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PREVENTING HUMAN TRAFFICKING AND ILLEGAL
MIGRATION IN THE REPUBLIC OF NORTH MACEDONIA
AND OTHER WESTERN BALKAN COUNTRIES

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Summary

Over the past decade, migration flows into, out of, and through the Western Balkans have changed rapidly. It is an issue of concern from the point of view of state and personal security and is mostly associated with serious and organized crime and human rights violations. After visa liberalization was introduced for the Western Balkan countries, the region was mainly seen as a source of illegal migration to the European Union. In recent years, all attention has focused on asylum seekers from the Western Balkans. However, it should not be overlooked that the region is also a transit zone for the EU.

To date, there has been little discussion of this phenomenon between researchers and policymakers, although national and regional media are increasingly interested in the issue and bringing it to the attention of citizens. Europe and the world are facing the worst migration crisis since World War II. On their way to Western Europe, where they want to make their lives safe and create the basic economic conditions for their survival, migrants pass through a larger number of countries in Southeastern Europe. In this migration journey, the Republic of Macedonia is one of the most important transit countries of the "Balkan route". The migrant crisis, with its characteristics and scale, has a direct negative impact on the economies of the countries, affects the demographic structure, and can threaten the security of the countries of the European Union and Southeastern Europe.

Abstract

Globalization and the increasing interconnectedness in the world contributed to the increase of illegal migration. Human trafficking and smuggling of migrants are criminal phenomena and there is constant expansion in the world, especially in the region of Western Balkans, thereby affecting the Republic of Macedonia. This was due to the socio-economic changes in the countries in this region, which, among other things, led to an increase in unemployment and the impoverishment of the majority of the population.

Illegal migration through the Western Balkans has reached massive proportions. With the beginning of the profound political and economic transformation, the region became a source of numerous migrants heading west in Europe in search of better opportunities. The opening of frontiers and improvements in communication technologies has greatly eased migration, reducing the costs of resettlement. Moreover, as the transition was often accompanied by political instability and weakness of law enforcement mechanisms. When talking about illegal migration we refer to movements of people across national frontiers in violation of existing regulations. The concept of "human smuggling" refers to an illegal migration process in which an agent is involved in payment to help a person cross a border illegally, while "trafficking in human beings" involves coercion and exploitation of the migrant person.

In 2011, illegal migration followed the same trend as in 2010 concerning the scope and modus operandi of criminal offenses. Thus, the Republic of Macedonia remains a transit country for illegal migration. Regarding origin, migrants come from Afghanistan, Pakistan, Middle Eastern countries, and North Africa. 2011 is characterized with a decrease in the number of illegal migrants from the Republic of Albania, following the implementation of the visa liberalization regime for that country by the European Union, who used the territory of Macedonia for illegal entry into Greece.

Destination countries: Great Britain and other more developed Member States of the European Union. The basic goal of illegal migration is to improve the economic status. The activities for prevention are particularly important in the fight against the illegal migration.

For example, the native countries can work to provide alternatives for the groups that may be particularly susceptible to human trafficking. The countries in transition can work on strengthening border control and the provision of training its employees to enable them to identify the subgroups of victims of human trafficking within larger groups of migrants which pass through their territories, whether it is legally or illegally.

Keywords: Human trafficking, migration, illegal migration, Criminal Law, Human Right Law, crisis, Covid-19

Introduction

According to Protocol to Prevent, Suppress and Punish Trafficking in Persons, published by United Nations in Palermo (2000)[1], trafficking in human beings means recruiting, transporting, transferring, harboring or accepting persons by threat or use of force and other forms of coercion, or abduction, fraud, deception, or the use of power or a state of power or by giving or receiving money or benefits to obtain the consent of a person who has control over another person for the purpose of exploitation. Exploitation shall, at a minimum, include the exploitation of the prostitution of other persons or other forms of sexual exploitation, forced labor or forced servitude, slavery or practices similar to slavery, servitude or the extraction of organs.

As it can be seen from the dissertation, considering today's security situation in the world, it can be said that everyday events such as the various terrorist attacks we are witnessing on a daily basis, and on the other hand, the increasing expansion of organized crime groups, are a major cause of global security threats. It is not just about major conflicts, about wars between states, but about the consequences that they produce. Nowadays, we often see from everyday media coverage that there are various events and events in the world, of which illegal migration is one of the consequences of all these events. Given the situation in Syria, Iraq, Afghanistan and other countries in their environment, we face daily the problems of the current migrant crisis and all those people fleeing war-torn zones, in search of life and a better life.

The more definitive definition of the phenomenon of trafficking follows the trend of self-enrichment. In parallel with the development of the ways in which human trafficking is accomplished and the purposes for which it is done, there is a deepening of theorizing about what the phenomenon, its characteristics and causes are. Existing definitions and legal descriptors are deepened and amended. What was the terminology of "trafficking in human beings" in international treaties and conventions in the early years of the twentieth century has now been further developed into a separate international legal regime.

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[1] Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, United Nations, 2004, p. 41
https://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf

When describing this phenomenon, it is inevitable that international acts should be taken as a starting point, which, by continually supplementing the content of this term, in accordance with new knowledge of it, determine its essential elements. It is seen from them that when specifying, one always refers to the term slavery, which is broader in its content and incorporates trafficking in human beings. "Human trafficking is primarily a serious violation of fundamental human rights and freedoms, in particular the right not to be in slavery or slavery, the right to liberty and security of person, the prohibition of cruel and inhuman treatment and freedom of movement."[2]

The reasons for trafficking in persons are varied. From there, various and newer forms of this crime are born. Therefore, it is necessary to permanently monitor all appearance forms, old and new features of the phenomenon, in order to be able to recognize and detect it.

Furthermore, the advent of illegal migration and the so-called "great migrations of peoples" from these regions endanger the security of countries, both through transit countries and countries that are final destinations. Simply, the arrival of large numbers of illegal migrants threatens economic and political stability, and thus the security of residents of transit and destination destinations of illegal migrants. For these reasons, all these illegal migrants who go to the desired country of destination, they usually carry the most basic things, food, and personal documents (if they have them because a certain number of illegal migrants do not have any personal or other documents with them) and dressing rooms etc. Their goal is to reach a safe destination (destination country) where they can start a 'new' life. It is important to note that despite the fact that in some places they can cross state borders more easily, they do not choose too many resources and ways to migrate illegally.

The abuse of the current situation and the "migrant crisis" leads to the restoration of old ones and the formation of new, well-organized, criminal organizations that will illegally transport, transport, ie. "Smuggle" people.

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[2] Human Rights and Human Trafficking, Fact Sheet No. United Nations, 2014, 36, p.2,
https://www.ohchr.org/sites/default/files/Documents/Publications/FS36_en.pdf

Illegal migration is increasingly characterized by an organized approach to the recruitment, transportation, reception, and exploitation of illegal migrants in the country of destination.[3]

Low risk and high profitability have equalized the scope of this crime business with the illicit trafficking of white slaves human trafficking, narcotics, and weapons globally. The human trafficking and illegal migration in this dissertation will be described theoretically according to many relevant authors. Throughout the world, human trafficking is a complex, social, multidimensional, criminal, and social problem that violates the fundamental human rights and freedoms of victims of trafficking. As a form of organized crime, trafficking in human beings also violates the constitutional and legal principles and standards of the modern democratic society.

Human trafficking is a phenomenon of modern slavery and a complex issue that needs to be addressed in the context of the prevention, repression, and punishment of perpetrators due to the violation of the basic human rights of victims. Globalization and increased interconnectedness in the world and the visa-free regime have contributed to increasing illegal migration, thereby increasing human trafficking and smuggling of migrants around the world. Trafficking in human beings and smuggling of migrants are criminal phenomena and are in constant expansion in the world, especially in the Western Balkan region, with the influence of the Republic of Macedonia. This is due to the socio-economic changes in the countries of this region, which, among other things, have led to an increase in unemployment and the impoverishment of the majority of the population. Illegal migration and human trafficking through the Western Balkans has reached a large scale. Most of them include the migrant crisis in 2015, faced by the Republic of Macedonia and the whole Balkan region down to Central Europe. With the huge migration crisis in the region in 2015, the Republic of Macedonia became a source, transit, and country of destination to numerous migrants, most of whom stayed in the Republic of Macedonia, and the smaller part headed to Western Europe looking for better opportunities. Migrants and refugees who come from Middle Eastern countries and who pass through the Republic of Macedonia, especially women and children, to reach the desired destination are a vulnerable group and an easy target of criminal networks dealing with human trafficking and smuggling of migrants.

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[3] Exploitation and abuse of international migrants, particularly those in an irregular situation: a human rights approach, Global Migration Group, 2013

In this hypothesis named Preventing human trafficking and illegal migration in the Republic of North Macedonia and other Western Balkan countries, we will be witnessing the changes in our world that have the intention to prevent human trafficking and illegal migration. According to this, there are a few research questions that are going to be discussed and answered in this doctoral dissertation.

To achieve the needed results, the present scientific research intends to provide answers to the following questions:

1. How Covid-19 pandemic have an impact on human trafficking?

2. What is the impact of the Covid-19 pandemic on the protection of the rights of victims of trafficking and exploitation?

3. How Covid-19 pandemic have an impact on the human trafficking industry

4. What is the situation with human trafficking in the Western Balkans during a pandemic

5. What is the exact situation with human trafficking in the Republic of Macedonia?

The hypothesis of the study is the following premise: in order to understand the prevention of human trafficking and illegal migration in the Republic of North Macedonia and other Western Balkan countries, and in that context, there are six central considerations, circumstances, processes, and their correlation must be observed. Namely, those are:

1. Clarification of terminology for human trafficking and illegal migration

2. The historical background of migration, illegal migration, and human trafficking

3. Criminal Law and Human Rights Law

4. International cooperation, prevention, and protection

5. Impact of the Covid-19 pandemic on illegal migration and human trafficking in the Western Balkan countries

Further, the Republic of Macedonia is in the geographical region where human trafficking is present and has been identified as a country of transit and final destination. In the efforts to build a unified approach of the countries of Southeast Europe for the promotion, i.e. affirmation of human rights, but also for the fight against transnational organized crime, the Republic of Macedonia has accepted all relevant documents of the United Nations, European Union, Council of Europe and Pact of stability. Some of them, such as the Universal Declaration of Human Rights and the International Covenant on Economic, Social and Cultural Rights, were adopted by succession, while the European Convention for the Protection of Human Rights and Fundamental Freedoms in 1950[4], the UN Convention on the Elimination of All Forms of Discrimination against Women against transnational organized crime[5], the Palermo 2000 Protocols and the Brussels Declarations of 2002, Tirana 2002, Sofia 2004, etc., have been signed and re-ratified in recent times. In accordance with the Constitution, ratified international agreements are part of domestic law and cannot be changed by domestic laws.

The basic legal framework for trafficking of human beings in the Republic of Macedonia consists of Articles 418-a, b, c of the Criminal Code and the United Nations Convention against Transnational Organized Crime of 2000 with the Protocol on Prevention, Suppression and Punishment of Trafficking in Human Beings, in particular women and children and the Protocol against Smuggling of Migrants by Land, Sea and Air[6], which the Republic of Macedonia ratified on September 28, 2004.

The Republic of Macedonia is highly committed in the field of human trafficking, with a large number of national laws being amended with international documents in this area regarding the identification and protection of victims of human trafficking, as well as criminal prosecution and punishment of perpetrators.

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[4] Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocols No. 11 and 14, Council of Europe,
https://www.eods.eu/library/CoE_European%20Convention%20for%20the%20Protection%20of%20Human%20Rights%20and%20Fundamental%20Freedoms_1950_EN.pdf

[5] The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW),
https://www.un.org/womenwatch/daw/cedaw/cedaw.htm

[6] Protocol against the Smuggling of Migrants by Land, Sea and Air,
https://www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM_Protocol_English.pdf

Chapter 1: Clarification of Terminology for Human Trafficking and Illegal Migration

1.2. The meaning of Human Trafficking

The term "human trafficking" is one of the forms of transnational organized crime consisting of the unlawful realization of an economic or other benefit from the sale of migrants, which is achieved through the law, recruitment, transport, crime, relocation, etc., by the intermediaries, as well as the various types of their exploitation by those who hold them in a certain dependence and subordination.[7]

When talking and writing about human trafficking, some authors tend to link it to illegal migration and smuggling of migrants, while another part to prostitution and mediation in trafficking. Trafficking in human beings is much more than that, and the problem of trafficking in minors as a form is very sensitive, and the need for its theoretical elaboration is enormous (especially after the passage of many international acts in this field still having problems finding it its place in practice).

The historical dimension of trafficking has contributed, on top of the prevalence of trafficking in human beings, to crime throughout the development of society, and has been modified in accordance with, and dependent on, the social and economic relations that have prevailed. Today, the most common form of this crime is trafficking in women for forced prostitution, initially referred to as the slave trade. "In modern society, as a result of sexual exploitation in all aspects of life, this form of trafficking represents the exploitation of women through prostitution, forced prostitution, and other similar forms of crime".[8] Many authors point to the close link between prostitution and human trafficking and the fact that prostitution, in some way, stimulates it. That is why it is emphasized that it should not be legalized.[9]

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[7] Сулејманов, З., (2007), Криминологија, Графос, Скопје.
[8] Биљали, А., (2007), Меѓународните и националните аспекти на трговијата со жени и нејзината поврзаност со проблемот на проституцијата, Тетово.
[9] Биљали, А., (2007), Меѓународните и националните аспекти на трговијата со жени и нејзината поврзаност со проблемот на проституцијата, Трговија со луѓе-правни аспекти, Универзитет на Југоисточна Европа, Тетово

Poverty gives birth to prostitution among unemployed young women, so legalizing it can only address some sanitary and hygienic issues that are widely talked about globally, but will not contribute to suppressing forced prostitution, on the contrary.[10] Women from some countries are being forced to leave their home country and end up being victims of the sex industry abroad. Some countries only appear to be transit countries through which victims are transported, and many other countries receive foreign nationals who have become victims of sexual exploitation.[11]

Analyzing again the profiles of the perpetrators of these crimes, it is concluded that there are mainly two types of perpetrators: those who find, recruit, and transport victims to other users, and the properties of "agencies", brothels, cafes, catering facilities .... ie persons who buy the victims for their own needs.[12] However, different perpetrator profiles appear when committing the crime (Investors investing and overseeing the operation, victims' domiciliary, carriers, corrupt public officials providing illegal entry and exit, informants collecting border surveillance data, guides, etc.). The perpetrators are almost always members of organized crime groups, which results in the systematization of trafficking in human beings within organized crime. It is a "structural group of three or more persons that exist for a specified period of time and acts in accordance with the purpose of committing one or more serious crimes or violations, with a view to directly or indirectly obtaining financial or other material benefits".[13]

Human trafficking is the fastest-growing criminal industry in the world, the United Nations estimates that approximately 2.5 million people from 127 different countries are sold worldwide. Children under the age of five are sold to couples without children, but also for organ transplantations. Those under 12 are used for child pornography, as well as for human organs. Minors over the age of 12 are often forced into prostitution.[14]

According to the above, the synchronized international engagement and deployment of instruments in support of the suppression of human trafficking is an essential precondition for launching   and   conducting   a   serious   fight   against   this   crime.

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[10] Сулејманов, З., (2007), Криминологија, Графос, Скопје.
[11] http://www.interpol.int/public/thb/women/default.asp
[12] Арнаудовски, Љ., Стојановски, Т., (2002), Трговија со луѓе-криминалитет, Скопје: Скенпоинт –Скопје
[13] Convention against transnational organized crime, 2018
[14] http://www.nacionalnakomisija.gov.mk

Its element of organization must be met with even greater organization and compactness of all participants in this struggle. That is the only way we can rise above the criminal minds.

1.2.1. Elements of Human Trafficking

Human trafficking is a type of crime and a historical phenomenon that follows society through all stages of its development. In the past, the term human trafficking referred to trafficking in women for the purpose of prostitution. Today, however, the term trafficking means recruiting, transporting, transferring, sheltering, or accepting persons, through threats or the use of force or other forms of coercion, or kidnapping, fraud, deception, or abuse of power or powerlessness, or by giving or receiving money or benefits, for the purpose of obtaining the consent of a person who has control over another person, for the purposes of exploitation. Exploitation, at a minimum, covers the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or forced labor, slavery or practices similar to slavery, servitude or the removal of organs. Definition of the term "trafficking in human beings" under the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children.[15]

Analyzing this definition, we come to the conclusion that it essentially consists of three interdependent components: activity, instruments, and purpose.[16]

1. Activity:

Where are the recruitment, transport, transfer, acceptance or admission of persons?

2. Instruments:

Through threats and the use of other force or other forms of coercion, kidnapping, lying, fraud, abuse of power or a state of vulnerability, or the giving or receiving of wages or benefits in order to obtain the consent of a person having control over another person.

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[15] UN. (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. http://www.osce.org/odihr/19223?download=true

[16] Биљали, А., (2007), Меѓународните и националните аспекти на трговијата со жени и нејзината поврзаност со проблемот на проституцијата, Трговија со луѓе-правни аспекти, Универзитет на Југоисточна Европа, Тетово

3. Purpose:

For exploitation, it can be done in different ways but the ultimate goal is to achieve illegal property gain. Exploitation of other persons is an essential element of human trafficking that sets it apart from other types of crime. Exploitation includes, at a minimum, the exploitation of prostitution of other or other forms of sexual exploitation, forced labor or services, slavery or practices similar to slavery, servitude, or the removal of organs.

On the other hand, integral elements of the term human trafficking are the following elements: the crime (what has been done); the means (how it was done), and the purpose of the exploitation (why it was done).

The first element, ie the actions are: recruiting, transporting, transferring, sheltering, receiving persons, etc. The second element is with use of force, threat of force, coercion, kidnapping, fraud, lying, abuse of power or vulnerability, and giving or receiving benefits. The third element is that the person committed the essential acts with the intention of the victim being "exploited". In order for the work to exist, it is necessary to fulfill the first two elements with the intention to be exploited. That is, human trafficking is committed through the acts of recruitment, transportation, transfer, shelter, reception of persons, means of threat or use of force or other forms of coercion, kidnapping, fraud, lying, abuse of power or a position of vulnerability or giving and receiving money or benefits to obtain the consent of a person who has control over another person, for the purpose of exploitation.[17]

From the previous definition of human trafficking, we can see that today this phenomenon is manifested with new phenomenology, content, and new participants, ie this term is expanding and it now covers not only women but also men, children, and girls, appear new forms of slavery, use and, exploitation, and how it appears and the means and methods used to do are irrelevant. However, today there is no universally accepted definition of human trafficking, but rather definitions given by governments, regional bodies, and NGOs.

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[17] Лабовиќ, М., Николовски, М., (2010), Организиран криминал и корупција, Скопје

1.2.2. The international nature of Human Trafficking

Human trafficking is a problem on an international scale. The fight against suppression of this crime cannot be framed solely within the borders of one state. It must necessarily be reflected, at least, in the neighboring countries and beyond. It is for these reasons that it is necessary to harmonize prevention and anti-trafficking strategies, legislation, and virtually the whole phenomenon of trafficking in human beings - what it is and how it should be treated. Hence the interest of the international community today, treat such trafficking as a serious form of organized crime, to prohibit it criminally and in a single way to prevent, suppress and punish it in all countries. To that end, a multitude of documents have been produced that form a unified legal framework for a more efficient and organized fight.

"The international community is taking the lead in preventing this phenomenon by promoting leading institutions: in terms of legislation - United Nations (UN), Council of Europe (CoE), Organization for Security and Co-operation in Europe (OSCE), The International Organization for Migration (IOM), the United States Agency for International Development (USAID), the International Center for Migration Policy Development (ICMPD) and others, political and security: North Atlantic Alliance Organization (NATO), OSCE, European Union (EU), The Pact for Stability, the International Program for criminal investigations (ICITAP), the Regional Center for Combating Trans-Border Crime Initiative for Cooperation in Southeast Europe (SECI) and others, economic: the EU, the World Trade Organization (WTO) and other.".[18]

Alongside them, there are regional centers that implement strategies and programs to combat trafficking in human beings. However, the enormous role that NGOs play in combating trafficking leads to the need for their international networking to achieve better results, especially in the field of protection and social reintegration programs.[19]

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[18] Стојановски, Т., (2016), Трговија со луѓе, Македонска ревија за казнено право и криминологија - седмо редовно советување на тема: 10 години од примена на Кривичниот законик на Република Македонија, Охрид

[19] Данаилов, В., (2011), Трговија со луѓе – криминален бизнис со робовладетелски лик, Меѓународна организација за миграции мисија во Скопје, Скопје

Criminals are creative and use all available means to cover up, rationalize, and justify slavery - be it race, ethnicity, religion, gender, caste, "custom" or any other excuse or vulnerability. Modern slavery is not always as obvious as some other crimes, murders and even theft. Modern slavery involves an extreme abuse of power, which is not always immediately apparent and at the same time requires a broader understanding of the people and relationships involved.

Human trafficking is a form of modern slavery where people profit from the control and exploitation of others. Human trafficking is a crime that is often unreported due to its hidden nature, various misunderstandings regarding its definition, and lack of awareness of its indicators at the local level.

According to the Global Slavery Index 2013, 29.8 million people are in modern slavery worldwide. Traffickers generate billions of dollars in profits each year, exploiting millions of people around the world. Human trafficking is recognized as one of the fastest-growing criminal industries in the world.[20] Like the drug and arms trade, human trafficking is driven by a market based on the principle of supply and demand. Human trafficking is driven by the demand for cheap labor or services or for sexual services. Traffickers are the ones who exploit victims in an attempt to make a profit through existing demand. It is also said that human trafficking is a highly lucrative and low-risk crime committed by traffickers.[21]

Many factors make children and adults vulnerable to human trafficking. However, human trafficking does not exist simply because many people are in a vulnerable position that can be exploited.

Human trafficking exists in every country in the world, regardless of socioeconomic status, history or political structure. Modern slavery is a global issue. Some countries have a bigger problem than others, but in fact, this crime affects us all. Human trafficking knows no bounds, and the products of modern slavery spill over into global supply chains, local stores, and eventually into our own homes.

