him, EU Member States have never granted asylum to a politician convicted in a country aspiring to membership. The former prime minister was convicted of abusing office and power in a corruption-related manner and was to begin serving a two-year sentence the day after he escaped the country. Additional investigations against him are in progress. The verdict in Macedonia is not doubted by EU institutions and the U.S. has also indicated it trusts the integrity of the trial. Hungary, however, has not replied to a request by Johannes Hahn, the EU commissioner responsible for

accession negotiations, to explain the circumstances of the asylum decision, as well as to the European Parliament's call to extradite Gruevski back to Macedonia, as requested by its authorities, also through Interpol.

The Hungarian opposition accuses the government of interfering in Macedonia's internal affairs. Gruevski was transported from Tirana to Budapest by a car belonging to the Hungarian diplomatic corps. However, additional controversy has been raised by his illegal entry into Albania through a so-called "green border." Some Macedonian and German media indicate it is highly probable Hungary was involved in this stage of the escape, too. They base it on the presence of Hungarian diplomatic cars registered to Belgrade, Serbia, at a hotel in Skopje, where Gruevski was staying. The government in Budapest denies that it helped in his departure from Macedonia.

The opposition links the granting of asylum to Gruevski and the involvement of Hungarian entrepreneurs in the Macedonian media market, though it failed to provide evidence to back the claim. The assistance to the former prime minister was supposedly given for fear of revealing an alleged lack of transparency in certain transactions, such as the purchase of the popular—and supportive of Gruevski—TV Alfa by Péter Schatz, a businessman associated with pro-government media in Hungary. The government in Budapest contests these allegations.

**Asylum for Gruevski and Macedonia's Euro-Atlantic Integration.** Public proof of Gruevski's crimes and sentence are an important public interest of the citizens of Macedonia. This is significant because the country has been trying to build public trust in state institutions. For example, in the summer of 2017—just after the change of government in late May that year—confidence in the justice system was only 23%, but by the end of 2018, it had climbed to 33%. Efficient state institutions are, in turn, key to the process of democratisation and European integration. Meanwhile, Gruevski's rule in 2006–2016 led to Macedonia virtually leaving this path. The main goal turned out to be keeping his VMRO-DPMNE party in power, also by undemocratic methods. It became evident especially after the [release of recordings made public in 2015](#) that exposed [vast problems in Macedonian democracy](#), including widespread corruption, nepotism, and influencing court judgments and election results, which was confirmed by, among others, the Council of Europe, OSCE, and Freedom House. Macedonia ended the decade of Gruevski's rule as a country of systemic political corruption (state capture), as indicated by the European Commission in 2016. Along with Kosovo, it was the most corrupt state in the Balkans, and its status of "lack of media freedom" was shared in Europe only by Belarus, Russia, and Turkey.

The former prime minister's escape falls at a turning point in the Euro-Atlantic integration of Macedonia. To achieve this goal, it needs most of all the [implementation of the agreement with Greece](#), concluded in June this year by the new government of Zoran Zaev from the Social Democratic Party. It assumes a change of name of the state to the "Republic of North Macedonia." The accord was supported by, among others, the U.S. and EU institutions. Meanwhile, Hungary, which for years had called for EU and NATO enlargement to the Balkans, [changed its approach to the region](#). Prime Minister Viktor Orbán not only appeared at a Gruevski rally in Ohrid before last year's local elections but also called on his supporters to block the compromise with Greece.

**Conclusions.** Granting Gruevski asylum confirms that Hungary—contrary to Orbán's declarations—does not attach particular importance to the long-term goal of Euro-Atlantic integration of the Balkans, which had been guiding governments in Budapest for almost three decades. The selective interpretation of national asylum procedures, as well as the activities of Hungary in Macedonia in the last dozen or so months, once again raises questions about its policy in the region. This lowers the standard of cooperation with countries aspiring to join the EU and NATO based on compliance with the law, which is the foundation of the Euro-Atlantic security system and the community of interests of the Member States.

Hungary's participation in obstructing the operation of state institutions in Macedonia indirectly undermines the EU's enlargement policy. The European Commission, among other actors, perceives Gruevski's prosecution and sentencing as evidence of the increasing effectiveness of Macedonia's institutions. Meanwhile, Hungary's grant of asylum to Gruevski and refusing to extradite him to Macedonia inherently questions the fairness of the proceedings in the latter and makes it impossible for its justice system to punish this key actor in state corruption. This may lead to a subsequent decline in confidence in state institutions among the Macedonian population. At the same time, actions that may slow EU enlargement in the Balkans put Hungary in this respect in opposition to the EU and the U.S. Complicating the European integration process lies, in turn, in Russia's interest.

Hungary also hampers Visegrad Group policy towards the Balkans. The V4 has a regular dialogue with the region at the ministerial level and develops cooperation at the working level. In June, the V4 in a joint declaration praised Macedonia for its agreement with Greece. Meanwhile, Hungary, in light of its recent actions, undermines the value of such declarations.

By granting asylum to Gruevski, Hungary is in fact acting against the strategic interests of Poland, which promotes EU enlargement policy and as part of it, shares its integration experience with Macedonia. For example, since 2010, Poland has provided such experience through bilateral cooperation within the annual Skopje Conference. Its main purpose is to strengthen Macedonian state institutions. In addition, Poland is currently chairing the Berlin Process, aimed at supporting the development of the Balkan states, with a summit of its participants to be held in 2019 in Poznań, Poland. The actions of Hungary—a country often perceived as a key partner of Poland in many European matters—do not serve the objectives of this process, either.