According to the US Department of Labor, 122 products have been identified, in 58 countries produced by forced labor, child labor, or both, which in turn challenges states to exploit

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[20] http://cde.peru21.pe/doc/0/0/1/5/9/159661.pdf
[21] http://www.globalslaveryindex.org

consumer power to end widespread exploitation by raising public awareness for the selection of goods that are not contaminated by forced labor or child labor.

Many of the problems that help modern slavery flourish are also global: corruption, conflict, poverty, discrimination, and the impact of poor or declining economic conditions and adverse environmental change.

Human trafficking is a modern form of slavery in the 21st century. Millions of women, children and men are forced into prostitution, domestic service, fieldwork, begging, and other forms of coercion. Traffickers have created an international market for human trafficking in reliance on high profits and demand for commercial sex and cheap labor.

According to the latest ILO (International Labor Organization) report, an estimated 20.9 million men, women and children are trafficked for commercial sex or forced labor worldwide today and are in a state of disarray. to leave, have been forced or deceived, that is, at any given moment in time, about three out of every 1,000 people in the world suffer in forced labor. Victims are trafficked in and across international borders. Although most forms of modern slavery are illegal worldwide, existing statistics suggest that laws are rarely used and enforced. According to the US State Department's 2013 Trafficking in Persons Report, while 46,570 victims of human trafficking were officially identified in 2012, there were only 7,705 indictments and 4,750 indictments globally.[22]

In fact, the reality of modern slavery is that millions of people are still in captivity today, serving the criminals who control them.

So far, almost every country in the world has committed itself to preventing and eradicating modern forms of slavery by applying appropriate measures (national policies and laws, treaties with international conventions, etc.).

"97 countries or 49.7% of the member states of the United Nations are part of the 1926 Slavery Convention; 23 countries or 63.7% of the member states of the United Nations are part of the 1957 Additional Slavery Convention; 176 countries or 91.1% of the member states of the United Nations are part of the Convention on Forced Labor; 154 countries or 79.7% of the United

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[22] http://www.ilo.org/wcmsp5/groups/public/—ed_norm/—declaration/documents/publication/wcms_181953

Nations member states are part of the United Nations Protocol on Trafficking in Human Beings".[23]

Individuals, civil society organizations, and trade unions are considered to have a role to play in addressing this major human rights violation, but it is only the governments of the states that have the power to enact criminal and other relevant laws, as well as to allocate the national budget for funding. and law enforcement.[24]

1.3. Difference between Human Trafficking and Smuggling of Migrants

Smuggling of migrants and trafficking in persons are both forms of illegal migration. There are thus some basic similarities and differences between the two concepts.

The similarities between trafficking and smuggling are that both involve recruiting and transportation arranged by criminal networks. Both phenomena include e.g. recruiters who promise better lives in countries of destination, ways of transport that utilize weak links in border control measures, corruption, and links between local and international organizers. The same organizations can be involved in both smuggling and trafficking and they often cooperate both nationally and internationally in order to facilitate their activities.[25]

The main difference between the smuggling of migrants and trafficking in persons is that trafficking is by definition for exploitative purposes. Trafficking is thus a more long-lived criminal activity than the smuggling of migrants is. The profit of smuggling in migrants comes mainly from the organisation of entry into another country while the profit of trafficking comes from both the transportation of the person being trafficked, and from the exploitation the person is subjected to. It is this long-term exploitation that yields the largest profit. Persons being smuggled often share a mutual interest with their smugglers, i.e. they wish to enter another

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[23] http://www.state.gov/documents/organization/210737.pdf
[24] UNODC, (2021), Impact of the Covid-19 Pandemic on Trafficking in Persons – Preliminary findings and messaging based on rapid stocktaking
[25] Травнер, А., (2020), power point презентација Борба со нелегалната миграција – искуства од минатото, од 04.12.2012, печатена верзија предадена на авторот

country. This is, however, sometimes also the case in trafficking. Although the victim of trafficking might originally have consented to the trafficking, it is the exploitative characteristics that differentiate trafficking from smuggling. Trafficking in persons is thus a crime against a person, while smuggling can be regarded as a crime against state sovereignty.

In order to prevent and combat the smuggling of migrants it is thus necessary to reveal more cases of smuggling and to sanction the smugglers. Although there are many good examples of sharing of information there is a need for intensified cooperation among law enforcement agencies to combat the use and producing of falsified documents. There is also the need for prosecution guidelines and multiagency working groups, both nationally and internationally.[26]

As to the preventive measures, economic incentives and information campaigns can have an effect in preventing the smuggling of migrants in the first place. Some argue that legal immigration programmes could be one solution for curbing smuggling. There are different experiences of this approach. In Germany, there exists very little smuggling of persons from Poland as compared to other countries in the vicinity of Germany. Polish citizens can obtain legal entry quite easily in Germany (http://www.uni-bamberg.de/projekte/humsmug).

However, counterarguments from the U.S. and Canada claim that despite means of legal migration, these two countries continue to attract large numbers of illegal migrants.[27]

In implementing the Protocol it is crucial to focus both on the organizations procuring the smuggling, and the people being smuggled. We can all agree that organized crime must be combated since it poses a national security problem to all states. However, the smuggling of migrants is not just a problem of transnational organized crime, but also a problem of human security, that is, of the security of the persons being smuggled (Goodey, 2000). Hence any criminal justice measures need to, ideally, also recognise the point of view of the persons being smuggled. The major global threat is not the high number of potential migrants being smuggled. The major threat is instead the organized criminal networks that operate around the globe. With the delicate implementation of the Protocol to Prevent the Smuggling of Migrants the

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[26] Bjelajac, Ž., (2008), Organizovani kriminalitet vs Srbija, Pravni fakultet za privredu i pravosuđe, Novi Sad.
[27] Conference Report of the two Transatlantic Workshops on Human Smuggling, 2020

international community can both ward off some of the threats of transnational organized crime, and protect the security of those who are less fortunate.[28]

1.4. Trafficking Process

According to the European Union Agency for the Cooperation of Law Enforcement Bodies (Europol), more than 90% of illegal migrants coming to the EU use the services of smugglers on parts of the journey or the whole journey. Two-thirds of these migrants do not meet the criteria for international protection and will eventually have to return. Due to restrictive measures in the context of the COVID-19 pandemic, the smuggling of migrants has become more complex, which is why criminal networks are more involved in smuggling, prices are rising, and thus higher profits are being made. In the first half of 2021, illegal border crossings increased by 59% compared to the same period in 2020. It is obvious that migrant smugglers quickly adapted to the new circumstances: after the initial slowdown in March and April 2020, activities continued rapidly.[29]

1.4.1. Criminal smuggling networks - how they work

Smugglers endanger people's lives, give them false promises and cause serious damage. The fundamental rights of migrants are often seriously violated and they are often unable to seek help due to their illegal status. Migrants, especially those in vulnerable positions, such as unaccompanied children and minors, are exposed to violence, extortion, exploitation, rape, abuse, theft, kidnapping, and even murder (Global Study on smuggling of migrants, 2018). According to the International Organization for Migration, since 2014, more than 20,000 migrants have died trying to cross the Mediterranean, of which 1,369 in 2021.[30]

Smuggling of migrants is a key activity for criminal networks driven by constant demand. This demand is expected to continue, influenced by several drivers: demographic growth with

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[28] http://www.dfat.gov.au/illegal_immigration/people_on_the_move_global.html
[29] Europol, (2020). 'The challenges of countering human trafficking in the digital era, https://www.europol.europa.eu/publications-documents/challengesof-countering-human-trafficking-in-digitalera
[30] Europski centar za borbu protiv krijumčarenja migranata, Peto godišnje izvješće – 2021. (Europol, 2021.).

accompanying socio-economic difficulties and insufficient employment opportunities, discrimination, instability, conflict, environmental degradation and climate change, the EU's image as economic, political, social and environmental more stable regions and misinformation and untrue stories of smugglers, who attract migrants to embark on dangerous journeys with promises that do not correspond to the real situation.

Additionally, the medium- and long-term health, economic, social and political consequences of the pandemic could encourage illegal migration to Europe and thus support the demand for smuggling services. In the past, countries particularly affected by long-term unemployment have become countries of origin for migrant smuggling and human trafficking to richer countries.[31]

Furthermore, deteriorating economic conditions in the EU could increase the demand for cheap labor on the black market, which is likely to attract illegal migrants and lead to labor exploitation, including forced labor.

Smuggling networks can quickly adjust their offer of illegal services. They function in different ways, depending on the geographical location and the context in which they operate. They offer a variety of services, including a variety of transportation, safe houses along the route, and forged travel documents. In air transport, the main role is played by the forgery of documents (identity cards and visas), while inland transport, travel involves hiding in vehicles or even crossing borders on foot.

Smugglers use a variety of payment systems, from online payments to illegal banking systems, in which money is paid and collected after the delivery of a contracted service. Digital smuggling is a new challenge facing law enforcement and judicial authorities as smugglers increasingly use digital services and tools, such as social media and mobile applications, to find potential migrants, communicate and transfer money, receive and hand over migrants, give route instructions, exchanging pictures and videos of documents and maps, and even monitoring the activities of law enforcement agencies.

It is estimated that smuggling networks generate large profits from criminal activities, ranging from € 4.7 billion to € 6 billion per year globally.

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[31] UNODC, (2021), Impact of the Covid-19 Pandemic on Trafficking in Persons – Preliminary findings and messaging based on rapid stocktaking

Although the prices of smuggling services seem to vary depending on the routes and facilitation services provided, investigations into migrant smuggling cases have found that the prices of these services can usually reach € 20,000 per person (Global study on smuggling of migrants, 2018).[32]

The profile, organization and activities of smugglers and smuggling networks and the level of illegal services they provide vary considerably depending on the socio-economic, political and cultural context in the partner countries. Smuggling of migrants as an illegal economic activity supports a much wider range of activities in countries of origin, transit and destination, from shopkeepers selling life jackets or travel supplies to car rental, boat and hotel owners in certain transport hubs and money transfer providers. Smuggling networks often depend on connections established in the community, through which smuggling services are recommended to other potential migrants and through which payment is guaranteed.[33]

Organized crime structures that can perform complex actions involving the full range of migrant smuggling services along the entire route are a major risk to Europe's security, especially for individuals at the top of these criminal organizations. Approximately 50% of networks involved in migrant smuggling deal with several types of crime and are also involved in human trafficking, drugs, excise fraud, illicit arms trafficking and money laundering.[34]

Criminal networks are increasingly organizing marriages of convenience as part of sophisticated fraud systems, in which they make a profit by luring (mostly) vulnerable women into seemingly "easy earnings" but instead trapping them in a network of exploitation and abuse.[35]

In some cases, these networks are linked to violent criminal organizations and / or armed groups (for example in some areas of the Sahel) that are paid for safe passage through parts of the area under their control. In other cases (Libya, for example), local paramilitaries appear to be increasingly involved in smuggling.

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[32] Europski centar za borbu protiv krijumčarenja migranata, Peto godišnje izvješće – 2021. (Europol, 2021.).
[33] Typology of Migrant Smuggling: A holistic understanding, (2021), International Center for Migration Policy Development, April 2021).
[34] Typology of Migrant Smuggling: A holistic understanding, (2021), International Center for Migration Policy Development, April 2021).
[35] Europski centar za borbu protiv krijumčarenja migranata, Peto godišnje izvješće – 2021. (Europol, 2021.).

1.4.2. Movements of illegal migration flows

Although routes may change rapidly due to increased border measures and controls, law enforcement activities or security risks, smuggling centers where the supply and demand of smuggling services meet, are usually relatively stable. These are usually capitals or large cities located at the intersections of important migration routes. Smugglers proactively search for potential migrants, among other disinformation campaigns about routes, risks and conditions in destination countries. Smuggling networks continue to be used mainly on the three Mediterranean routes (Western Mediterranean, Central Mediterranean and Eastern Mediterranean) and the West African route (also known as the Atlantic route) to bring illegal migrants into the EU. It is estimated that 85% to 90% of migrant smuggling in the EU is done by sea.

The Mediterranean route has seen a steady increase in arrivals in Italy and Malta compared to 2020. On the Western Mediterranean route, Algeria has become a major starting point for mainland Spain, with the Canary Islands an increasingly popular destination on the West African route. Since August 2019, there has been a gradual increase in the number of detected cases of illegal border crossings at sea in the Canary Islands, while since August 2020 there has been an exponentially sharp increase. Although overall migration flows to Greece and Bulgaria on the eastern Mediterranean route have declined over time, they remain persistent. The demand for smuggling migrants crossing the Western Balkans remains high.

As a result of travel restrictions imposed by the COVID-19 pandemic, the number of migrants remaining in the Western Balkans increased in 2020 and 2021. Due to persistent instability in countries such as Syria or South Sudan, migratory pressures could continue or increase.[36]

The ongoing crisis in Afghanistan could further increase the risk of forced displacement, migration flows in the region and the smuggling of migrants to the EU. In line with the Council conclusions of 21 September 2021, the EU will also launch a regional policy platform for cooperation with Afghanistan's immediate neighbors to help prevent the spill-over effects of the

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[36] ICAT, (2021), COVID-19 pandemic and its impact for victims and survivors of trafficking in persons

region and support economic resilience and regional economic cooperation, as well as humanitarian needs and needs of protection.[37]

Smuggling does not end at the EU's external borders. The range of services to facilitate trafficking in the EU is very diverse. Smuggling networks continue to use routes within the EU from Spain, Italy or Greece to France, Germany and other countries, facilitating the movement of illegal migrants by land (on foot or by vehicle), vessels and aircraft. The usual way is to hide in closed compartments or use rented vehicles. Smugglers offer their services online and in places where most migrants are located, for example near reception centers. By falsifying documents, they facilitate air travel, and sometimes offer services to legalize the residence status of migrants. Illegal migrants often want to come to EU countries or the United Kingdom where they have family or friends or where their diaspora is located and where they feel they have the best chance of getting a job and earning for living. There is evidence that smugglers facilitate the illicit movement of beneficiaries of international protection.[38]

1.4.3. State actors instrumentalizing illegal migration

Recently, a very disturbing phenomenon of the growing role of state actors in the artificial creation and facilitation of illegal migration has been observed, with migration flows being used as a political tool for political purposes.[39]

In June 2021, a new and serious attempt to destabilize the European Union and its member states emerged: Belarus responded to EU sanctions by organizing state-sponsored smuggling of migrants to EU aircraft from several third countries (mainly Iraq, but also the Republic of Congo and Cameroon, Syria and other countries). These migrants usually have a valid visa or do not need one. Belarus has announced the suspension of its readmission agreement with the EU, which was ratified in 2020, and has refused to accept illegal migrants who came to the EU

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[37] IOM (2021). World migration report. International Organization for Migration, 17 route des Morillons, Geneva, Switzerland

[38] Whelan, A., Delgado, M., (2020), Burning with hatred, The right-wing extremist who hated immigrants and multi-culturalism, www.dailymail.co.uk/news/article-2017962/Anders-Behring-Breivik-Right-wing-extremist-hated-immigrants-multiculturalism.html

[39] IOM (2021). World migration report. International Organization for Migration, 17 route des Morillons, Geneva, Switzerland

through the country. Migrant smugglers took advantage of this situation, especially the actions of the Belarusian authorities, and offered illegal services and online guidelines for migrants on how to illegally reach Belarus and illegally cross the EU's external border with Lithuania, Latvia or Poland.[40]

Organized attempts to use illegal migration for political purposes are a growing concern, and this issue should be addressed jointly by the EU and its Member States.[41]

1.5. The meaning of Illegal Migration

Migration is a contemporary, global phenomenon that signifies any permanent change in the place of residence of an individual or social group, or any form of temporary or permanent movement of an individual in space.[42]

Migration is the physical movement, temporary or permanent relocation of a population from one sociocultural setting to another, or from one country to another. So migration can be domestic and international.[43]

Therefore, migration involves the emigration of a population from one area and its temporary or permanent settlement (settlement, ie immigration) to another.

International migration means any transboundary movement of a population and its reception and presence, of different duration, in the country to which immigrants drain, irrespective of the subjective motives and individual characteristics of the participants in this process and the migration policy of the countries between which migration takes place.

There are two primary elements in interpreting international migration: mobility; entry and stay in a foreign country, and foreign citizenship.[44]

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[40]https://www.consilium.europa.eu/en/press/press-releases/2021/07/30/belarus-declaration-of-the-high-representative-on-behalf-of-the-eu-on-the-instrumentalisation-of- migrants-and-refugees-by-the-regime

[41] ipcr-presidency-statement-final_18-8-2021.pdf

[42] Мијалковић, С., (2009), Супротстављање трговини људима и кријумчарењу миграната, Службени гласник, Београд

[43] Мијалковић, С., (2009), Супротстављање трговини људима и кријумчарењу миграната, Службени гласник, Београд

If they are done in accordance with the regulations of the country of emigration and the country of emigration, it is legal migration, otherwise, it is illegal migration, ie so-called. illegal migration, which is manifested through unorganized and organized forms.

Organized illegal migration is characterized by an organized approach to the recruitment, transportation, reception or exploitation of illegal migrants in the country of destination. It manifests itself as smuggling of migrants and human trafficking. Every case of trafficking is not a form of illegal migration, but only one in which the victim illegally enters, transits or resides in the territory of a foreign country. International Organization for Migration estimates indicate that between fifteen and thirty million people worldwide have the status of illegal migrants at any given time.

Smuggling of migrants (people) means ensuring the illegal entry into a foreign country of a person who is not a national or is not permanently resident, with a view to obtaining, directly or indirectly, financial or other material benefits. Illegal entry is any crossing of the state border without respecting the necessary conditions for legal entry into the country of destination. Such, intermediary activity that enables illegal entry into a foreign country, with the consent of persons who are the subject of smuggling, is also called organized illegal immigration.[45]

Like all the foregoing, trafficking involves the recruitment, transportation, transfer, concealment or admission of a person, by threat of force or the use of force or other forms of coercion, abduction, fraud, deception, misuse of authority or difficult position, or the giving or receiving of money, or used to obtain the consent of a person in control of another person for the purpose of exploitation. Exploitation includes, as a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labor or service, slavery or a relationship similar to slavery, servitude or the removal of organs; the victim's consent to the intended exploitation is irrelevant in cases where any of the measures set out in subparagraph (a) were used; recruiting, transporting, transferring, hiding or receiving a child for exploitation purposes shall be

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[44] Срдић, Ђ.Љ., (2007), Узроци и типови међународних миграција, Међународни проблеми, број 4, Институт за међународну политику и привреду, Београд

[45] Милосављевић, М., (2012), Илегалне миграције, Кријумчарење и трговина људима – планетарни проблем – одабрани аспекти – Актуелна ситуација у Босни и Херцеговини, Securitas, Сарајево

considered as trafficking in human beings even if it does not cover any of the means set out in subparagraph (a); the child is a person under 18 years of age.[46]

From this determination, it can be concluded that crossing the internationally recognized border by the victim is not a necessary condition for the existence of human trafficking as a form of transnational organized crime. Moreover, human trafficking does not have to be organized by organized crime groups.

There is often no difference in theory and practice between these phenomena. The importance of distinguishing between these two phenomena is reflected in the legal qualification of the phenomenon of endangerment, that is, in the adequate sanctioning of the offender according to the gravity of the crime that is committed, especially given that trafficking is an occurrence of endangerment, which is certainly more socially dangerous than human trafficking. Caution should be exercised on this occasion, as human trafficking may be concealed behind trafficking. Also, the distinction is significant because of the assistance to persons being trafficked, given that perhaps greater attention should be paid to victims of human trafficking, precisely because of the greater degree of traumatization resulting from the use of force and grounded slavery.[47]

It is indisputable that there is a causal link between the trafficking and smuggling of migrants: the patterns of movement are similar, and the same individuals and groups are involved in various aspects of their realization, but the patterns of occurrence and exposure to violence are completely different, and trafficking should not be viewed solely as a form illegal migration, but also as a serious crime and grave violation of human rights through the exploitation of victims.[48]

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[46] Article 3 of the United Nations Protocol to Prevent, Suppress and Punish Trafficking in Human Beings, Especially Women and Children, which supplements the United Nations Convention against Transnational Organized Crime

[47] Милосављевић, М., (2012), Илегалне миграције, Кријумчарење и трговина људима – планетарни проблем – одабрани аспекти – Актуелна ситуација у Босни и Херцеговини, Securitas, Сарајево

[48] Мијалковић, С., (2009), Супротстављање трговини људима и кријумчарењу миграната, Службени гласник, Београд

1.5.1. Manifestation of Organized Illegal Migration

Organized illegal migration is characterized by an organized approach to the recruitment, transportation, reception or exploitation of illegal migrants in the country of destination. It manifests itself as smuggling of migrants and human trafficking. Every case of trafficking is not a form of illegal migration, but only one in which the victim illegally enters, transits or resides in the territory of a foreign country. Estimates from the International Organization for Migration (IOM) indicate that, at any one time, from fifteen to thirty million people worldwide have the status of illegal migrants.

An increasingly organized approach to the recruitment, transportation, reception and exploitation of international illegal migrants has resulted multiple negative effects on human, social, national and international security. On the other hand, traditional criminal, largely repressive, methods have become insufficient to prevent, detect and intersect migrant smuggling and exploitation networks.[49]

Therefore, it is necessary to reconceptualize traditional approaches to counteracting this security risk by shifting its focus from repressive to preventive methods, based on intelligence, analytical assessment and risk forecasting. In this regard, the presentation of the possibility of using traditional police and modern intelligence methods for intelligence gathering, as well as the directions of reform of current analytical assessment and prognostic activities, with the purpose of counteracting illegal migration.

The hitherto threatening effect of organized illegal migration, primarily expressed through the destabilization of the security of the state due to political and economic pressures of the international community, and due to the passive attitude to the problem, ie through the violation of internal stability and functioning of state institutions, has been supplemented by endangering the security of citizens with numerous crimes, misdemeanors and sociopathological deviations with which illegal migration is networked, endangering the families of illegal migrants in the

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[49] Мијалковић, С., (2009), Супротстављање трговини људима и кријумчарењу миграната, Службени гласник, Београд

field of physical, health no economic security and jeopardizing the structural safety of victims of various forms of exploitation.[50]

The evolution of the organized crossing of the state border indicates that it is no longer just a "tort against the state", which violates national sovereignty and threatens national security, but also the type of multiple violations of so-called human rights. illegal migrants, which undoubtedly represent a threat to social and human security.

The complexity of the problem of organized illegal migration requires a complex security-criminal response in solving it, that is, engaging the security system in preventing their occurrence and suppressing consequences, as well as providing assistance and support to victims at the national and international level, while respecting current security standards.

1.5.2. Possibility to counter Illegal Migration

Any successful confrontation with this type of crime, especially preventive ones, requires a thorough interdisciplinary analysis from a systematic and practical point of view, built on national and comparative experience.

The planning and programming of prevention of this type of crime should be based on the results of research into its phenomenological, etiological, and victimological characteristics. It is not irrelevant whether the realization of these criminal activities was made by the victim herself, to what extent she participated, and in which she was only the object of force, coercion, threats, deception, blackmail, fraud, and abuse all by the organizers.[51]

The causes of migration and human trafficking in our region were numerous: war, war and criminal environment, frustrations, insecurity for life and property, lack of efficient functioning of certain social sectors for a long period of time, lack of social care and social welfare of the population, which was objectively conditioned by the inability to exercise basic human rights, the right to work, the choice of place of residence, etc., impoverishment. Ineffective control by

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[50] Стојановски, Т., (2016), Трговија со луѓе, Македонска ревија за казнено право и криминологија - седмо редовно советување на тема: 10 години од примена на Кривичниот законик на Република Македонија, Охрид.

[51] Арнаудовски, Љ., Стојановски, Т., (2002), Трговија со луѓе-криминалитет, Скопје: Скенпоинт –Скопје

state authorities of individual crime points, lack of adequate cooperation between police and the public in the local area in wartime, absence of cooperation within Interpol and other international institutions, increased crime during and after the war, impeded possibilities of legal migration.[52]

The police certainly have a special role to play in both detection and prevention. The cooperation of police and other entities should take place at local, central, and international levels. It is imperative that cooperation at the local level results in the penetration of criminal and criminogenic areas, wedding environments, especially those that have a limited and functional structure suitable and geared towards this type of crime (eg particular religious sects, drug dealers, smugglers, subordinates, etc.).[53] Cooperation with the border countries is particularly interesting in this area, especially in the area of mutual interest, border control and customs activities.

The Balkan countries are not only an East-West transit area, they are increasingly existent as a market, or as a final destination, for illegal migration and the market for women from Eastern Europe. Considering the fact that illegal migration is taking place in the territory of several countries, it is clear that this problem cannot be solved at the level of individual services within one country (although we also emphasize the need for close cooperation between all segments of the country's security system.)[54] In order to successfully counter this type of crime, it is especially important to plan and implement crime prevention programs based on the results of research into the phenomenological, etiological, and victimological characteristics of illegal migration, develop cooperation with border countries, develop cooperation within one country between all segments of the security system, to influence the awareness of citizens - potential illegal migrants by pointing out the possible risks of illegal migration (legal, security, health, etc.), use state-of-the-art technical means of surveillance[55] at national borders, both at and without crossings and others, to indiscriminately apply criminal law standards in the case of the detection of illegal migration, especially their restricted aspects.

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[52] Bell, M., Ward, G., (2000), Comparing temporary mobility with permanent migration, Tourism Geographies 2(1): 87-107

[53] Bell, M., Ward, G., (2000), Comparing temporary mobility with permanent migration, Tourism Geographies 2(1): 87-107

[54] Cvejić, S., Babović, M. (2014). Migration flows in Western Balkan countries: Transit, origin and destination, 2009-2013. IOM. Geneva. Retrieved 27 December 2015 from http://www.iom.int

[55] https://www.blighter.com/key-markets/national-border-security/

Chapter 2: The Historical Background of Migration, Illegal Migration and Human Trafficking

2.1. Introduction

In order to better understand the historical background of migration, illegal migration, and human trafficking, this chapter gives a brief overview of security as a concept and analyses the migrant crises through the history and migrant crisis from aspect of security challenges, risks, and threats. Further, illegal migration and human trafficking through history are discussed by analyzing illegal migration, itself, and human trafficking separately, through the known history. At the end of this second chapter, migration, illegal migration, and human trafficking in the region of Western Balkans countries are elaborated, as well as, migration, illegal migration, and human trafficking in the Republic of North Macedonia, respectively.

2.2. Brief overview of the security as a concept

Throughout history, the concept of security has had a different understanding from the first types of human organization to modern states. In that sense, the oldest form of social organization is the original community, which is characterized by joint production and equal distribution of what is acquired (expensive). It lasted from the appearance of man until man created as much as he needed to survive. This survival is one of the foundations of survival and the beginnings of security. Here, it is clear that security can only be viewed from the aspect of physical security, ie not endangering physical integrity.[56]

Today, based to physical security, security also includes social, economic, legal, health, environmental security and the like. Therefore, all social groups, from the original community until today, have undertaken activities aimed at maintaining a certain level of security, because security is a condition for the survival of society itself. Security as one of the basic functions in organized communities, regardless of whether it is an individual, social group, region, or state, is

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[56] Pavlović, Z., Avramović, N., (2014), U traganju za pravnim i institucionalnim konceptom nacionalne bezbednosti Republike Srbije, Vojno delo, vol. 66, br. 1/2014, str. 145-159

always associated with the desire to provide essential values and conditions that are essential for all of them.[57]

The term security comes from the Latin word securutas which means security, absence of danger, security. Security is a condition that can be defined as the absence of some kind of threat, but also the presence of justice, morals and culture. Security needs to be understood as a condition for the survival and development of society, because it does not create anything in itself, but only enables it. According to the modern understanding of security, integral (comprehensive) security can be grouped into domestic and international security. Within internal security, we distinguish between individual, social and national, while in international security we can distinguish between regional, global, common, collective and cooperative security.

2.3. Migrant crises throughout the history

During the Cold War, security was traditionally defined as state-centric, and national security was defined in military terms and referred primarily to the external security of the state. The enemy was known in advance, the challenges were visible, while the reactions could be predicted in advance. The security of the state developed in accordance with the relations that prevailed in the international environment. The Institute of Security implied a balance of power in the bipolar structure of international relations and collective security as a principle of abandoning the possible use of force to reduce the possibility of war, while cooperation and responsibility between states were a prerequisite for maintaining world peace.[58]

After the Cold War, there were changes in all spheres of human life. The surprise at the end of the Cold War was expressed by enthusiasm for the changes on the world stage. The victory and the "end of history" in the announcement of a new world order based on a unipolar structure were celebrated. However, this simplified reality did not last long. The erosion of state sovereignty, increased interdependence, the emergence of new complex challenges and

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[57] Stajić, Lj., (2008), Osnovi sistema bezbednosti-sa osnovama istraživanja bezbednosnih pojava, Pravni fakultet, Novi Sad

[58] Bjelajac, Ž., (2008), Organizovani kriminalitet vs Srbija, Pravni fakultet za privredu i pravosuđe, Novi Sad

dangerous asymmetric threats. Military security has become less important, while the fight for food and energy sources, human security and environmental security has become vital.[59]

It was noticed that the traditional security, which was previously considered state-centric, cannot be endangered only due to external factors, but also due to internal contradictions. The new dangers are not so visible and completely clear because they come from sources of threat that cannot be easily explained and defined. In the new and changed conditions, national security also included internal aspects such as the security of the individual, social groups and society itself. The security institutions of the Cold War, embodied in the balance of power and collective security, did not eliminate the problems of the constant struggle to gain power and security, as well as the outbreak of conflicts between states.

Establishing security cooperation on the basis of mutual trust between states was burdened by selfish national interests or the interests of groups of states that sought to maintain their own power and influence together.[60]

Globalization after the Cold War is a complex and multidimensional process. For good measure to enormous progress on the one hand, it also produces contradictions and consequences on the other. The consequences are particularly pronounced in the security sphere, and the emergence of new challenges, risks and threats to security and actors, additionally to the traditional ones, has imposed the need to change the old into a new concept of security.

Globalization causes numerous contradictions, which in the end have a more direct and less direct impact on security. On the one hand, there is convergence and integration at the world level, and on the other hand, there is a growing polarization between different countries, regions and civilizations. For a part of the world, it represents an objective and natural process of spontaneous character, while for others it represents a project of the Western world in which its

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[59] Bingulac, N., Dragojlović, J., (2015), Uticaj vojnih manevara na pitanje bezbednosti u Evropi sa stanovišta OEBS-a, Međunarodni tematski zbornik „Četrdeset godina od potpisivanja Helsinškog završnog akta", Institut za uporedno pravo, Beograd

[60] Bjelajac, Ž., (2013), Organizovani kriminalitet – imperija zla, Pravni fakultet za privredu i pravosuđe u Novom Sadu, Novi Sad

domination is realized. Contradictions are particularly pronounced between developed and underdeveloped parts of the world with a tendency to increase and increase differences.[61]

The change in power relations at the world level after the Cold War led to an imbalance in the system of international relations and an increase in instability, which was increased by the establishment of the neoliberal economic and political model of world organization. The redistribution of economic power was made in favor of the developed part of the world on the basis of a market global economy in which technologically developed and competitive countries realize the inflow of great wealth that draws from underdeveloped and uncompetitive countries on the world market by non-equivalent exchange mechanisms.

The war in Syria began in 2011, only to experience its escalation in the last two years. All this led a large number of people to seek refuge, security and safety in another country. In that sense, during 2015, and especially during the beginning of 2016, Europe is facing a large number of refugees who left their country and headed to Europe from the Middle East in search of better living conditions.[62]

The large number of migrants seems to have greatly surprised Europe and the various European countries affected by this phenomenon. Namely, it is clear that not all countries are equally burdened and endangered by the migrant crisis. In that sense, some are only transit countries, like our country, where migrants do not have a final destination in Denmark. Precisely from the different roles of individual European countries during the migrant crisis, their responses to the situation are different. In other words, the migrant crisis does not affect all countries equally, and therefore, countries react differently. Some countries, such as Hungary, Croatia and Slovenia, have built walls on their borders and banned the entry of refugees, while Poland, Slovakia and the Czech Republic have refused to accept a certain number of migrants.[63]

The emergence of an increasing number of migrants in Europe, as well as the different and disparate views of countries affected by the migrant crisis on the issue of accepting refugees, is certainly a major challenge for Europe. It seems that the European Union is facing a great

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[61] Collins, A., (2007), Contemporary Security Studies, New York & Oxford: Oxford University Press
[62] Tatalović, S., Malnar, D., (2015), Sigurnosni aspekti izbjegličke krize, Političke analize, vol. 6, br. 3, str. 24-25
[63] Simeunović, D., (2015), Migracije kao uzrok političkih anomalija u Evropi, Žurnal za kriminalistiku i pravo, vol. 19, br. 3/2015, str. 1-18

challenge because one of its basic principles, which is the openness of borders, is now being violated. Also, if we add to this the terrorist attacks in Paris and Brussels, which are connected with migrants from Syria, Afghanistan and Yemen, the complexity of the situation can be further seen. After these terrorist attacks, almost no European country wants refugees within its borders.[64]

As we can see, the large number of refugees facing European countries carries with them a large number of security challenges, risks and threats, and therefore, respecting the propositions of a dissertation, we will try to point out security challenges, risks and threats posed by this phenomenon.

2.4. Migrant crisis - security challenges, risks and threats

As security is one of the basic human needs, it is inseparably accompanied by the improvement of the values of the individual, and the nation, and thus the affirmation of global values that must be freely developed, manifested and improved. However, as Europe has faced a major refugee crisis in recent months, the sense of security and safety has largely diminished in countries affected by the migrant crisis. In other words, the migration crisis entails certain security repercussions.[65]

Between four and five million migrants enter another country every year, and the number of illegal border crossings varies between 30% and 50%. They inevitably bring with them an increase in the danger to the domestic population from infectious diseases, crime and terrorism. Thus, a large number of migrants certainly entail security challenges, risks and threats in various

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[64] Simeunović, D., (2015), Migracije kao uzrok političkih anomalija u Evropi, Žurnal za kriminalistiku i pravo, vol. 19, br. 3/2015, str. 1-18

[65] Bjelajac, Ž., (2013), Organizovani kriminalitet – imperija zla, Pravni fakultet za privredu i pravosuđe u Novom Sadu, Novi Sad.

spheres of life. Accordingly, security challenges due to the migrant crisis can be seen through the political, economic, social, as well as cultural security of the state and its population.[66]

As a result of the migrant crisis, certain countries erected walls on the borders and set up barbed wire, thus endangering one of the basic postulates of the European Union, to a certain extent we can see the threat to political security due to the migrant crisis. Namely, the migrant crisis is a great challenge for the European Union. After an unacceptably long period of confusion, in which some members did what they wanted and how they wanted about the migrant crisis, all EU member states held their first summit on migration on September 23, an informal summit. All this proves that the migrant crisis is also affecting the political stability and security of certain countries in Europe. Also, the conflict that arose between Serbia and Croatia over the issue of closing the borders, is another type of threat to the political security of the countries affected by the migrant crisis and the cooling of relations between the two countries.

Over and above that, we can see the migrant crisis through the threat to the lifestyle and culture of the host country. As a bonus to being linked to the rise of crime and other social problems, migrants are sometimes described as economic migrants seeking asylum to take advantage of state social benefits or to take over jobs from the local population (economic security). It is clear that the largest number of refugees from the Middle East are fleeing the war and in search of better living conditions. This is certainly confirmed by the fact that they do not stay in poorer and less developed countries, but try to reach Germany as a country that is perhaps the largest economic power in Europe and a country with great social assistance.

Refugees are also trying to reach Denmark, Austria and other European countries, which are known for their low unemployment rate and good social programs. Therefore, some European countries and its inhabitants view the arrival of large numbers of refugees from the aspect of economic security and safety. They are aware that the arrival of a large number of refugees in their country is also an opportunity for employers to hire cheap labor. For them, this certainly represents less employment opportunities as well as less paid work.[67]

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[66] Simeunović, D., (2015), Migracije kao uzrok političkih anomalija u Evropi, Žurnal za kriminalistiku i pravo, vol. 19, br. 3/2015, str. 1-18

[67] Zitnanova, K. (2014). Refugee Protection and International Migration in the Western Balkans. UNHCR. Retrieved 27 December 2015 from http://www.unhcr.org

Finally, the arrival of migrants from the same ethnic or religious group can be considered as a cause of change in the racial structure of the state and the weakening of its cultural identity. Namely, it is clear that a large number of migrants are of the Muslim faith, which, when it comes to Europe and the European population, can lead to certain cultural changes. However, despite these demographic, and thus cultural changes, Europe is certainly afraid of Islamist terrorism. In recent years, terrorist attacks have been dominated by the religious factor, mostly Islamic, and the goal is recognized as the desire to achieve pan-Islamist goals through religious violence. In the West, terrorists are motivated by certain national goals and interests, while in Islamic countries, terrorism is additionally motivated by Islamic ideology, which manifests itself supranationally.

Also, in recent years, we have witnessed frequent security pressures on potential targets from possible terrorist attacks. These forms of security challenges in recent months have significantly called into question the level of security achieved in European countries, which at the same time raises the question of whether existing protection mechanisms, from legislation to physical and security measures, can provide sufficient protection.[68]

With the arrival of a large number of migrants from countries where civil wars are being fought and where various terrorist groups are located, the risk of terrorism is growing in the countries through which migrants pass, and especially in those where they stay. The rule is that the longer they stay and the higher the risk, and the highest is in those countries where they stay permanently, especially if those countries like France take part in bombing or some other type of military operations in countries from which migrants arrive.

Some data indicate that thousands of terrorists entered Europe with migrants (some sources state that there are 4,000 terrorists). If the data provided are correct, Europe is facing an unprecedented security challenge, which will not be easy to overcome.[69]

Considering the above, it should be noted that in recent years the number of terrorist attacks in European countries (and mostly in European Union countries) has been constantly increasing.

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[68] http://www.telegraf.rs/vesti/1382333-tekle-su-reke-krvi-ovo-su-najstrasniji-teroristicki-napadi-u-evropi-video

[69] Jovanović M., Bingulac, N., (2016), Terorizam kao savremeni bezbednosni izazov, Politička revija, vol. 47, br. 1/2016, str. 25-38

This is evidenced by the attacks that have taken place in the last few months in France and Brussels, which are related to the migrant crisis.

2.5. Illegal Migration and Human Trafficking through the history

Migrations are not a novelty and a special feature of today's globalization time and misunderstandings in international political, military, economic and all other relations. They have existed since human communities. Historically, as today, people have been forced into mass migration by wars, poverty, violence, persecution, etc. The implications for security and peace in Europe caused by this crisis have "forced" leading world analysts, public workers, historians and statesmen to demand, after comprehensive analyses, that this be stopped in all possible civilizational ways, even with the use of force.[70]

Human trafficking has been around for a long time and also, it has been known in history for a long time, and unfortunately, even after such a long period of human development, it still exists. Throughout history, human trafficking has changed only its name but not its purpose.

Unfortunately, some people today are still born into slavery (so-called hereditary slavery), especially in parts of West Africa and South Asia. In 2013, modern slavery took many forms, and is known by many names. Whether it is called human trafficking, forced labor, slavery or slavery-like practices (a category that includes debt bondage, forced or arranged marriages, and the sale or exploitation of children) victims of modern slavery cannot enjoy freedom, and are used and controlled and exploited by another person for profit, sex, or domination. In simple words, human trafficking is the cruelest use of the human body and labor for the economic enrichment of individuals.[71]

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[70] IOM (2021). World migration report. International Organization for Migration, 17 route des Morillons, Geneva, Switzerland

[71] Cvejić, S., Babović, M. (2014). Migration flows in Western Balkan countries: Transit, origin and destination, 2009-2013. IOM. Geneva. Retrieved 27 December 2015 from http://www.iom.int

The chains of modern slavery are not always physical - sometimes the escalation of debt, intimidation, fraud, isolation, fear or even 'marriage' that a young woman or girl is forced into without her consent can be used to hold the person against her will, without the need for locks or chains. Modern slavery is not well understood, which is why it remains hidden within homes, the community, or in the fields.

2.6. Migration, Illegal Migration and Human Trafficking in the region of Western Balkans countries with an accent on North Macedonia

Figure 1. Number of recorded illegal crossings at the EU external borders
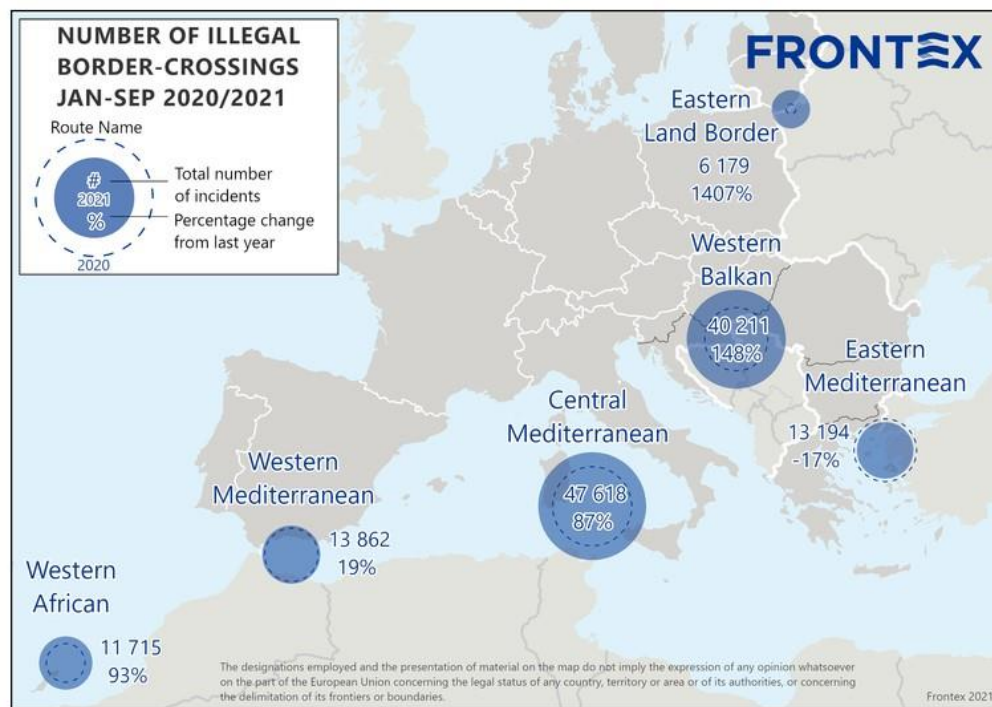
Source: FRONTEX 2021[72]

The conclusion is that the presence of illegal migrants is the real cause of increased tensions between Belarus and the three EU members. A deeper analysis can conclude that the presence of migrants is only one element that led to such tensions, because the political actions of the countries are the real reason for the increased tensions. The politicization of migration and the

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[72] https://frontex.europa.eu/media-centre/news/news-release/migratory-situation-at-eu-s-borders-in-september-increase-on-the-central-mediterranean-and-western-balkan-routes-RZRnEH

misuse of the presence of illegal migrants in order to achieve political goals leads to destabilization and can affect national security in those countries. The use of illegal migrants as a political tool would not be possible if illegal migrants were not present in the area or if governments managed migration properly and reduced the number of illegal migrants in the area.

Note: The preliminary data presented in this statement refer to the number of detections of irregular border-crossing at the external borders of the European Union. The same person may attempt to cross the border several times in different locations at the external border.

Macedonia is part of the so-called "Balkan route" which has the following course: migrants cross the Turkish-Greek border from where they have three options to leave the country[73]:

  1) by air (intra-Schengen flight),

  2) by water (intra-Schengen ferry to Italy) and

  3) by land (via Bulgaria or via the Western Balkans).

Those who decide to travel through the Western Balkans cross the Macedonian border, usually in the vicinity of Gevgelija and to a lesser extent in the vicinity of Bitola, continue to Serbia (near the Tabanovce border crossing) in order to reach Western European countries. Most often, the entrance to the Schengen area is Hungary.

Obviously, the Greek-Turkish border is facing the most pressure. According to FRONTEX (EU Agency for External Borders), only in the first half of 2012, almost 21,000 illegal border crossings were reported. In 2012 Macedonian media based on anonymous diplomatic sources wrote that the Greek authorities, trying to deal with this problem, sometimes remain "blind" and prefer to let the migrants leave the country instead of detaining them because it costs resources.[74]

On several occasions, the Minister of Interior has emphasized that the cooperation with Greece is not at the desired level and that the border is not guarded by both sides with equal attention.[75]

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[73] FRONTEX. (2015). FRONTEX Risk Analysis Network Quarterly. Quarter 2. April- June 2015. European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. Poland. Retrieved 16December 2015 from www.frontex.europa.eu

[74] http://www.dnevnik.mk/default.asp?ItemID=431B771CB956F84DB46004900E164FED

[75] http://www.novamakedonija.com.mk/DetalNewsInstant.asp?vestInstant= 21538

After the migrants cross the Greek-Macedonian border, some immediately proceed to Serbia, but many spend some time in villages near the Serbian border. Such well-known "road stations" are the villages of Lojane and Vaksince. While some of them are housed in private houses (pay rent), others sleep in the woods. According to local estimates, there are about 300 illegal migrants at the same time.[76]

Figure 2. Illegal border crossings in the Western Balkans

Source: FRONTEX 2021

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[76] Interview with Selam Mehmeti, president of the Lojane local community

Factors that force people to leave their homeland are called push factors. They are usually associated with poor economic conditions and low living standards, but there are also safety reasons. Often, both play an important role. On the other hand, the pull factors are the ones that motivate people to move to a certain country or area. Logically, people are migrating to countries that offer better economic conditions and a better standard of living, as well as a good system of social care and health care, such as richer EU member states. In that case, people tend to go to countries where there are already communities of their origin, especially where they already have relatives.

As already mentioned, the Balkan route starts in Turkey. One of the factors that facilitates illegal migration is the liberal visa policy that Turkey has towards the countries of North Africa and the Middle East, including visa-free regimes with Iran, Iraq, Syria, Egypt, etc. As we all know, Turkish Airlines has established direct flights to all Western Balkan countries, as well as to many African countries, which makes them easier to connect and more attractive to those migrants who use forged documents (forged passports or ID cards, but also fake work permits). or student visas). The strategic position of the Western Balkans, which connects the "East" and the "West", serves as a factor that attracts migrants (pull factor). Macedonia with its central position is no exception.

Anton Travner, head of the Secretariat for the Implementation of the Convention on Police Cooperation in Southeast Europe, advocates price theory. "The likelihood that a person will decide to migrate illegally, although this may mean that their life or the lives of their loved ones are in danger and given the psycho-social circumstances, is directly proportional to the vision of their life in the country that is their goal, and inversely proportional to the expenses he has to pay for his trip and the troubles he expects during the trip or in the desired country.". In other words, the person decides to migrate and chooses the route according to the image he has of the desired country (better living conditions), the price he has to pay and the expected risks and difficulties. Simply put, this is a "cost-benefit" analysis that should show that migration pays off.[77]

The presence of facilitators of illegal migration is another factor that attracts (pull factor) which should be paid attention to.

[77] Травнер, А., (2020), power point презентација Борба со нелегалната миграција – искуства од минатото, печатена верзија предадена на авторот

The role of the facilitators is usually to represent the link with the organized crime group that organizes the travel of migrants, including people involved in smuggling and trafficking, as well as "way stations" where migrants receive accommodation and can rest before continuing. the journey. Such a place is the village of Lojane near the border crossing Tabanovce. The local population is particularly concerned about the health status of migrants and possible health risks (Interview with Sadula Duraku, Mayor of Lipkovo Municipality). Given that these villages are very coherent in terms of ethnicity, religion and culture, this new situation is causing unrest among the population.

Another factor that may play a role is the possibility of access to the shadow economy as a source of funding for their travel. However, migrants are very careful not to engage in illegal activities during the trip because of the risk of being detected by the police.

Migrants usually travel in groups and are linked to criminal groups (smugglers) who facilitate their transportation.

"Before them is a long and difficult road for which they have been preparing for years. They sell their property or borrow money from relatives because their migration costs a lot. Therefore, they try to take the lowest risk of being discovered. Their movement is limited, so they rely on organized criminal groups that for a certain amount 'guarantee' that their work will be paid".[78]

According to FRONTEX, since 2011, there is an increasing trend of smuggling of migrants on the Macedonian-Serbian border, unlike in previous years when migrants were self-organized, relying on amateur maps, instructions and directions.[79]

According to the National Rapporteur on Trafficking in Human Beings and Smuggling of Migrants, the illegal transfer is both transnational and organized, involving criminal groups and perpetrators of diverse backgrounds. While in 2011, the criminal groups were composed of Macedonian citizens connected internationally with criminal groups from Serbia and Greece. The National Rapporteur notes that in 2012, modus operandi has changed - there are criminal groups from Afghanistan and Pakistan staying in Greece and Turkey as organizers of migrant

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[78] Interview with Dr. Goce Dzukleski, Head of the National Coordination Center for Border Management
[79] FRONTEX. (2015). FRONTEX Risk Analysis Network Quarterly. Quarter 2. April- June 2015. European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union. Poland. Retrieved 16December 2015 from www.frontex.europa.eu

travel. They recruit leaders among migrants and train them on how to travel via the transport route.[80] Macedonian citizens are involved in the transport phase of migrants from the southern border to the Macedonian-Serbian border. the villages that serve as collection points (Lojane and Vaksince). Passenger vehicles and vans are used as means of transport, but also public transport such as regular bus lines and trains. This means that illegal migration is becoming more and more organized and serious where criminal groups have close cooperation, regardless of nationality and ethnicity, while "migrant smuggling" has a transnational character. Prof. Dr. Trpe Stojanovski, Director of RIMAR The Regional Center warns that when planning the route, in some cases migrants consult with criminals and become potential victims of human trafficking. More than that, this operative method can pose a serious risk to the life and health of the migrant.[81]

The smuggling of migrants was first classified as a crime in the Macedonian Criminal Code in 2004. It is part of the thirty-fourth chapter of the Criminal Code of Macedonia - crimes against humanity and international law as Article 418-b (Article 418-a refers to human trafficking) and is in accordance with the Protocol against smuggling of migrants by land, water or air route supplementing the United Nations Convention against Transnational Organized Crime (Palermo, 2000). According to the law, the perpetrator can be a person who smuggles migrants across the state border,[82] a person who makes, obtains or possesses a false passport for such purpose or a person who recruits, transports, buys, sells, shelters or accepts migrants. In the event that the migrant's life and health are impaired in the commission of the offense, there are higher sentences of imprisonment of at least eight years. This can often happen, as migrants smuggled into vehicles hide in small trunks. There is a special article (418-c) for an organized group and encouraging the commission of acts of trafficking in human beings and smuggling of migrants. It is important to note that items and vehicles used to commit the offense (or to organize a group for that purpose) are confiscated.

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[80] http://www.nacionalnakomisija.gov.mk/sites/default/files/prikachyvanja/annual_report_of_the_national_rapporteur_2011.pdf
[81] Interview with Prof. Dr. Trpe Stojanovski, Director of RIMAR Regional Center
[82] By force or serious threat to attack life and body, by kidnapping, fraud, selfishness, abuse of office or exploitation of the power of another

The first case of smuggling of migrants from Afghanistan was discovered in 2019, at the border crossing "Bogorodica" (near the city of Gevgelija). The migrants were found in a truck driven by a Macedonian driver. Previously, most of the migrants smuggled were of Chinese or Albanian origin, and in most cases their final destination was Greece.[83]

Table 3: Smuggling of migrants in Macedonia

	2016	**2017**	**2018**	**2019**
Number of cases - smuggling of migrants	31	27	27	39
Number of perpetrators	53	58	44	70
Smuggled migrants	141	199	173	415
Organized criminal groups detected	5	6	2	1

Source: Annual Report on the Issue of Migrant Smuggling and Trafficking for 2020, Ministry of Interior

Table 3 shows the number of "migrant smuggling" crimes, the number of perpetrators involved in smuggling, the number of migrants who were smuggled and the detected organized crime groups. As the number of illegal migrants increased, so did the number of smuggled migrants, especially in 2019, the number of perpetrators of crimes has also increased. What is worrying about the table is the number of criminal groups detected. In 2019, the Interior Ministry has identified only one criminal group, while the National Rapporteur notes that migrant smuggling is becoming increasingly organized and linked to transnational organized crime groups. The International Organization for Migration also reports on the increasing number and scope of criminal organizations that facilitate the movement of illegal migrants.[84] This leads to the conclusion that the Ministry of Interior should make greater efforts to suppress this negative trend. It is not enough just to detain illegal migrants, but more important to suppress illegal migration is to detect and apprehend members of the criminal groups involved.

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[83] Report of the Regional Ministerial Conference on People Smuggling, (2002), Trafficking in Persons and Related Transnational Crime, Bali, Indonesia, 26-28 February.2002

[84] Feasibility Study on Irregular Migration in the Western Balkans, International Organization for Migration, 2020

Smuggling of migrants is not the only crime related to illegal migration. Crossing the border in an illegal manner is a crime.[85] Deeper, illegal residence is a reason for expulsion from the country, according to Article 101 of the Law on Foreigners. However, in almost all cases migrants do not have any identification documents. In case the identity of the foreigner cannot be proved, he / she is kept in the Reception Center on the basis of a court decision and remains there until his / her identity data is provided.

Practice shows that this procedure is very long and in most cases almost impossible to complete. One of the reasons that hinder identification is that most of the countries of origin of migrants do not keep records of their citizens, or have started to do so recently, or have data only on citizens with a criminal past (Interview with Jovanco Asprovski, Ministry of internal affairs). Among other things, migrants often provide false information, which makes the process even more complicated. According to the Law on Foreigners (Article 192)[86], when there is a procedure for the expulsion of a certain person from the state, an explanation should be given in a language he understands. This is another challenge for the Macedonian authorities. Finding a translator / interpreter from Farsi, Pashto or Urdu is not an easy task. Authorities often rely on a translation provided by a migrant housed in an English-speaking reception center. As IOM points out, this approach raises questions regarding the quality of translation and the confidentiality of the procedure (Feasibility Study for Irregular Migration in the Western Balkans, International Organization for Migration). Moreover, an English-speaking migrant is more likely to be associated with smugglers or an organized crime group - says Ivona Zakovska-Todorovska[87] from IOM.

The Law on Foreigners stipulates that aiding and abetting illegal entry, transit or residence for the purpose of illegal property gain will be punishable by imprisonment of at least three years. One way to facilitate illegal entry may be to provide rental accommodation, which is not uncommon in border areas.

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[85] Criminal Code of Macedonia, unofficial consolidated text published by the Ministry of Justice, Article 402

[86] Закон за странци („Службен весник на Република Македонија" бр. 97/2018 и „Службен весник на Република Северна Македонија" бр. 108/2019), Член 192, ПОСТАПКА, ПРАВНА ПОМОШ И СУДСКА ЗАШТИТА

[87] Interview conducted on 09.02.2021 with DTM Regional Coordinator for Europe International Organization for Migration (IOM)

Interviews conducted in the villages of Lojane and Lipkovo showed that those who provide rented accommodation to migrants are often unaware that they are committing a crime.

In the event that a foreigner is a victim of trafficking (when there are grounds to suspect that he or she is a victim), there is a two-month decision-making period where the foreigner is provided with protection and support in the recovery process. During this period, he / she has to decide whether to cooperate with the authorities in detecting the crime and the perpetrators or to return to the country where he / she is a legal resident (Law on Foreigners, Article 81). During this period, the victim can not be expelled from the country. When a foreigner decides to cooperate in the detection of criminal offenses, there is a basis for issuing a temporary residence permit.

Another way to enter illegally is to use forged documents. The representative of the Ministry of Interior who was interviewed for the purpose of this dissertation says that this method is used only on an ad hoc basis because biometric systems can easily detect forged documents. However, FRONTEX reports on increased falsification of student or work visas by citizens of African countries, so the Macedonian authorities should become more aware of this fact.

The refugee crisis of 2015[88] was initiated in the summer and became increasingly serious in the last four months of that year, gradually losing intensity throughout the first months of 2016.

Prior to 2015, irregular immigration was a relatively minor problem for Macedonia: the number of detected persons was 682 people in 2012 (European Commission, 2014); a figure which increased by 66% in 2013 with a total number of 1,132; and reached 1,750 in 2014, but which, in any case, featured rather manageable figures (European Commission, 2015).[89]

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[88] EUROPE'S REFUGEE EMERGENCY RESPONSE UPDATE #13, 27 November – 3 December 2015

[89] Europski centar za borbu protiv krijumčarenja migranata, Peto godišnje izvješće – 2021. (Europol, 2021.).

Figure 4. Main routes towards EU countries in the 2015 refugee crisis

Source: Tash & Nudelman, 2016

Figure 5. The Balkan Route, pre-march 2015
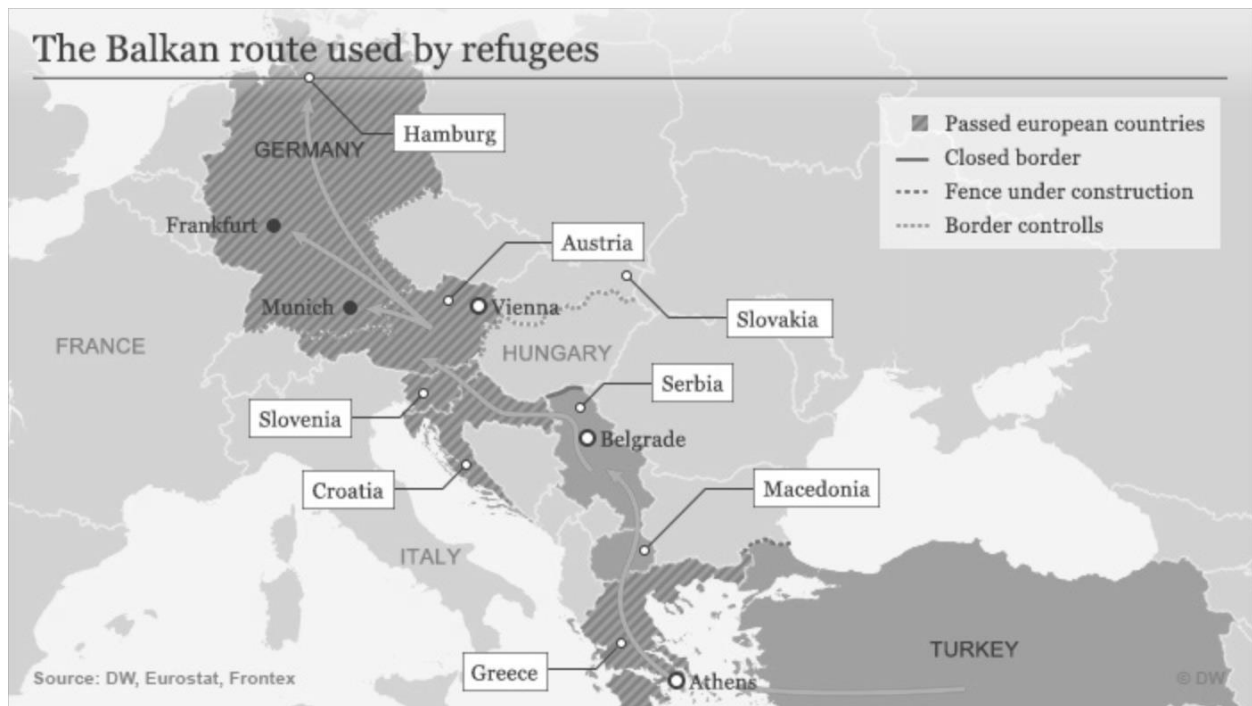
Source: Mandić, 2016

Figure 6. Refugee arrivals to Macedonia (June 2015 – March 2016)
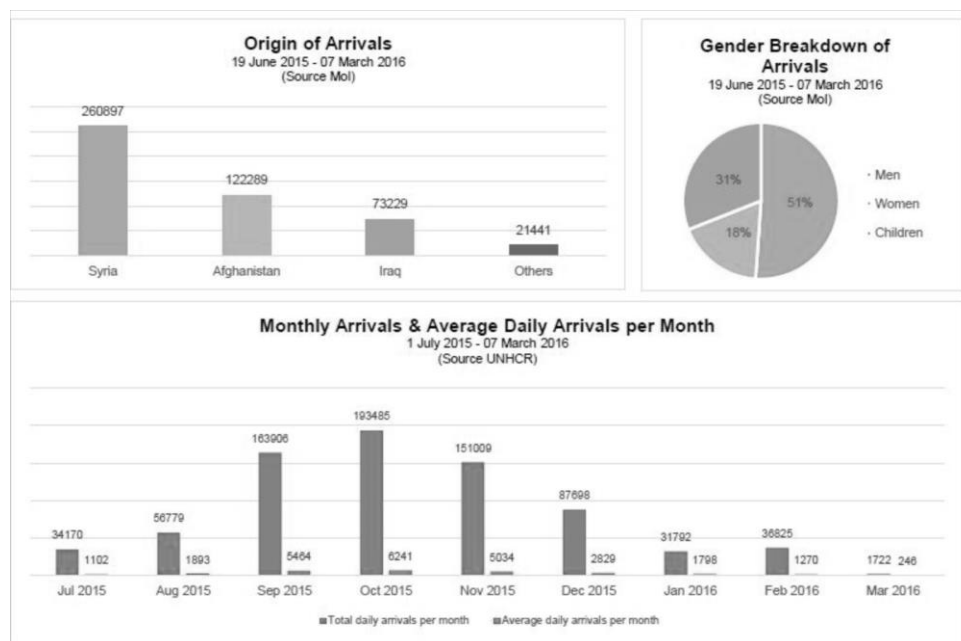
Source: UNHCR, 2016 b

However, everything changed in 2015, the largest flow of refugees in Macedonia took place during the months of September, October and November 2015: during this period, the number of new arrivals reached figures above 150,000 refugees per month, more than 5,000 new arrivals per day.[90] Starting in 2016, however, those figures dropped dramatically to around 1,500 new refugees per day, and even to lower figures in the afterward months of 2016. At the end of March 2016, just 1,223 refugees and migrants were registered to remain in the country: 1,033 in the Tabanovce Reception Center, 135 in Vinojug, 43 in the Vizbegovo Reception Center for Asylum Seekers, and 12 in the JRSrun Safe House. By January 2017 ‑the latest available data‑, there were approximately 200 refugees in Macedonia, mostly citizens from Iraq, Afghanistan and Syria (Macedonian Young Lawyers Association, 2017), of which 84 were settled in Tabanovce and 69 in Vinojug.[9192]

According to the Macedonian Ministry of Interior and the UNHCR (United Nations High Commissioner for Refugees), between June 2015 and March 2016, the number of refugees

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[90] Europski centar za borbu protiv krijumčarenja migranata, Peto godišnje izvješće – 2021. (Europol, 2021.).

[91] http://www.unhcr.rs/opste/o-nama/istorija-unhcra.html

[92] http://www.unhcr.rs/opste/o-nama/upravljanje-organizacija.html

entering Macedonian territory and declaring their intention to apply for asylum in EU member States reached the figure of 477,856. Of these, 260,897 (55%) declared themselves to be Syrians, 122,289 (26%) Afghans, 73,329 (15%) Iraqis, and the remaining 21,441 (4%) represented other nationalities such as Iranians, Palestinians, Pakistanis, Somalis, Congolese and Bangladeshi. Women and children ⁻of which no less than 18,349 (4%) were registered as unaccompanied⁻ made up 49% of the refugee flow. As of 1 January 2016, only 80,176 of them recuired international protection, mostly nationals of Syria (38,752), Afghanistan (25,222) and Iraq (16,199). Only 80 have applied for actual asylum within Macedonia, while most of them choose to apply for asylum in Austria, Germany, or Sweden. By 31 March 2016 only 2 persons had been accepted as refugees in Macedonia, both unaccompanied children, one from Iraq and one from Syria.[93][94]

It should be noted that the overall number of migrants transiting through Macedonia ⁻estimated at 800.000 between June 2015 and March 2016, represents about one-third of the overall population of the country; a figure which it itself may well describe the unprecedented burden this crisis posed for the Macedonian administrative structures.

An important mechanism for dealing with migration is readmission agreements and their implementation. The RIMAR Migration Analysis 2012 states that readmission issues were among those of greatest interest among the Western Balkan countries, indicating that it is one of the priority areas of migration management policies.[95]

The competent body for making a decision for forced removal from the country is the Ministry of Interior. In case it is decided that the foreigner has no right to stay in Macedonia, he is given a deadline to leave the country voluntarily, and after the expiration of that deadline he will be forcibly removed. However, this procedure proved to be problematic.

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[93] http://www.unhcr.rs/opste/o-nama/upravljanje-organizacija.html
[94] http://www.unhcr.rs/opste/o-nama/istorija-unhcra.html
[95] RIMAR Migration Analysis 2012

In case of forced removal, the procedure provides for the extradition of the foreigner to representatives of the state of which he is a citizen or the country of origin.[96]

The Macedonian authorities are satisfied with the implementation of the readmission agreements, especially with the neighboring countries. In the case where the subject of readmission is a citizen of a neighboring country, it is usually handed over at the border crossings or under an urgent procedure, which increases efficiency and reduces financial costs.[97]

However, problems arise when citizens of other countries need to be readmitted. As there are no readmission agreements with the countries of origin of the migrants (African and Asian countries), the persons return to the country from where they entered Macedonia. Usually, the authorities face difficulties in this field. Namely, Macedonia has signed a readmission agreement with the European Union which is a legal basis for readmission and return. However, an implementation protocol with Greece is lacking.[98] In such a case, the procedure is very complicated and goes through diplomatic channels. So far, there have been two initiatives by the Macedonian side to sign such a protocol, but without a response from the Greek side.[99] Often, there is no evidence of where the migrant actually came from. In that case, the Macedonian authorities contact INTERPOL. Problems also arise when Serbia readmits migrants to Macedonia. Although both countries have a well-implemented readmission agreement, this is not a long-term sustainable solution. The extradition of migrants from one country to another does not prevent future attempts at illegal border crossings. Moreover, this situation is wrong with the migrant because it raises serious questions about the status of the person, especially in terms of his social rights. As an example, most migrants who have to be forcibly removed do not have travel documents, so they are temporarily detained at the Reception Center until their country of origin issues them with a travel document. As well as being lengthy, the procedure can end in failure. In such a case, the law allows the Republic of Macedonia to issue the travel document.

The International Organization for Migration provides support for voluntary returns. Namely, if the migrant voluntarily expresses a desire to return to his / her country of origin, IOM provides support such as covering travel expenses.

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[96] Law on Foreigners, Article 106
[97] RIMAR Migration Analysis 2012
[98] The protocols are signed separately with each country and regulate the readmission procedure
[99] Interview with Jovancho Asprovski, Ministry of Interior

Chapter 3: Criminal Law and Human Rights Law

3.1. Introduction

Throughout the world, criminal justice systems are principal sources of grave human rights violations, including extrajudicial executions, torture, arbitrary detention, and discrimination. Over the past decade, the International Human Rights Clinic has developed substantial expertise in documenting rights abuses in criminal justice contexts and advocating for effective investigations, accountability, remedies, and reforms.

For that manner, the choosen subject for understanding the criminal law and human rights law, are explained in detail through elaboration of the national and international cooperation in the area of illegal migration and readmission, international legal instruments, illegal crossing of national borders, and by analyzing the Macedonia's national crime legislation[100]. At the chapter`s body, there are also explained and presented all of the international agreements, such as United Nations Convention against transnational organized crime, UN Protocol on trafficking in human beings, UN Protocol on migrant smuggling, relationship between UNTOC and UN trade and smuggling protocols, regional specific agreements on human trafficking and migrant smuggling, as well as other importandt human rights agreements, criminal law / crime control agreements and non-contractual instruments.

3.2. National and international cooperation in the area of illegal migration and readmission

Illegal migration is a global problem. Therefore, the Republic of Macedonia pays special attention to international cooperation and data exchange in the field of illegal migration. So, in the process of combating illegal migration, the Republic of Macedonia has established extensive international cooperation.

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[100] ОРГАНИЗИРАН КРИМИНАЛ И КОРУПЦИЈА, стр. 48, 2018

In this regard, it has signed a number of bilateral and multilateral agreements, with neighboring countries and beyond, regarding illegal migration[101]:

- ✓ Separate agreements between the Government of the Republic of Macedonia and the Governments of the Republic of Bulgaria, Republic of Montenegro, Romania, the Council of Ministers of the Republic of Albania, as well as a memorandum with the Republic of Serbia on cooperation in the fight against terrorism, organized crime and illicit drug trafficking, psychotropic substances and precursors, illegal migration and other crimes;

- ✓ Agreement on security cooperation between the Ministries of Interior of the Republic of Macedonia and Romania;

- ✓ Protocol for cooperation in the field of security between the Ministry of Interior of the Republic of Macedonia and the Ministry of Public Order of the Republic of Albania and the National Information Service of the Republic of Albania;

- ✓ Agreement between the Governments of the Republic of Macedonia and the Republic of Bulgaria on police cooperation in the cross-border area;

- ✓ Agreement between the Governments of the Republic of Macedonia and the Republic of France in the field of internal security;

- ✓ Agreement between the Republic of Macedonia and the Swiss Confederation on Police Cooperation in the Fight against Crime;

- ✓ Cooperation Agreement between the Ministries of Interior of the Republic of Macedonia and Ukraine;

- ✓ Convention on Police Cooperation between the Countries of Southeast Europe;

- ✓ Council of Europe Convention on Action against Trafficking in Human Beings.

In 2007, the Law on Ratification of the Readmission Agreement with the European Community was adopted, which entered into force on 01.01.2008. From the neighboring countries that are

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[101] Штерјоски, И., Божиновска, Б., (2019), Трговија со луѓе и криумчарење на мигранти во Северна Македонија, Македонско здружение на млади правници, мај 2019 година, https://bit.ly/399ddSc

not members of the European Union, in 2005 the Republic of Macedonia concluded a readmission agreement with Albania, and a harmonization procedure was initiated, the draft text of the Readmission Agreement with Serbia.

In accordance with the readmission agreements, the Republic of Macedonia has undertaken[102]:

- ✓ In 2006, 133 people from FR Germany, 77 from Switzerland, and 184 people were deported from other European Union countries;

- ✓ In 2007, a total of 528 persons were taken over;

- ✓ From 01.01.2008 to 30.09.2008, a total of 508 persons were returned.

In the area of illegal migration, the Republic of Macedonia has made great progress. The management of these migration movements is regulated by harmonization of the legislation with the legal flows of the European Union, efficient and transparent procedures and developed international cooperation in this area. Successful implementation of integrated border management has resulted in a significant reduction in the number of illegal migrants. The future measures and activities that the Ministry of Interior plans to take for greater efficiency in the fight against illegal migration, human trafficking, migrant smuggling and other forms of cross-border crime refer to several areas: technical and software equipment of the entities involved in the integrated border management; implementation of the instrument "risk analysis"; deepening international cooperation; concluding new readmission agreements.

Globalization and internationalization of the labor market, as well as differences in living standards between countries, are the main reasons for the emergence and intensification of illegal migration. No less important determinants are the tightening of the visa policy and the increase of the border control, especially of the member states of the European Union. Conditioned by its geographical location, as well as by the current economic and social situation, the Republic of Macedonia is primarily defined as a transit country.

Illegal migration is a complex issue that covers many aspects. Having in mind the manifested forms of these movements in the Republic of Macedonia and the specifics from the aspect of

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[102] Штерјоски, И., Божиновска, Б., (2019), Трговија со луѓе и криумчарење на мигранти во Северна Македонија, Македонско здружение на млади правници, мај 2019 година, https://bit.ly/399ddSc

their monitoring and management, the illegal border crossings, illegal stay and employment of foreign citizens, human trafficking and smuggling of migrants, national and international cooperation in the field of the return (readmission) of illegal migrants.[103]

3.3. International Legal Instruments

International migration is continuously at the center of political interest both in Europe and around the world. The huge increase in the volume of migration, as well as the changes in the types of these movements and the structural features of migrants, indisputably imply the need to intensify the activity of all countries and international organizations, then strengthen bilateral and regional cooperation, as well as effective migration management and conceptualizing appropriate migration policies.[104]

Major changes in the geopolitical situation and economic development in Europe have opened up new migration routes (Central and Eastern European countries have become countries of origin and transit), and international migration has seen significant quantitative and qualitative changes. These circumstances, as well as the enlargement of the European Union, have seriously raised the issue of migration management and the conception of a common migration policy for the member states of the Union. In the last decade, the efforts and progress in building a common migration policy and the policy of and promotion are evident.

The Amsterdam Treaty of 1 October 1999 (which introduced the Schengen rules of justice and home affairs into the acquis of the European Union) laid the foundations for the construction of a common area of "justice, freedom and security", the aim of which is further regulating the free movement of people. The same year in Tampere, the Council of Europe set out the elements of a strategy for implementing the provisions of the Common Migration and Asylum Policy. This strategy is expressed through[105]:

✓ International cooperation in the field of return (readmission) of illegal migrants.

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[103] Штерјоски, И., Божиновска, Б., (2019), Трговија со луѓе и криумчарење на мигранти во Северна Македонија, Македонско здружение на млади правници, мај 2019 година, https://bit.ly/399ddSc
[104] Штерјоски, И., Божиновска, Б., (2019), Трговија со луѓе и криумчарење на мигранти во Северна Македонија, Македонско здружение на млади правници, мај 2019 година, https://bit.ly/399ddSc
[105] USA Department of State. (2015). 2015 Trafficking in Persons report. www.state.gov

✓ Partnership between the countries of the European Union, the countries of origin of migrants and those through which migration flows. This implies a more comprehensive approach to the phenomenon of migration at the political level, then in terms of respect for human rights, as well as harmonization of the common internal and external migration policy of the EU member states;

✓ Measures to establish a common European asylum system, which would clearly define the countries responsible for conducting the asylum procedure, common standards for efficient and fair asylum procedure (with minimum conditions for accepting asylum seekers) and harmonization of normative rules for recognition of refugee status;

✓ Measures to ensure fair treatment of third-country nationals legally residing in the territory of the European Union member states, primarily through a more determined integration policy and non-discrimination in access to economic, social and cultural rights, as well as the fight against all forms of discrimination, xenophobia and racism.

✓ Expressing the need, and also to the reception of persons for humanitarian reasons, reasons after the Geneva Convention and family reunification, also to enable legal reception and stay of economic migrants in the context of new economic and demographic indicators, as well as to implement harmonization of legislation in that area;

✓ Effective management of migration flows, through cooperation with countries of origin and transit, fight against illegal migration, human trafficking and smuggling of migrants, development of visa policy, repatriation policy, establishment of judicial and police cooperation, mutual assistance technical assistance to border services, strengthening the role of Europol.

In the first half of 2004, the institutions of the European Union evaluated the results achieved from the five-year implementation of the Tampere conclusions regarding the common migration policy. The European Parliament and the European Commission believe that in setting future goals, priority should be given to the integration of legal migrants, as the huge increase in human trafficking and illegal migration is closely linked to the lack of legal grounds that would allow migrants to enter the European Union labor market. Therefore, the fight against illegal migration and terrorism stands out as a priority, because it is the biggest obstacle to creating a common

space of "freedom, security and justice". In the same year, the Council of Ministers of the European Union adopted the Directive on the common definition of a refugee or person otherwise seeking international protection, as well as the rights and benefits associated with these statuses (the so-called Qualification Directive).[106]

At the end of 2004, the Council of Europe adopted the so-called Hague Program for the period 2005-2010, in order to strengthen freedom, security and justice in the European Union and upgrade the Tampere program. It aims to further strengthen the common capacity of the European Union and its Member States with: respect for fundamental human rights, protection of refugees, regulation of migration flows, control of external borders, suppression of cross-border crime, and reduction of the threat of terrorism.[107] Thus, in addition to the reasons for migration, the migration policy includes the policy of entry and reception of migrants, as well as integration and voluntary or forced return, with an obligation to coordinate with other policies (development policy, foreign policy, etc.). An important segment of the program is legal migration and labor market needs, including the need to establish partnerships with third countries and transit areas. In this regard, it is stated that the policy of the European Union should aim at assisting third countries in their efforts to promote institutions for the management of migration and protection of refugees, as well as to prevent and combat illegal migration. The objectives of the common European asylum system, in its second phase, refer to the establishment of a common procedure for obtaining asylum and equal status for all those who have been granted asylum or subsidiary protection. With the abolition of internal borders in the European Union, the need to strengthen the control and surveillance of external borders and the gradual introduction of the so-called integrated border management of the external borders of the European Union.

The creation of a common visa policy aims to facilitate legitimate travel, while preventing illegal migration, as well as preventing visa trade.

In December 2005, the Directive on minimum standards for the procedures for granting and revoking refugee status in the Member States was adopted. This Directive, together with other previously adopted normative instruments on asylum, guarantees a minimum level of protection,

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[106] USA Department of State. (2015). 2015 Trafficking in Persons report. www.state.gov
[107] UNODC, (2021), Impact of the Covid-19 Pandemic on Trafficking in Persons – Preliminary findings and messaging based on rapid stocktaking

fairness and quality of proceedings for persons seeking international protection in all Member States. The European Union envisages allocating funds to the new member states to establish control of the external borders and to combat illegal migration. The Council of Europes conclusions, entitled "Global Approach to Migration", highlight the need for a more balanced, global and coherent approach to migration, through the policy of combating illegal migration, and in cooperation with third countries, promoting the benefits of legal migration.[108]

From the aspect of the common policy of the European Union member states in the field of international migration, the European Pact on Migration and Asylum, adopted by the Heads of State and Government of the European Union on 16 October 2008, deserves special attention. It is a policy document that contains a set of goals and strategic directions for the development of European immigration and asylum policies.

The European Migration and Asylum Pact oblige member states in five key areas[109]:

- ✓ Organize legal immigration taking into account the priorities, needs and opportunities for admission of each member state, and encourage integration;

- ✓ Control illegal immigration by ensuring the return of illegal migrants to countries of origin or countries of transit;

- ✓ Provide more efficient border control;

- ✓ To contribute to the creation of the European asylum system;

- ✓ Establish a comprehensive partnership with countries of origin and transit to foster synergy / balance between migration and development.

The implementation of the pact envisages the active involvement of the highest institutions of the European Union (European Parliament, Council of Europe, and European Commission), as well as of each member state separately. According to this document, the Council of Europe will organize a debate on immigration and asylum policies every year, based on the presented reports on the implementation of the pact. Member States will keep the Council of Europe informed of the most significant changes to immigration and asylum policies.

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[108] Šikman, M. (2021). Migracije i bezbednost. Banjaluka
[109] Šikman, M. (2021). Migracije i bezbednost. Banjaluka

3.4. Illegal crossing of national borders

The Ministry of Interior, as a segment of the competencies, continuously monitors the situation on the state border and takes measures and activities to prevent illegal border crossings and ensure a favorable security situation.

The Government of the Republic of Macedonia in order to achieve a higher level of efficiency and joint action in the fight against illegal migration on 22.12.2003 adopted the "National Strategy for Integrated Border Management" (NSIBM).[110]

The main goals of this strategy were: change of the existing legislation, establishment of the border police and transformation of the competencies regarding the security of the state border, training of the members of the border police, development of IT system, technical equipment and establishment of the National Coordination Center for Border Management (NCCBM). Hence, one of the main goals of the National Strategy for Integrated Border Management was for the security of the state border to be taken over by the Ministry of Interior (Border Police).

The three main pillars of the concept of integrated border management are: inter-ministerial, inter-agency and international cooperation. The NSIBM is a government body headed by a National Coordinator. Representatives of all ministries involved in the integrated border management system participate in its work. The main task of the NSIBM is to monitor the situation at the border and to coordinate activities related to border management between the state bodies that have jurisdiction in this area.

The legal framework based on which the Ministry of Interior implements, the protocols in dealing with illegal migration are: the Law on State Border Surveillance[111] adopted on 16.07.2009, the Law on Foreigners adopted on 01.01.2008[112], then the law adopted based on these laws, as well as readmission agreements.

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[110] Šikman, M. (2021). Migracije i bezbednost. Banjaluka

[111] ЗАКОН ЗА ГРАНИЧНА КОНТРОЛА, Закон за надзор на државната граница, 16.07.2009, Скопје, 2009 https://mvr.gov.mk/Upload/Documents/Zakon%20za%20granicna%20precisten.pdf

[112] ЗАКОНСКА РЕГУЛАТИВА ВО РЕПУБЛИКА МАКЕДОНИЈА ЗА ДОБИВАЊЕ НА ДОЗВОЛА ЗА ПРИВРЕМЕН ПРЕСТОЈ И ВРАБОТУВАЊЕ СТРАНСКИ ДРЖАВЈАНИ ЖРТВИ НА ТРГОВИЈА СО ЛУЃЕ, Закон за странци, стр. 15 и

According to the records of the Ministry of Interior[113], in the period from 2000 to August 2018, a total of 87,775 illegal crossings were registered. Most of them were Albanian citizens (52,797 people), Romanian (21,578), Macedonian (4,133) and citizens of FR Yugoslavia (3,457), and relatively few Bulgarian (2,861), Moldovan (1,729), Turkish (221), Indian (187) and Ukrainian citizens (163). The number of persons who crossed the Macedonian border illegally by year is the highest in 2002, 2010 and 2011 (more than 9000 persons), and the lowest in 2012 and 2013 (600-800 persons).

In recent years, the largest number of illegal crossings has been registered on the Albanian-Macedonian and Macedonian-Greek borders, by Albanian, Macedonian and citizens of post-socialist countries. Due to the intensified measures taken by the border police and the regular cooperation with the neighboring border authorities in 2017 and 2018, there was a decrease of illegal crossings by about three times compared to 2016. Thereby, the successful implementation of the border control by the border police should be noted, which resulted in a large number of prevented illegal crossings.

3.5. Macedonia's National Crime Legislation

Human trafficking is a highly lucrative organized crime that unites all forms of physical, psychological, intellectual, material exploitation and ethical violence, and works because of the victim's willingness to accept the offer in order to improve his material status.

Trafficking in human beings endangers the basic human rights and freedoms guaranteed by the Constitution and the laws of the Republic of Macedonia. Human trafficking contains three elements: Activities: recruiting, recruiting, transporting, transferring, accepting, sheltering, buying / selling victims of trafficking; Means: threat to personal and family life, coercion, kidnapping, lying, fraud (partial or complete), deception, use of force, abuse of position, giving or receiving money, state of pregnancy, powerlessness / vulnerability, physical or mental

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26,
https://civicamobilitas.mk/wp-content/uploads/2018/03/Analiza-na-privremen-prestoj-MK.pdf

[113] Годишен извештај на Националната Комисија за борба против трговија со луѓе и илегална миграција, 2018
http://nacionalnakomisija.gov.mk/wp-content/uploads/2016/12/34432.pdf

disability; For the purposes of Exploitation: all forms of sexual exploitation, pornography, forced labor or servitude, slavery, slavery-like practices, forced marriages, forced fertilization, unlawful adoption, begging, committing petty crimes and illegal transplantation of human body parts.

Also, in 2008, a new Article 418-d paragraph 1 of the Criminal Code was added, entitled "Trafficking in minors", and amendments were made to this article by introducing criminal liability of legal entities for trafficking in human beings. The last change was made in February 2014 when amendments were made to Article 418-a, paragraph 1 and amendments whereby the word "fertilization" was replaced with the word "pregnancy" and "begging and exploitation through legal activity" were added in the part of forms of exploitation, amendments to the CC mentioned in paragraph 14, the text of Article 418-d, paragraph 1 of the CC was replaced by a new text in which the word "minor" is replaced by "child".[114]

Macedonian legislation does not contain a definition of the term victim of trafficking as such. The Criminal Code of the Republic of Macedonia was amended in 2008 to define the term "victim of a crime" as "any person who has suffered harm, physical or mental injury, emotional suffering, material loss or other injury or endangerment of his fundamental freedoms and rights as a consequence of a committed crime".

As said before, trafficking in human beings has been enlisted as a criminal offense in the Macedonian legal legislation as part of Article 418-a, via amendments and changes to the Criminal Code (25th January, 2002). This Article was amended in March, 2004, and the legal framework was further strengthened in 2005, when the Witness Protection Act was adopted.[115]

When it was first discovered that among trafficked persons there are underaged children, and that their number is increasing, the CC was amended to combat this harrowing trend. A new criminal offense was introduced- the one of Trafficking of minors 418-g, which pays special attention to the protection of under-aged victims and prosecution of the traffickers. The minimum penalty envisioned for this felony is 8 years incarceration.

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[114] Штерјоски, И., Божиновска, Б., (2019), Трговија со луѓе и криумчарење на мигранти во Северна Македонија, Македонско здружение на млади правници, мај 2019 година, https://bit.ly/399ddSc.
[115] Штерјоски, И., Божиновска, Б., (2019), Трговија со луѓе и криумчарење на мигранти во Северна Македонија, Македонско здружение на млади правници, мај 2019 година, https://bit.ly/399ddSc.

According to the existing laws, the trafficked person or "any individual- a victim of a criminal offense who has suffered damage, including physical or mental assault, emotional pain, material loss or other pain or violation of their fundamental human rights and freedoms as a result of the crime inflicted upon them" (Criminal Law Amendment Act, 2008), Article 130, paragraph (5).8 is entitled to claim restitution and compensation.

According to the newly adopted Criminal Procedure Code, a trafficked person or "a victim of human trafficking is any individual who has suffered damage, including physical or mental assault, emotional pain, material loss or other pain or violation of their rights and interests as a result of the crime inflicted upon them"[116] and as such is entitled to claim restitution and compensation.

Trafficked persons are entitled to compensation - remuneration or nonmonetary damages. Generally, a trafficked person can use two main methods of obtaining compensation: through criminal proceedings or through civil action.

The Criminal Procedure Code[117] governs the following issues: which individuals can claim compensation and restitution, the conditions and the way in which this can be done, as well as to whom they should submit their claims. A new paragraph has been included, concerning the trafficked person. More specifically, when a trafficked person is the one who submits the claim for restitution, they should specify whether they have been awarded compensation or they have submitted a claim, according to Article 43, paragraph 1 of the amended Criminal Procedure.[118]

In the criminal proceedings, compensation for under - aged trafficked persons has been regulated separately, with the Law on Juvenile Justice (LJJ).[119] Its amendments[120] on the other hand, offer legal remedies for compensating the underaged individual as a victim of violence and other criminal offenses, the crime not being specified as trafficking in human beings. All this is stipulated in Article 141, and the monetary compensation awarded to the victim should be provided from the budget of the Ministry of Justice.

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[116] Article 21, item 4 of the Criminal Procedure Code, 2010
[117] The Public Enterprise Official Gazette of the Republic of Macedonia, 2002
[118] Code Article 111, paragraph 2 of the Criminal Procedure, 2010
[119] Effective as of 20th July, 2007
[120] Effective as of 13th November, 2010

Should the trafficked person not receive the compensation through the criminal proceedings, or the court feels the criminal proceedings cannot decide on compensation, the trafficked person should claim compensation through civil action.

Claims on compensation are governed by the Contract Law[121]. Namely, in a civil lawsuit, the trafficked person is entitled to pursue a civil claim for compensation. This legal action is known as 'Just Monetary Compensation'.

Practice shows that courts in R. Macedonia seldom rule on confiscating the procurer's property and money, which actually means that there is no source of compensation.

3.6. International Agreements

This section aims to provide an overview of the international legal framework regarding human trafficking and migrant smuggling.

Agreement is aн agreement, almost always between two or more states, that creates binding rights and obligations in international law. Agreements[122] can be universal (open to as many countries as they want to join) or limited to a smaller group of two or more countries. An agreement can have many different names, such as "convention", "pact" and "protocol". The obligations contained in the contract are based on consent. States are bound because they agree to be bound. The states that have agreed to be bound by the treaty are known as the "parties" to that treaty.

By becoming a party to an agreement, states assume binding obligations under international law. In the case of most agreements on human trafficking or smuggling of migrants. this means that States Parties undertake to ensure that their national legislation, policies or practices comply with the requirements of the Treaty and that they comply with its standards.

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[121] Passed on 11th July, 2008, Article 189, Paragraphs 190 and 191
[122] Годишен извештај на Националната Комисија за борба против трговија со луге и илегална миграција, 2018, стр. 7

Depending on the source, such obligations may be enforceable in international courts and tribunals with appropriate jurisdiction, such as the International Court of Justice, the International Criminal Court, or the European Court of Human Rights. Whether the obligations are enforceable in national courts is a separate issue, which should be determined by domestic law. In some countries, legislation requires contracts to be incorporated into domestic law, while in other countries, the constitution provides for contracts to automatically have domestic law status.

Most multilateral agreements (involving more than a few countries) are concluded under the auspices of international organizations such as the United Nations (UN), or regional organizations such as the Council of Europe (CoE) or the European Union (EU)[123], or as an example of the Association of Southeast Asian Nations (ASEAN). Bilateral agreements or those drawn up between a small group of countries are usually negotiated through the relevant foreign ministries without the involvement of an external or facilitating agency such as the UN.

The three main international treaties with direct relevance to human trafficking and migrant smuggling in the broader context of transnational organized crime are the United Nations Convention against Transnational Organized Crime (UNTOC), the UN Protocol on Trafficking in Human Beings and the UN Protocol on Smuggling 2000. Their main provisions are discussed in detail below.

3.6.1. United Nations Convention against Transnational Organized Crime (UNTOC)

This Convention is the central instrument in the package of agreements designed to address transnational organized crime. The individual protocols annexed to UNTOC, in turn, deal specifically with trafficking in human beings, smuggling of migrants, and trafficking in small arms. The provisions of the Convention apply to all three forms of crime. The goal of UNTOC is to promote interstate cooperation for a more effective fight against transnational organized

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[123] AGREEMENT between the European Community and the former Yugoslav Republic of Macedonia on the readmission of persons residing without authorization, 2007

crime. UNTOC seeks to eliminate the "safe haven" in which organized crime activities or the hiding of evidence or profits can take place, by promoting the adoption of basic minimum measures.[124]

There are two main prerequisites for applying to UNTOC. First, the relevant offense must be "serious" and have some transnational aspect. Second, it must involve an organized crime group. Both elements are defined very broadly. "Serious crime" is defined to include all significant criminal offenses.

As a result, states can use the Convention to deal with a wide range of contemporary criminal activities, including trafficking in human beings and smuggling of migrants. This is particularly important given the fact that states can become parties to the Convention without having to ratify any or all of the protocols, and that ratification of the Convention must precede ratification of any of the protocols.

The primary obligation of the Convention refers to the incrimination of specific conduct. States parties are required to incriminate[125]:

- ✓ Participation in an organized criminal group;

- ✓ Money laundering from crime;

- ✓ Corruption in the public sector; and

- ✓ Obstruction of justice.

These offenses should also be subject to appropriate sanctions.

One of the main obstacles to effective action against transnational organized crime, including human trafficking, was the lack of communication and cooperation between national criminal law agencies. UNTOC sets out a series of measures to be adopted by States Parties to improve the effective cooperation of law enforcement agencies.

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[124] UNODC, (2021), Impact of the Covid-19 Pandemic on Trafficking in Persons – Preliminary findings and messaging based on rapid stocktaking
[125] UNODC, (2021), Impact of the Covid-19 Pandemic on Trafficking in Persons – Preliminary findings and messaging based on rapid stocktaking

The practical application of these provisions is likely to be enhanced by the inclusion of a detailed legal framework in investigations, prosecutions and court proceedings in relation to applicable offenses.

States Parties may use the Convention for a variety of purposes, including[126]:

- ✓ Taking evidence;

- ✓ Delivery of court documents;

- ✓ Searching;

- ✓ Determining the income from crime;

- ✓ Display (attach) information and documents.

States Parties shall also encourage:

- ✓ Establish joint investigative bodies;

- ✓ Formally agree on the use of special investigative techniques;

- ✓ Consider the transfer of proceeds of crime;

- ✓ Consider the transfer of convicts;

- ✓ Facilitate extradition procedures for applicable offenses;

- ✓ Improve and, where necessary, establish communication channels to facilitate the secure and rapid exchange of information.

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[126] UNODC, (2021), Impact of the Covid-19 Pandemic on Trafficking in Persons – Preliminary findings and messaging based on rapid stocktaking

3.6.2. UN Protocol on Trafficking in Human Beings

The UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, which complements the United Nations Convention against Transnational Organized Crime is the most important of all international human trafficking treaties.

The protocol entered into force in 2003, and as of January 1, 2009, it had over 124 member states. He urges states to criminalize trafficking in human beings as defined in that instrument, as well as related offenses.[127]

The objectives of the Protocol are[128]:

- ✓ Preventing and combating trafficking in human beings, paying particular attention to women and children;

- ✓ Helping the victims of that trafficking, with full respect for their human rights; and

- ✓ Promote cooperation between States Parties to meet those objectives.

The main obligations of the States Parties to the Protocol are the following[129]:

- ✓ To criminalize "trafficking in human beings" as defined in the Protocol and to impose penalties taking into account the serious nature of the offense.

- ✓ Protect, to the extent possible under domestic law, the privacy and identity of victims of trafficking and consider providing a range of social services to enable them to recover from the trauma caused by their experiences.

- ✓ Ensure that the legal system contains measures that offer victims the opportunity to receive compensation.

- ✓ Strengthen border controls that may be needed to prevent trafficking, without prejudice to other international obligations that allow for the free movement of people.

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[127] UN. (2013). International Migration Policies: Government views and priorities. Economic and Social Affairs. ST/ESA/SER.A/342. New York

[128] UN. (2013). International Migration Policies: Government views and priorities. Economic and Social Affairs. ST/ESA/SER.A/342. New York

[129] UN. (2013). International Migration Policies: Government views and priorities. Economic and Social Affairs. ST/ESA/SER.A/342. New York

✓ Ensure the integrity of national travel or identification documents and act promptly in response to requests for verification of those documents.

✓ Strengthen, as necessary, cooperation with other countries in the exchange of information on identities, fraudulent use of documents, and the means and methods used by traders. There is also a need to provide and / or strengthen training for officers in recognizing and preventing trafficking, including human rights awareness training.

✓ Consider allowing victims to remain on their territory, permanently or temporarily, taking into account humanitarian and compassionate factors.

✓ To accept the return of victims of trafficking who are their nationals, or who had a permanent residence on their territory at the time of entry into the receiving State. When returning the victim, their safety must be taken into account, and it is desirable that the return be voluntary.

3.6.3. UN Protocol on Migrant Smuggling

The objectives of the United Nations Protocol against the Smuggling of Migrants by Land, Sea and Air, which complements the United Nations Convention against Transnational Organized Crime, are[130]:

✓ Preventing and combating migrant smuggling, as well as promoting cooperation between States Parties to that end.

The main obligations of the States Parties to the Protocol are the following:

✓ To criminalize "migrant smuggling", the use of fake travel or identification documents (for smuggling purposes) and helping smuggled migrants stay in a country illegally - while acknowledging that migration in itself is not a crime.

✓ Encourage international cooperation to prevent migrant smuggling and to search for and prosecute smugglers.

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[130] UN. (2000). Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. http://www.osce.org/odihr/19223?download=true

✓ Adopt such legislative and other measures as are necessary to facilitate more severe punishment when the activities of smugglers endanger, or are likely to endanger, the life or safety of the migrants concerned; or engage in inhuman or degrading treatment or punishment, including the exploitation of those migrants.

✓ To exchange with each other, in accordance with their respective domestic legal and administrative systems, relevant information on matters relating to routes, modus operandi and the identity of organized criminal gangs involved in migrant smuggling, as well as legislative and practical experiences and systematic and technical experience. useful to law enforcement agencies to improve the ability to prevent, detect, investigate such activities and prosecute perpetrators;

✓ Strengthen border controls that may be needed to prevent and detect migrant smuggling, without prejudice to international obligations for the free movement of people.

3.6.4. Relationship between UNTOC and UN trade and smuggling protocols

The following are the main principles governing the relationship between UNTOC and UN trade and smuggling protocols[131]:

✓ Because the protocols were not intended to be stand-alone treaties, states must ratify UNTOC before ratifying any of its protocols.

✓ UN trade and smuggling protocols must be interpreted in conjunction with UNTOC.

✓ In interpreting the protocols, their stated purpose must be taken into account, which may result in a change in the meaning applied to UNTOC.

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[131] Whelan, A., Delgado, M., (2020), Burning with hatred, The right-wing extremist who hated immigrants and multi-culturalism, www.dailymail.co.uk/news/article-2017962/Anders-Behring-Breivik-Right-wing-extremist-hated-immigrants-multiculturalism.html

- ✓ The provisions of UNTOC apply mutatis mutandis protocols (when the necessary changes are made). This means that in applying the Convention on Protocols, changes to the interpretation or application should be made only when necessary and as necessary.

Offenses established by the Protocols shall be deemed to be offenses established by UNTOC. This means that once a State has ratified one of the aforementioned protocols, its obligations under that instrument relating to the trafficking of human beings and the smuggling of migrants are supplemented by the general obligations laid down in the Convention.

For example, ratification of a protocol would require the state to apply the provisions of the Convention, extradition, witness protection and money laundering to trafficking in human beings and smuggling of migrants.

3.6.5. Regional specific agreements on human trafficking and migrant smuggling

The international legal framework for trafficking in human beings (human trafficking) includes special agreements concluded between regional groups of states. A very significant example is the Council of Europe Convention on Action against Trafficking in Human Beings of 2005 (European Convention on Trafficking in Human Beings) which entered into force in February 2008. This convention has the potential to bind more than forty countries in Western, Central and Eastern Europe to a much higher level of commitment, especially in terms of victim protection, than required by the UN Trade Protocol. All participating countries implemented the Convention - Albania, Bosnia and Herzegovina (BiH), Croatia and Montenegro in 2008, and Serbia and the Republic of Macedonia in 2009.[132]

There is no specific regional agreement on migrant smuggling. However, the Convention on Police Cooperation in South East Europe covers all aspects of international cooperation between law enforcement agencies in all forms of crime - including trafficking in human beings and smuggling of migrants.

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[132] Zitnanova, K. (2014). Refugee Protection and International Migration in the Western Balkans. UNHCR. Retrieved 27 December 2015 from http://www.unhcr.org

The Convention on Police Cooperation for South East Europe has been ratified by all participating countries, with the exception of Croatia, along with Bulgaria, Moldova and Romania, and is in various stages of implementation by the parties. The Convention obliges the contracting parties to strengthen cooperation in the fight against threats to public safety and / or order, as well as in the prevention, detection and police investigation of criminal offenses.[133]

Although regional agreements impose obligations only on the countries that are parties to them, they can give all countries useful insights into the standards being developed. They can also contribute to the development of customary international law on a particular issue or area.

3.6.6. Human rights agreements

International human rights treaties form an important part of the current legal framework for human trafficking. Two of the major international human rights treaties contain specific references to human trafficking and related exploitation: Convention on the Elimination of All Forms of Discrimination against Women: Article 6 explicitly prohibits the trafficking and exploitation of women in prostitution; Convention on the Rights of the Child: prohibits trafficking in children, as well as the sexual exploitation of children and forced and exploitative labor. This convention also contains important protections for children who have been trafficked.

Other human rights treaties prohibit certain behaviors or practices that have been linked to human trafficking, including: ethnic, racial and gender discrimination; slavery; forced labor and service; sexual exploitation of children; forced marriage; torture and inhuman treatment and punishment; and arbitrary detention. International human rights treaties also establish and protect certain rights that are particularly important in the context of human trafficking, such as: the right to own and inherit property; the right to education; the right to the opportunity to acquire a livelihood through a freely chosen or accepted job; and the right to a remedy. The right to a fair trial is an essential human right that is particularly important in the context of international cooperation, including extradition.

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[133] Штерјоски, И., Божиновска, Б., (2019), Трговија со луѓе и криумчарење на мигранти во Северна Македонија, Македонско здружение на млади правници, мај 2019 година, https://bit.ly/399ddSc.

Although there is a more indirect reference to migrant smuggling in international human rights treaties, some of the above rights also apply to the smuggling of migrants and it is an accepted fact that migrants' human rights may be violated during the smuggling process. and that a significant number lose their lives at the hands of profit-seeking smugglers. One potential category of smuggled migrants whose rights are specifically mentioned in international agreements is the category of refugees, the most important of which is: The 1951 UN Convention Relating to the Status of Refugees: Article 31 states that "States Parties shall not impose penalties, on account of their illegal entry or presence, on refugees who come directly from a territory where their life or liberty has been endangered in within the meaning of Article 1, shall enter or be present in their territory without authorization, provided that they present themselves without delay to the authorities and show a good reason for their illegal entry or stay".[134]

3.6.7. Criminal law / crime control agreements

During the last decade, a number of international agreements[135] dealing with criminal matters (both in general and in particular with individual criminal responsibility) have been adopted. The most relevant to human trafficking and migrant smuggling are the aforementioned UNTOC protocols.

3.6.8. Non-contractual instruments

Not all international instruments on trafficking in human beings or smuggling of migrants (or in connection with the specific work of international cooperation) are legally enforceable agreements. Bilateral or multilateral declarations, codes, memoranda of understanding / cooperation, "treaties" and United Nations resolutions are all important sources of guidance in formulating strategic coordinated action against the perpetrators of these crimes. As a "soft law", these instruments can also contribute to the development of new legal norms and standards.

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[134] UN. (2013). International Migration Policies: Government views and priorities. Economic and Social Affairs. ST/ESA/SER.A/342. New York
[135] Дефиниции на трговија со луѓе и криумчарење мигранти и важечка меѓународна / регионална рамка, стр. 10-15
https://www.unodc.org/documents/southeasterneurope/Guidelines-Macedonian.pdf

In the area of human trafficking, the most important international illegal instrument is the United Nations Recommended Principles and Guidelines for Human Rights and Trafficking since 2002 (Principles and Guidelines for Trafficking in Human Beings)[136]. Many aspects of the Principles and Guidelines for Trade are based on international contract law. However, parts of this dissertation go further: using accepted international legal standards to develop more specific and detailed country guidelines in areas such as legislation, criminal justice responses, international cooperation, victim retention, and victim protection and support. Recently, the United Nations Children's Fund brought out a set of Guidelines for the Protection of Child Victims of Trafficking (UNICEF Guidelines)[137] that provide additional guidance on the specific issue of child victims.

Important quasi-legal and non-legal instruments were also developed at the regional level. As with their international equivalents, these instruments often replicate and extend existing legal principles, and sometimes go beyond what has been formally agreed between states. In the latter case, however, they can help to ensure the direction in which international law moves in relation to a particular issue.

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[136] Recommended Principles and Guidelines on Human Rights and Human Trafficking, p. 1-14
https://www.ohchr.org/sites/default/files/Documents/Publications/Traffickingen.pdf

[137] Child-Protection-Technical-Guidance-Annex-2021
https://www.unicef.org/media/104216/file/Child-Protection-Technical-Guidance-Annex-2021.pdf

Chapter 4: International Cooperation, Prevention and Protection

4.1. Introduction

Migration is a human development strategy and can help people escape conflict, disaster, and poverty. The immediate reasons why people move include: escaping from conflict or disaster, joining family, and searching for employment or education opportunities. Different types of migration often intersect or overlap, for example: labor migration, smuggling, human trafficking, and displacement from conflict or as a result of sudden and slow-onset environmental processes. Many factors influence why people migrate, how they migrate, and where they go to. These are influenced by the broader social, economic, political, and environmental contexts in which people live and work. Other structural influences on migration include demography, urbanization, gender equality, availability/accessibility of services, labor shortages and supply, and improvements in technology and communication. For before mentioned reasons international cooperation, prevention and protection is needed more than ever.

For the mentioned issues, in this chapter, first of all, a brief report about migrants in Western Balkans countries is given. Next, an integrated common method for risk assessment between the Western Balkan countries is elaborated trough structured methodology, data quality and analysis, application of the Common Integrated Risk Analysis Model and identified risks, as well. Further, the elaboration of the regional strategy for dealing with the migrant crisis and crisis situations is given, and international police cooperation in the fight against illegal migrants is analyzed by explaining the prevention of migrant smuggling, international police cooperation in the field of preventive criminal intelligence work, international criminal police organization (Interpol), international criminal police organization (Europol), an international organization for migration (IOM), Southeast European Cooperation Initiative (SECI), and United Nations High Commissioner for Refugees (UNHCR). At the end international and regional Police cooperation of the Republic of Macedonia is discussed and elaborated in detail.

4.2. Brief report about migrants in Western Balkans countries

The security situation in the Western Balkans region is relatively stable in the sense that there are no visible potentials for its significant destabilization. However, this does not change the fact that there are more and more potential threats to the stable security of this area. Unresolved political issues, high levels of corruption, the presence of organized crime, poverty, lack of prospects, and high unemployment, are just some of the trends and threats that threaten the security and stability of this region. Throughout history, the Western Balkans have faced a number of security challenges, such as the refugee and migrant crisis, smuggling of migrants, drug trafficking, money laundering and the like, all of which are favorable conditions for organized crime. Accordingly, it can be said that organized crime is a serious threat to the countries of the Western Balkans.[138]

The Global Initiative Against Transnational Organized Crime (GI-TOC) reports that the Western Balkans are a crossroads of trade in many illegal goods and a geographical hub for smuggling migrants trying to enter Western Europe. It is estimated that about 1.5 million asylum seekers and migrants have passed through the Balkans since 2020, mostly from the Middle East and North Africa. The movement of migrants includes various types of migration, ie illegal entry and stay of foreign citizens and stateless persons in the Western Balkans, international protection in the Western Balkans, return of Western Balkan citizens under readmission agreements, human trafficking and smuggling of migrants.[139]

Thus, this report sheds light on the grim number of mixed migrant flows through the Western Balkans, the prices they pay for smuggling, and the cost of drugs in the region. To achieve this, it uses a pioneering approach in two previous reports of the Global Initiative against Transnational Organized Crime on Organized Crime in the Western Balkans, namely accurately identifying and looking at what is happening in selected hotspots, especially the large number of exit routes smuggling migrants and key nodes of the drug trade.

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[138] Zitnanova, K. (2014). Refugee Protection and International Migration in the Western Balkans. UNHCR. Retrieved 27 December 2015 from http://www.unhcr.org

[139] Стојанчова, П., (2020), Балканската мигрантска рута повторно атрактивна, Радио Слободна Европа, 26 јуни 2020 година, https://bit.ly/376YOng

The increase in the number of migrants from countries outside the region, in transit through the Western Balkans, also served to increase the number and scope of criminal organizations dealing with the smuggling of migrants. Migration flows affecting the countries of the region bring with them various challenges such as human trafficking and smuggling. During the transit through the countries of the Western Balkans, migrants primarily pass in an irregular manner, and therefore resorting to smuggling is in a way the norm. This is supported by the fact that modern migration regimes limit the possibility of crossing borders safely and legally. Recourse to smuggling networks makes the migrant population more vulnerable to dangers, such as violence, exploitation or human trafficking.[140]

Migrant smuggling is an extremely lucrative business, with criminal networks profiting from a low risk of detection and punishment. Smugglers treat migrants as slaves, similar to drugs and firearms traded on the same routes. They are rapidly changing smuggling routes to adapt to the security situation in transit countries or the response of law enforcement agencies, but they are also abusing legal entry and residence procedures.

Although the smuggling of migrants is illegal, it is possible to hear many stories from migrants and people who live or are familiar with the hotspots of migrant smuggling about how the police and border guards often participate in it. For a fee, they can agree not to be in a certain place at a certain time or to transport asylum seekers and migrants across the border. Corrupt police officers and border officials have been arrested in several locations - in BiH, Albania, Montenegro and Macedonia.

Focusing on illegal activities at these hotspots provides a closer look at the drivers and facilitates organized crime. At the same time, the analysis of these hotspots in the regional context provides an indicator of the extent of illegal trade and potential profits.

The Global Initiative presents the region as a transit corridor for the smuggling of drugs, weapons and people, and a major problem is widespread crime and corruption. From a global perspective, however, the Western Balkans are a relatively stable place.

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[140] Southeast European Law Enforcement Center, (2019), Report on illegal migration in Southeast Europe, https://www.selec.org/wp-content/uploads/2020/04/SELECReport-on-Illegal-Migration-in-SEE_public-version.pdf

This area is a small market for illegal goods and services - big money, as some criminal groups in the Western Balkans have discovered, is being made elsewhere.[141]

In the section on drug trafficking, the report offers detailed maps of smuggling routes, highlights changes in drug prices as they cross borders, and shows wholesale and retail drug prices in key hotspots in the region, which are also hubs of drug smuggling or markets.

New trends in the regional drug market indicate[142]:

- ✓ increased cultivation of cannabis (especially indoors) in countries other than Albania, such as Bosnia and Herzegovina, Macedonia and Serbia,

- ✓ There is a large flow of cannabis from the Western Balkans to Bulgaria,

- ✓ There is a strong influx of cocaine from several directions, including Croatia, Greece and Black Sea ports in Bulgaria and Romania,

- ✓ Increased production, but also consumption of synthetic drugs.

Many of the hotspots that are identified, most commonly found in border areas, are characterized as polycriminal - various criminal activities are present at the same time, such as drug trafficking and money laundering, with smuggling of migrants.

The flows of people, drugs and money through the Western Balkans are not straight lines like the vector on the map. They move, often over short distances, on different paths depending on obstacles and opportunities.

People who traffic, smuggle or launder money are attracted to the region because of the low risks of crossing borders or using businesses and banking systems. Most transactions in the criminal "underground" would not be possible without associates at the "top".

While the Western Balkans have a bad reputation for laundering illegal profits, there is not much information on the cities and sectors where this is a problem.

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[141] Стојанчова, П., (2020), Балканската мигрантска рута повторно атрактивна, Радио Слободна Европа, 26 јуни 2020 година, https://bit.ly/376YOng
[142] Southeast European Law Enforcement Center, (2019), Report on illegal migration in Southeast Europe, https://www.selec.org/wp-content/uploads/2020/04/SELECReport-on-Illegal-Migration-in-SEE_public-version.pdf

For example, relatively little money is laundered in companies that do more cash, such as restaurants, bakeries, cafes, bars, clubs, hotels, souvenir shops, gas stations, taxi companies, sports clubs, grocers and rental companies. More money is flowing into the construction industry and real estate, gambling and tourism.

The illegal profits made in the Western Balkans are most often laundered in the region, while criminal groups make big money (especially from drug trafficking) outside the region.

So, in addition to being so positioned that the Western Balkans have always been an important crossroads, for example, heroin trafficking on the Balkan route or a major hub for smuggling migrants, they are also suitable for money laundering across the region. As already mentioned, it has a special impact on real estate and construction - by affecting the growth of prices despite the fact that there is no increase in income. Other popular methods of money laundering are through the tourism industry, gambling, call centers, exchange offices and remittances from abroad.

Given the above, the Western Balkans is in a way the center of this trade - as a transit region, a place for the recruitment of infantry for these groups; a safe place to hide and invest or launder money gained from criminal activities, but the main action takes place abroad.

What is even more important to point out is the fact that the coronary virus pandemic (Covid-19) did not significantly disrupt illicit flows in the Western Balkans.[143]

4.3. Integrated common method for risk assessment between the Western Balkan countries

The geographical position of the Republic of Macedonia, as well as the region of the Western Balkans as a whole, the intensive regional trade and the good road infrastructure contribute to a large turnover of passengers and vehicles at the state borders. The state borders of the Republic of Macedonia remain under strong pressure from illegal migrants. The progressive pressure of illegal migration on the Turkish-Greek border also reflects on the situation in the entire Western Balkans region since 2010, when the pressure on illegal migrants has been growing steadily.

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[143] Light, M. T., Thomas, J. T. (2021). Undocumented immigration and terrorism: Is there a connection?. Social science research, 94, 102512. https://doi.org/10.1016/j.ssresearch.2020.102512

The significance of the changes played a significant role in terms of the mode used by illegal migrants, as well as the degree of involvement of organized crime groups in this type of illegal activities, which leads to an increase in crime and greater risks to the internal security of each state. During 2012, an increase of the number of persons prevented in the attempts for illegal crossing of the state borders by 34% was registered.[144]

The abuse of international protection mechanisms is characteristic of the transit illegal migration from Greece to the European Union, and as such in the last three years is present on the territory of the Republic of Macedonia. In order to combat this abuse, it is necessary to change the legal regulations related to the protection mechanisms, ie the right to asylum.

The abolition of the visa regime has led to the abuse of foreign nationals (especially Turkey) who entered the territories of the Western Balkans in order to illegally cross the borders of countries bordering EU member states. With the strict application of the Law on Foreigners and the checks related to the stay in the territories of the Western Balkan countries, including Macedonia, this type of abuse has been significantly stopped, but is still under constant monitoring and control, for which The number of citizens from these countries who are not allowed to enter our country also speaks.

The Border Police of the Republic of Macedonia continues to face various types of cross-border crime, of which the smuggling of narcotics, stolen cars, excise goods and the like should be singled out.

Significant results have been achieved in terms of detecting persons for whom various types of arrest warrants have been issued, as well as stolen vehicles and documents, thanks to the connection of the Border Police base with Interpol bases.

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[144] Cvejić, S., Babović, M. (2014). Migration flows in Western Balkan countries: Transit, origin and destination, 2009-2013. IOM. Geneva. Retrieved 27 December 2015 from http://www.iom.int

4.3.1. Methodology

The basis of the analysis is composed of monthly statistical data collected by the Border Police in the form of prescribed forms harmonized with the EU data collection system, i.e. Frontex. The analysis follows the six main indicators related to illegal migration[145]:

1. Detected illegal crossings;

2. Detected human smugglers;

3. Illegal residence;

4. Denial of entry;

5. Asylum applications;

6. Detected forged documents.

The analysis is supplemented and expanded with data from the Western Balkan countries exchanged within the Western Balkans and Frontex Risk Analysis Network (WB RAN), which was established at the suggestion of Frontex in May 2009. To facilitate the exchange of information between the Western Balkan countries, the European Commission and Frontex have set up a secure internet platform on the EC server.

The monthly statistics also cover the phenomena in the field of cross-border crime: smuggling of narcotics, smuggling of weapons and ammunition, smuggling of excise goods and more.

Closed source data (primarily documents and databases from the Ministry of Interior of the Republic of Macedonia), as well as open source data, including reports from agencies of other countries, EU institutions and International and non-governmental organizations were widely used in the preparation of the analysis.

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[145] Cvejić, S., Babović, M. (2014). Migration flows in Western Balkan countries: Transit, origin and destination, 2009-2013. IOM. Geneva. Retrieved 27 December 2015 from http://www.iom.int

4.3.2. Data quality and analysis

The analysis and interpretation of data related to border control depends on several factors. The number of detected illegal crossings at the state borders and the number of persons denied entry indicate the effort made in detecting migrants and the course and scope of irregular or illegal migration. For example, the increased number of detected crossings at the state border may be a consequence of the current increase in illegal migration or may be the result of greater efforts, ie greater investment in the detection of illegal crossings. In special cases, the additionally invested funds can lead to an increase in the number of detected crossings and thus to "cover-up", ie to "mask" the current decline in the number of migrants.[146]

4.3.3. Application of the Common Integrated Risk Analysis Model

Following the adoption of the new Common Integrated Risk Analysis Model (CIRAM), the Border Police in its analysis applies this model focusing on identifying risk as a key basis for making decisions on the optimal allocation and use of material, technical and human resources, the phenomenon identified as risk is analyzed through threat, weakness and impact.

4.3.4. Identified risks

Risk of extensive and constant secondary migration from Greece through the Western Balkans

Name of the risk	Risk of extensive and constant secondary migration from Greece through the Western Balkans
Threat	Extensive and constant illegal crossings of state borders by migrants of all non-European origin from Greece through the Western Balkans
Weaknesses	Turkey's liberal visa policy; geographical proximity to Greece, lack of efficient return mechanisms, lack of technical and human resources; lack of retention capacity, lack of translators.
Impact	• Deployment of technical equipment and surveillance equipment • Internal security • Humanitarian situation
Border	Macedonia-Serbia; Macedonia-Albania; Macedonia-Kosovo; Macedonia-Greece, Macedonia-Bulgaria
Risk reduction	Focus on systematic vulnerabilities and extension of modus operandi (mode of operation)

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[146] ICAT, (2021), COVID-19 pandemic and its impact for victims and survivors of trafficking in persons

Risk of misuse of international protection mechanisms

Name of the risk	Risk of abuse of international protection mechanisms in the Western Balkans, to avoid legal proceedings and make return difficult
Threat	Bypassing the legal provisions for entry and residence by abusing the international protection system
Weaknesses	• The Asylum-related process has several stages • Lack of biometric data and efficient system for exchanging biometric data at regional and EU level • Inability to monitor the movement of asylum seekers
Impact	Border integrity, circumvention of entry provisions, border surveillance and detected illegal crossings lose the importance
Border	Macedonia-Greece, Macedonia-Albania, Macedonia-Serbia
Risk reduction	Focus on weaknesses

The growing trend of the number of illegal border crossings by citizens of African-Asian countries transiting from Greece through the Western Balkans in order to enter the European Union, registered in 2009 and most pronounced in 2011 when the growth rate was 460%, was extended in 2012 (34%). This situation is a consequence of the general situation in the Middle East and Africa; Turkey's liberal visa regime, the possibility of abuse of international protection systems, the already existing "worked out" routes and the involvement of organizational criminal groups in this "business", have contributed to a constant and progressive increase in the number of illegal passers-by.[147]

4.4. Regional strategy for dealing with the migrant crisis and crisis situations

Illegal migration is not just a problem of a one country. All the countries of the Western Balkans face the same challenge and it is obvious that a regional approach to solving the problem is needed. Moreover, the EU itself has an interest in preventing illegal migration through the Western Balkans because in the end, EU member states carry the burden of the final destination of migrants. Macedonia is involved in all regional cooperation initiatives and has signed the relevant multilateral and bilateral agreements.

Macedonia has signed the Convention on Police Cooperation in Southeast Europe (Signed on

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[147] Извештај за процена на ризик за организиран и сериозен криминал (2017–2019). Министерство за внатрешни работи на Северна Македонија

05.05.2006 in Vienna, ratified on 01.06.2007, Official Gazette of the Republic of Macedonia No. 74 of 14.06.2007) which elaborates all forms of regional cooperation and serves as basis for signing bilateral agreements, such as protocols and agreements on joint border patrols with Serbia, Signed on 28.02.2011, Albania, Signed on 22.02.2008, Kosovo, Signed on 01.04.2011 and Bulgaria, Signed on 21.02.2011; protocols and agreements for joint contact centers (with Serbia, Signed on 28.02.2011, Kosovo, Signed on 03.10.2011, Bulgaria, Signed on 21.02.2011 and Albania, Signed on 21.04.2014.[148]

Macedonia is also a signatory to the Memorandum of Understanding for establishing a system for exchange of statistical information in the field of illegal migration and participation in a regional early warning system since 2008 (AENAS, 2005[149]). However, although the legal basis exists, the exchange of information is still not at a satisfactory level. This is noted in the International Organization for Migration's Feasibility Study, which emphasizes that the lack of sharing and exchange of information between countries in the region "impedes the ability of the authorities to deal with the influx of irregular migration flows in a systematic manner".

Another important initiative is the Regional Initiative for Migration, Asylum and Refugees (RIMAR).[150] RIMAR has a regional center (RC) located in Skopje and its role is to promote closer regional cooperation and a coherent approach in the respective areas. However, RIMAR RC does not have executive capacity, but only provides a platform for information exchange, policy analysis, identification of shortcomings and proposing solutions.

The challenges in the work of RIMAR that were identified can be considered to represent the challenges that countries have when they need to cooperate - different priorities at the same time, language barriers, extensive administrative and bureaucratic work, lack of capacity to prepare comprehensive timely responses, etc. These mechanisms are very important in the face of the fact that the Macedonian-Serbian border is the one that is subject to the greatest pressure from migrants.

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[148] IOM (2021). World migration report. International Organization for Migration, 17 route des Morillons, Geneva, Switzerland

[149] The Memorandum of Cooperation was signed within the project "Development of communication systems and exchange of information in the field of illegal migration in the Western Balkans", as part of the AENAS 2005 program. Signatories: Macedonia, Serbia, Albania, Bosnia and Herzegovina, Montenegro and Croatia).

[150] RIMAR was established in 2003 in the context of the Stabilization Pact for South Eastern Europe by merging the Regional Return Initiative with the Migration and Asylum Initiative. Participating countries: Albania, Bosnia and Herzegovina, Croatia, Macedonia, Montenegro and Serbia

4.5. International police cooperation in the fight against illegal migrants

As the crime does not stop within the state borders, in an effort to counter the crime of a certain state as successfully as possible, they are directed to mutual cooperation. In particular, the fight against crime with elements of foreignness would be inconceivable without legal cooperation (assistance) between them, whether it relates to the clarification of a crime, identification of the perpetrator, his deprivation of liberty, interrogation of one of the participants, seizure and surrender, transfer of persecution, serving a sentence and even the fight against illegal migration, which in its current form has elements of foreignness and is an international problem.[151]

Without this mutual cooperation or assistance, some legal cases could not be resolved at all, or their resolution would be associated with significant difficulties. The necessity of more successful and timely counteraction to crime has determined the types of cooperation between the states in that area, with the constant aspiration towards the establishment of newer forms of cooperation.[152]

In the last few years, which we are witnessing, the world has been preoccupied with the global problem of illegal migration, which is primarily reflected in human trafficking. The governments of many countries are making great efforts to combat these phenomena. The result is significant international treaties and conventions to which the signatory countries have committed themselves to take measures and cooperate with each other in combating human smuggling and human trafficking.

Illegal or irregular migration is a movement that takes place outside the regulatory norms of countries of origin, transit and destination (Bošković, Skakavac, 2010). When we talk about the concept of migration and its suppression, first of all, it is necessary to provide the necessary preconditions (legal, organizational, human) for more effective work of the police with partners and develop mechanisms of horizontal cooperation with other actors.

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[151] Соковић, С., (2003), Контрола криминалитета у праву Европсе уније, Стратегија државног реаговања против криминала, Београд.

[152] Жарковић, М., (2009), Криминалистичка тактика, Криминилистичко-полицијска академија, Београд

Relations between the police, the prosecutor's office and other elements of the judicial system, customs, state bodies in the anti-money laundering system and the communities in which the police work must be functional, flexible and subject to constant review. The police should proactively develop these relationships and seek the active participation of partners whenever necessary. Special attention should be paid to the development of partnerships with the private security sector, its legal regulation in accordance with European and world standards and inclusion as an actor in the national security system. The aim is to ensure clear responsibilities for the private security sector, while developing a network of partnerships and cooperation. Also, no less important is the established partnership relations with civil society institutions.

The issue of security of any country in our region cannot be viewed outside the context of regional and European security. A strong commitment to the development of good neighborly relations obliges us to a common approach to solving problems, as well as achieving and preserving peace and stability in the region in order to create preconditions for economic and general development within the Euro-Atlantic integration region.[153]

It is important to note that it is necessary to create the necessary legal, institutional, financial and human resources that will ensure the most efficient conduct of regional police cooperation. At the bilateral level, periodic meetings will be held with the police services at the strategic as well as at the operational level, in order to assess the success of cooperation, remove obstacles and agree on joint projects.[154]

The decisive moment in order to eliminate problems, crises, and other threatening activities is international cooperation. International cooperation, which promotes the principles of democratic and efficient policing, will reduce threats to international and national security and increase citizens' sense of security. In order to be included in European and international integration processes, it is necessary to continue strengthening the capacity for international cooperation, especially human resources.

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[153] Игњатовић, Ђ., Шкулић, М., (2012), Организовани криминалитет – друго измењено и допуњено издање, Правни факултет Универзитета у Београду, Београд
[154] Фејеш, И., (2002), Савремени криминалитет и доказно право, Нови Сад

4.5.1. Prevention of migrant smuggling

The prevention of smuggling of migrants means "the action of national or supranational security mechanisms to prevent them, ie. to eliminate the causes and conditions of their occurrence and development, to prevent the occurrence of their consequences and to prevent further destructiveness of their consequences."

Prevention of these phenomena consists of four phases (Мијалковић, 2009):[155]

1. Estimates,

2. Forecasts,

3. Ratings,

4. Interventions.

In the prevention of smuggling of migrants, one must start from the security assessment of their current situation, ie the assessment of the causes, scope and structure. The second step would be a security-criminal forecast of their further development, relying on the forecast of the development of etiological factors in the country and abroad. The next, third step would be to assess the effectiveness of the performance of the previous and current model of prevention as well as the possibility of their improvement at the cross-sectoral level.

Finally, the fourth step would be the intervention of the security system with the help of national, international and foreign governmental and non-governmental entities.[156]

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[155] Мијалковић, С., (2009), Супротстављање трговини људима и кријумчарењу миграната, Службени гласник, Београд.
[156] Мијалковић, С., (2009), Супротстављање трговини људима и кријумчарењу миграната, Службени гласник, Београд.

Objectives of prevention of smuggling of migrants are:[157]

1. Identification of etiological factors of human trafficking and smuggling of migrants,

2. Finding adequate, legal and legitimate solutions to neutralize the identified etiological factors,

3. Identification of normative, organizational and functional deficiencies in the security system that reduce the effectiveness of preventive and repressive action,

4. Harmonization of national and international law in the field of protection and promotion of civil, political, economic and social rights of citizens, primarily potential and current victims of human trafficking and smuggling of migrants,

5. Improving security-criminal preventive and repressive practices that directly and indirectly prevent the smuggling of migrants,

6. Improving the mass and professional security culture by raising the level of awareness of citizens, potential and former victims, members of the legislative, executive and judicial authorities about the reality of migrant smuggling,

7. Education and training of members of the security system,

8. Improving the model of re-socialization of smugglers,

9. Improving the international coordination of prevention measures with the security systems of countries of origin, transit and destination of smuggled migrants.

Gathering intelligence and data through criminal-operational activities is possible through performing a set of security tasks, as well as through undertaking a number of operational-tactical and criminal-investigative measures and actions. It is primarily about the so-called affairs of administrative control, mostly international traffic of people to our country, from it and through its territory, which are performed by the police, intelligence services, customs and, to some extent, the army.

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[157] Милковски, З., Михић, Б., (2005), Илегалне миграције као облик транснационалног организованог криминалитета, Београд: Наука, Безбедност, Полиција. МУП Републике Србије.

Intelligence information on illegal crossing of the state border and movement and stay of foreigners on the territory of the country is primarily obtained during the course of business:[158]

- ✓ controls of crossing the state border, control of passenger traffic and international transport of goods,

- ✓ securing the state border,

- ✓ control of movement, residence and settlement in the border zone,

- ✓ control of movement, temporary residence and settlement of aliens on the territory of the country,

- ✓ traffic control,

- ✓ issuance of identification, travel and other documents,

- ✓ criminal controls,

- ✓ control of certain catering, tourist facilities and other service agencies,

- ✓ controls of individual tourist and transport agencies,

- ✓ criminal record,

- ✓ internal and external controls over the work of security services,

- ✓ other security and criminal affairs.

In addition to the above methods, intelligence on illegal crossing of the state border and the movement and stay of foreigners on the territory of the country can also be obtained while performing the following tasks:[159]

- ✓ prevention and suppression of organized crime,

- ✓ prevention and suppression of forms of general crime,

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[158] Милковски, З., Михић, Б., (2005), Илегалне миграције као облик транснационалног организованог криминалитета, Београд: Наука, Безбедност, Полиција. МУП Републике Србије.
[159] http://www.mvr.gov.mk, 11.04.2022

✓ prevention and suppression of economic crime,

✓ maintenance of public order and peace,

✓ protection of some human rights,

✓ sectoral performance of police and police affairs in the local community,

✓ improving relations with citizens.

The policy of prevention of these phenomena implies the determination of the highest state and social entities based on national interests in terms of planned, organized and continuous action of state departments and non-state security sector with the aim of directly or indirectly eliminating the causes and conditions contributing to migrant smuggling and preventing harmful consequences:[160]

1. The principle of temporal positioning "ante delictum" - prevention measures are taken only before the occurrence of phenomena and the consequences they cause; they must also be taken continuously;

2. The principle of three-way prevention measures, ie their orientation towards:

   a) raising awareness and education,

   b) reducing the vulnerability of individuals and groups,

   c) liberalization of immigration policy and promotion of administrative control of international traffic,

3. The principle of generalization of the prevention model - implies the application of a single prevention model throughout the country,

4. The principle of elasticity of prevention,

5. The principle of individualization of prevention - adaptation of prevention measures to the personality traits and needs of individuals rescued from smuggling networks,

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[160] http://www.mvr.gov.mk, 11.04.2022

6. The principle of diversity of prevention measures,

7. Massiveness of subjects of prevention.

Measures to prevent the smuggling of migrants are a system of activities of certain security entities whose planned, organized, coordinated and continuous undertaking is aimed at preventing the occurrence of phenomena through which these phenomena are manifested and their consequences.[161]

Prevention measures can be divided into[162]:

1. Measures of prevention of knowledge-based research character,

2. Prevention measures of initial character,

3. Measures of prevention of normative character,

4. Measures of prevention of informative - educational character,

5. Measures to prevent intelligence of a criminal nature,

6. Economic and social policy measures,

7. Immigration policy measures.

Preventive measures of precise research are all measures aimed at using the rules of scientific research methodology to find adequate and effective solutions for designating and improving the strategy, policy and methodology of prevention and suppression of migrant smuggling and protection, assistance and support to victims. Problems faced by researchers range from insufficient accurate knowledge on migrant smuggling, scarcity of reference literature, limited sources, inaccuracy of existing empirical data and contradictions of some of these data, to the confidentiality of data on this problem and the inability to accurately assess the effects of measures. prevention.

Preventive measures of an initial nature are measures that initiate and encourage the implementation of certain preventive and repressive activities of the security system in the

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[161] http://www.mvr.gov.mk, 11.04.2022
[162] http://www.mvr.gov.mk, 11.04.2022

function of counteracting the smuggling of migrants. Although there are a number of divisions of these measures (according to the nature, legality, bearer, motives of the bearer ...) for us the most interesting division is according to the form where the measures occur in the form of[163]:

- ✓ Lobbying with competent institutions,

- ✓ Initiative of citizens, certain organizations and professional bodies,

- ✓ Pressure on competent state institutions.

Measures to prevent the normative character are taken in the sphere of the legislative function of the state by drafting, amending, supplementing or repealing legal acts of supra-legal, legal and by-law legal force with the aim of improving security practices of various state departments and social sectors in combating smuggling of migrants.

The lack of appropriate national legislation has been identified as the biggest obstacle to countering the smuggling of migrants. The so-called loopholes in the law, which smugglers are well aware of and use for their illegal activities, are a great danger. It is therefore necessary to develop appropriate legal frameworks consistent with relevant international instruments and standards that will improve the prevention of these phenomena.

Economic and social policy measures in the prevention of migrant smuggling are measures that improve the living standards of potential illegal migrants for economic and existential reasons, ie victims of human trafficking whose victimization is largely conditioned by poor economic and social living conditions. These measures must be aimed at[164]:

- ✓ elimination of social and economic inequality between international regions as well as between certain regions within states,

- ✓ development of international economic cooperation,

- ✓ granting favorable loans to economic entities,

- ✓ reduction and release from fiscal obligations,

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[163] http://www.mvr.gov.mk, 11.04.2022
[164] http://www.mvr.gov.mk, 11.04.2022

- ✓ promoting the right to health and health care,

- ✓ promoting the right to protection of mothers and children,

- ✓ improving the family's right to social, legal and economic protection,

- ✓ promoting the right to protection from poverty or exclusion from society, etc ...

Immigration policy is the adoption and implementation of immigration regulations, attitudes and attitudes of the state leadership towards the movement of residence or residence of citizens of other countries in the country. And immigration policy measures are measures to remove existing restrictions on legal migration from poor to more economically developed countries. These measures are primarily the responsibility of non-conventional security actors as well as economic and social policy measures. It should be noted that a more liberal immigration policy improves the prevention of migrant smuggling, but also the prevention of organized crime, then improves international relations and cooperation between countries, which is very important for the stability of international regions.

Measures of prevention of informative and educational character raise the level of awareness and improve the security culture of citizens and members of security entities by building attitudes about smuggling of migrants as an immoral, illegal and harmful phenomenon that must be opposed by all legitimate and legal means. These measures are implemented by serving certain audio, visual or audio-visual content to certain target groups, namely citizens, potential victims, current victims, victims of organized crime, members of security entities, perpetrators of crimes related to human trafficking, clients or consumers of services, exploited victims.

4.5.2. International police cooperation in the field of preventive criminal intelligence work

The Convention on Police Cooperation in Southeast Europe envisages a series of preventive measures of a criminal intelligence nature, which are of great importance for the prevention of migrant smuggling. Thus, during the cooperation in prevention, the official bodies of the contracting parties may exchange information upon request, on[165]:

- ✓ connections between suspects,

- ✓ structures of organizations,

- ✓ typical patterns of criminal behavior,

- ✓ about victims or damaged property,

- ✓ criminal offenses in preparation or attempt,

- ✓ intelligence,

- ✓ laws in force relating to criminal offenses which are the subject of the Convention on Police Cooperation in South East Europe.

The parties also regularly exchange intelligence in order to counter illegal border crossings and human trafficking. They also exchange experiences in the field of crime prevention and to that end start and implement joint programs.[166]

Any international action in the field of combating illegal migration is almost impossible without mutual police cooperation, ie without timely transfer of information on events on the ground. The problem of illegal migration does not remain within a single state, and is most often a problem of several states, neighboring states or states belonging to a wider region.

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[165] http://www.mvr.gov.mk, 11.04.2022
[166] Мијалковић, С., (2009), Супротстављање трговини људима и кријумчарењу миграната, Службени гласник, Београд.

4.5.3. International Criminal Police Organization - INTERPOL

Today, Interpol is the only global form of police cooperation. The experience he gained during his many years of work in facilitating the transmission of requests, information and intelligence testifies to the fact that this organization is the main means by which police forces communicate with each other around the world today. In today's conditions, it is almost impossible to imagine international police cooperation in the field of crime prevention, and especially illegal migration without the existence of Interpol, as a global organization specializing in solving problems that countries are not able to solve on their own. Interpol has become particularly adept at what might be called day-to-day crime control.[167]

Interpol enjoys the status of an intergovernmental organization. Our country enjoys the reputation of one of the founding countries of Interpol and, with the exception of short breaks, is a very active member of this organization.

Interpol, as a coordination center for the fight against international crime, intervenes at the request of police services and judicial authorities of member states in prevention and repression: murder, kidnapping, human trafficking and smuggling, crimes against air security, weapons and explosives offenses, terrorism and the like, then illegal trade in art objects, illegal drug trafficking, money laundering and more.[168]

Among the basic principles of this organization, the principles are of particular importance:[169]

1. Respect for state sovereignty - cooperation is based on activities undertaken by the security forces of the member states within their state borders and in accordance with their national legislation,

2. Universality - each Member State to cooperate with all other Member States,

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[167] http://www.interpol.int/public/thb/women/default.asp

[168] Панајотов, С., (2020), Infomigrants: Мигранти одново се упатуваат кон балканската маршрута преку Идомени, Миа, 22 јули 2020 година, https://mia.mk/infomigrantsmigranti-odnovo-se-upatuvaat-kon-balkanskata-rutapreku-idomeni

[169] Панајотов, С., (2020), Infomigrants: Мигранти одново се упатуваат кон балканската маршрута преку Идомени, Миа, 22 јули 2020 година, https://mia.mk/infomigrantsmigranti-odnovo-se-upatuvaat-kon-balkanskata-rutapreku-idomen

3. Equality of member states - all member states have the same rights and can use the existing services of the Organization under the same conditions (The four official languages of communication are: English, Spanish, French and Arabic),

4. Flexibility of working methods - although limited by the established principles of the Organization, working methods are sufficiently flexible and in line with the diversity of situations and structures in the Member States,

5. Cooperation with other agencies - through the Central National Elections of the member states, cooperation is realized with other institutions that are engaged in the fight against crime in the member states.

Our country, like many others, is not spared from crimes that contain elements of foreignness. Modern means of communication and transport enable criminals to move quickly from one place to another and thus avoid capture or detection.

The police authorities achieve the most intensive international cooperation through Interpol or, better known to the people as the International Criminal Police Organization. Since its founding until today, Interpol has been constantly evolving, not only in terms of scope, methods and means, but also in terms of the number of countries whose police have become its members.

The importance of Interpol's role is indicated by the fact that by cooperating with all countries that are and are not members of Interpol, it has data and has access to files on criminals and other organizations within countries.

The exchange of information takes place through the application of existing mechanisms for protection of the state border and existing frameworks for international cooperation (implementation of international agreements on cooperation and through the work of international organizations - Interpol, Europol, SECI Center), as well as through Frontex.[170]

What is important in our case is the role of Interpol in the fight against illegal migration. Representing the world's largest organization for the fight against organized crime, Interpol also deals with the suppression of illegal border crossing. Interpol operates independently, but also at the request of states, collecting all information on crossing the borders of all migrants who have

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[170] Strategy for Combating Illegal Migration in the Republic of Macedonia, 2019-2024

documents, as well as profiling those who do not, while dealing with intelligence and operational work collects information on possible routes to be carried out illegally. So far, Interpol has been collecting information and passing it on to the security system of the Republic of Macedonia, with human traffickers being caught on several occasions during transport and illegal border crossings.[171]

Interpol has a big role in the fight against terrorism by exchanging information with countries that are aggravated, directly or indirectly, by this everyday problem. Namely, many terrorists use "paved" routes of illegal migrants to perform their tasks by using the mass of illegal migration, weak or insufficiently effective control of state bodies responsible for combating illegal migration, reach their final destinations and wait as "sleepers" to be "activated" for committing terrorist acts, mainly in Western Europe. For these reasons, international police cooperation in the fight against illegal migration includes the fight against other negative phenomena, such as terrorism, to which no country is immune or has found the right way to prevent and combat.[172]

4.5.4. International Criminal Police Organization - EUROPOL

Among the numerous regional organizations through which various forms of police cooperation take place, the European Police Office (Europol), based in The Hague (http://www.europol.eu.int), is of special importance. The Office was established in 1995 by a decision of the European Council (Europol Convention), within the procedure specified in the Treaty on European Union (Maastricht, 1992). After the ratification by the member states of the European Union and the entry into force of the Europol Convention on October 1, 1998, and after the implementation of other legislative activities, the European Police Office will start working on July 1, 1999.

The primary competence of the Office is the prevention and fight against terrorism, illegal drug trafficking and other forms of organized, and especially transnational crime.

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[171] International Human Rights, 2019

[172]   https://www.consilium.europa.eu/hr/press/press-releases/2021/07/30/belarus-declaration-of-the-high-representative-on-behalf-of-the-eu-on-the-instrumentalisation-of-migrants-and-refugees-by-the-regime/

Europol's work is based on the exchange of information between the Office and the Liaison Officer, on conducting comparative and crime analysis, and on supporting national police services in their actions.

From the original tasks of that service, which were related to mediation in the transfer of information and making a general picture of the situation and criminal analysis based on general data, the scope of work was extended to activities related to the fight against drug-related crime, money laundering and crime in related to the transport of radioactive and nuclear material, human trafficking, illegal migration, stolen motor vehicles and more.[173]

On March 27, 2000, the Council of the European Union, as the new Minister, approved the Director of Europol to conduct negotiations with the International Criminal Police Organization - Interpol. The purpose of the agreement between the two organizations was the creation of a legal framework for cooperation and exchange of staff and responsibilities. In 2004, the agreement was concluded. Macedonia signed a strategic cooperation agreement with Europol in January 2007.

Like Interpol, Europol has a form of cooperation with the aim of combating various forms of organized crime with international police and security services, providing great support, information and participation in data collection. When it comes to illegal migration, Europol, acting at European level by providing information to state police and services, is directly involved in combating illegal migration.

Europol is not the national police of a member state, but it can certainly be more important with its role, because it connects, informs and coordinates the parties that together have the power to deal with the threats of the 21st century.[174]

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[173] Жарковић, М., (2009), Криминалистичка тактика, Криминиластичко-полицијска академија, Београд
[174] Жарковић, М., (2009), Криминалистичка тактика, Криминиластичко-полицијска академија, Београд

4.5.5. International Organization for Migration - IOM

The International Organization for Migration (IOM) is an international organization based in Geneva. It was founded in 1951 with the aim of helping the resettlement of a large number of refugees as a consequence of the Second World War and is a leading international organization in the field of conciliation. It changed its name several times to get its current name in 1980. It is the first interstate organization to deal with migration issues. There are currently 165 member states (including Macedonia) and 9 countries and various organizations have observer status in over 100 countries. The annual budget does not fall below one billion dollars, it has over 5,400 employees in over a hundred countries around the world.

The International Organization for Migration is committed to the principle that humane and orderly migration contributes to both migrants and society.

The International Organization for Migration works to ensure orderly and humane migration management and to find practical solutions to address migration issues, in order to provide humanitarian assistance to migrants in need, including refugees, internally displaced persons or other persons left without. at home.[175]

The Statute of the International Organization for Migration clearly defines the link between migration and economic, social and cultural development, as well as the right to freedom of movement.

The main goals of the organization are[176]:

- ✓ Assistance to migrants and countries on the challenges of operational sense resulting from migration,

- ✓ Deepening knowledge about migration,

- ✓ Encouraging social and economic development through migration,

- ✓ Concern for the human dignity and well-being of migrants.

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[175] Жарковић, М., (2009), Криминалистичка тактика, Криминиластичко-полицијска академија, Београд

[176] IOM. (2015). Addressing complex migration flows in the Mediterranean: IOM response plan. Belgium. Retrieved 26 December 2015 from www.eea.iom.int

IOM works in four broad areas of migration management[177]:

- ✓ migration and development,

- ✓ facilitating migration,

- ✓ regulating migration

- ✓ humanitarian migration.

The activities of the International Organization for Migration covering these areas include the promotion of international migration law, policy debate, as well as guidelines in the field of migration, protection of migrants' rights, health and gender dimension of migration. IOM works closely with government, intergovernmental and non-governmental partners.[178]

IOM works closely with national authorities and international governmental and non-governmental partners who play a key role in migration issues. The International Organization for Migration works to ensure orderly and humane management and find practical solutions to address migration issues, and to provide humanitarian assistance to migrants in need, including refugees and internally displaced persons. IOM's activities also include the promotion of International Migration Law, political debates and guidelines for the protection of the rights and health of migrants, and the promotion of the gender dimension in migration. IOM maintains close business cooperation with UN bodies and operational agencies, as well as with other international and non-governmental organizations.[179]

The International Organization for Migration emerged from the ashes of World War II. On a war-torn European continent, no government alone could help survivors who sought nothing more than the opportunity to continue their lives freely and with dignity. The first revival of the IOM was due to the resettlement of refugees in this post-war period.

IOM has quickly developed from an organization whose focus is on migrants and the settlement of refugees in the world's leading intergovernmental organization dedicated to welfare, security

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[177] IOM. (2015). Addressing complex migration flows in the Mediterranean: IOM response plan. Belgium. Retrieved 26 December 2015 from www.eea.iom.int
[178] http://ba.one.un.org/content/unct/bosnia_and_herzegovina/bs/home/un-agencies/iom.html
[179] https://serbia.iom.int/sr/node/172

and dealing with migrants, 2016 is the year of migration. IOM and UN member states have seized the historic opportunity to officially introduce IOM into the UN system, thus making the much-needed voice of migrants in the international community. On September 19, the United Nations hosted the first summit on refugees and migrants.

Over the years, the IOM has expanded to 165 member states. The organization's global presence has expanded to more than 400 field locations. With more than 90 percent of its staff deployed in the field, the IOM has become the leading body to respond to the world's worst humanitarian emergencies.

Today, one in seven people is a migrant - whether a refugee, student, labor migrant or professional moving between international jobs.

Today, as we look to the future, we continue to hold the same beliefs that were the cause of our emergence 65 years ago: that migration builds resilience and that migrants are drivers of change and development.

4.5.6. Southeast European Cooperation Initiative – SECI

Among the regional organizations of special importance for the promotion of international police cooperation, primarily the efficiency of criminal prosecution and adjudication, is the Southeast European Cooperative Initiative (SECI). This organization was founded on December 6, 1996 in Geneva and consists of Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Macedonia, Greece, Hungary, Moldova, Romania, Slovenia, Serbia, Montenegro and Turkey.

The main goals are the promotion of economic cooperation and cooperation in the field of human environment protection among the countries in the region, as well as enabling the integration of Southeast Europe with the rest of Europe. The member countries of the Initiative have concluded a cooperation agreement in order to improve the effectiveness of prevention, detection, research and prosecution of cross-border forms of crime.

As active members of Interpol and the World Customs Organization, signatories and members of the SECI exchange and develop information on crime, in partnership with their law enforcement agencies and with the General Secretariat of Interpol and the WCO (who have been granted the status of permanent advisers). The Center for Combating Cross-Border Crime is located in

Romania, in the Parliament building in Bucharest, and each member state has two representatives - a liaison officer (one police representative and one customs representative).

Interpol has followed the establishment and development of the Initiative from the very beginning. He attended SECI meetings and promoted Interpol's telecommunications and administrative network for international information exchange, in order to avoid unnecessary duplication of effort. The agreement on cooperation between the SECI Center for Combating Cross-Border Crime, the Government of Romania and Interpol, in terms of connection and exchange of information was signed on February 25, 2002. The aim of the agreement was to enable police officers of the SECI Center for Combating Cross-Border Crime to exchange information with Interpol through the technical equipment of the National Central Bureau in Romania.

Due to technical obstacles, the SECI was unable to implement the Communication Agreement for the exchange of information until October 2003. As a result of both negotiations, a new agreement on cooperation in communication for the exchange of information between Interpol and the SECI Center for Combating Cross-Border Crime was signed by the Secretary-General in December 2004. This framework agreement allows national liaison officers attached to the SECI Center in Bucharest to exchange information with the Interpol General Secretariat and their national central bureaus.[180]

Improving cooperation with countries in the region is achieved through active participation in the Regional Center for Combating Cross-Border Crime in Bucharest - SECI Center, especially in the field of combating illegal migration and human trafficking, as well as participation in the regional initiative on migration, asylum and refugee (MARRI). The main goal of this initiative is to improve migration management in the Western Balkans, ie. harmonization of legal, administrative and institutional solutions in these areas, in accordance with international and EU standards.[181]

In the field of migration, cooperation has been established and is developing with international organizations (UN agencies, OSCE, IOM, Council of Europe, DCAF, ICMPD), which are often

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[180] Жарковић, М., (2009), Криминалистичка тактика, Криминиластичко-полицијска академија, Београд
[181] http://www.srbija.gov.rs/vesti/dokumenti_sekcija.php?id=45678

the bearers of EC regional projects implemented in the Republic of Macedonia and the Western Balkans. Even more, developing cooperation with specialized organizations such as INTERPOL, EUROPOL, EUROJUST, SEEPAG and FRONTEX can make a significant contribution to combating illegal migration.

At the border crossings with the Republic of Macedonia and the Republic of Bulgaria on the basis of the Convention on Police Cooperation in Southeast Europe, in Vienna on May 5, in 2006, "Joint Contact Centers for Police Cooperation" were established with the aim of exchanging information related to illegal migration and human trafficking and exchanging other information.[182]

4.5.7. United Nations High Commissioner for Refugees – UNHCR

The UN refugee agency was created after World War II to help Europeans displaced by the conflict. The UN General Assembly established the Office of the High Commissioner for Refugees on December 14, 1950, and gave it a three-year mandate to carry out its task and cease to exist. The United Nations Convention Relating to the Status of Refugees - the legal basis for assistance to refugees and the basic statute governing the UNHCR in its work was adopted on 28 June next year.[183]

By 1956, UNHCR was facing its first major refugee crisis - the mass exodus of refugees when Soviet forces quelled the revolution in Hungary. All hopes that the UNHCR would become superfluous then vanished. During the 1960s, the decolonization of Africa produced the first of a number of refugee crises on the continent that required UNHCR intervention. Over the next two decades, UNHCR had to help with the displacement crises in Asia and Latin America. At the end of the century, new refugee problems arose in Africa, and then in Europe through a series of wars in the Balkans.

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[182] Линдгрен, М., Николић, В. Ристановић, М., (2011), Жртве криминалитета – Међународни контекст и ситуација у Србији, Оргнизација за европску безбедност и сарадњу, Мисија у Србији, Одељење за спровођење закона, Београд.
[183] Линдгрен, М., Николић, В. Ристановић, М., (2011), Жртве криминалитета – Међународни контекст и ситуација у Србији, Оргнизација за европску безбедност и сарадњу, Мисија у Србији, Одељење за спровођење закона, Београд.

Unable to solve the problems of a growing number of asylum seekers from neighboring countries, Eastern Europe and Africa in the early 1970s, the then Socialist Federal Republic of Yugoslavia called on UNHCR to open an office in the country. The UN High Commissioner for Refugees signed an agreement (Accord de Siege) with the government and in 1976 opened an office in Belgrade. The Agency provided assistance and carried out the procedure of determining refugee status for asylum seekers from third countries (so-called mandated refugees) until the break-up of the former Yugoslavia and the mass influx of refugees from the former SFRY republics to Serbia in the early 1990s (http://www.unhcr.rs/opste/o-nama/istorija-unhcra.html).

Facts and figures are crucial for planning activities and the readiness of the UN Refugee Agency. For example, when hundreds of thousands of people fled the fighting in northwestern Pakistan in May 2009, the Refugee Agency had to have data on the number of people in need, how much money and aid is needed to help them, and how many people are needed to engage. Statisticians of the UNHCR Department for Coordination of Field Activities and Information take into account the number of people for which the agency is responsible. These data are announced in the form of the report "Trends in the World" every June. Data on internally displaced persons in the world are issued by the Norwegian Refugee Council. Data on the annual budget are collected in the Department for Donor Relations and Fundraising, while the Department for Human Resources Management has detailed data on the number of employees in the agency.[184]

The UN Refugee Agency is managed by the United Nations General Assembly and the Economic and Social Council (ECOSOC). The 79-member UNHCR Executive Committee approves the agency's two-year programs and the corresponding budget. Programs and budgets are presented to the High Commissioner (Antonio Guterres at the moment) when he is appointed to the post by the UN General Assembly.

The mandate of the UN Refugee Agency has been defined by the UNHCR Statute since 1950. In 2003, the General Assembly expanded the organization's mandate "until a solution is found to the refugee problem". The High Commissioner submits annual reports on the work of the Agency to ECOSOC and the General Assembly.

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[184] Линдгрен, М., Николић, В. Ристановић, М., (2011), Жртве криминалитета – Међународни контекст и ситуација у Србији, Оргнизација за европску безбедност и сарадњу, Мисија у Србији, Одељење за спровођење закона, Београд.

As head of the organization, the High Commissioner is responsible for managing and controlling UNHCR's activities. He / she directs the work of the Agency with the assistance of the Deputy High Commissioner and two Assistant High Commissioners - for Protection and Operations.

The agency has more than 6,600 employees - national and international staff - in more than 110 countries.

Most UNHCR operations take place in the field. Global operations have become very complex: activities range from hiring new people and ensuring their safety in dangerous situations to procuring various types of assistance - medicines and food, even charter planes. The special departments, whose headquarters are mainly in Geneva, are in charge of various areas of activity - operations, legal protection, media relations, personnel and financial resources. A number of regional offices liaise with the overseas offices and the main office in Geneva.

UNHCR's fieldwork is managed through a number of regional offices, regional offices, smaller offices and field offices. Representatives of the High Commissioner lead operations in the countries where the agency operates, and there are a number of heads of regional offices.[185]

4.6. International and regional Police cooperation of the Republic of Macedonia

What is international police cooperation? The question posed has a multi-layered basis. The best answer is contained in the theory of international criminal law, although certain elements are also found in police law.

According to Professor Jović, "the broader notion of international relations implies a general framework of cooperation between states in all areas of public life, and within that cooperation in the field of combating crime, based on regulations of international conventions and national legislation" (Jović, 2010).

According to Professor Frčkoski, in the fight against international crime, "one of those directions is the harmonization of the legal systems between the countries, thus enabling the flow and adoption of the current international standards for the fight against organized crime, and at the

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same time deepening among the countries to expand the legal instruments for the same purpose. From this should emerge the global strategy for effective international cooperation in the fight against organized crime, which would have its own institutions, legal instruments and entities".[186]

Furthermore, professor Kambovski emphasizes that "international cooperation in combating crime today is an indisputable imperative, which is the only possible answer to the fact that crime knows national borders and that, on the other hand, the universal understanding of human freedoms and rights necessarily presupposes a unique and effective response to any form of threat or injury! Such new standards cannot be achieved without the development of intensive forms of co-operation between states in the detection and prosecution of perpetrators of crimes and the execution of sentences and other sanctions".[187]

When it comes to the development of international police cooperation, especially in Southeast Europe, "the need for intensified police cooperation increased with the economic, political and social changes towards the end of the Cold War. However, it can be concluded that the cooperation gained intensity in the beginning of the XXI century, when the processes of European integration are accelerated".[188] "Patterns of police cooperation can be divided into bilateral, global and regional".[189]

Two basic principles for establishing intensive police cooperation are known. First, international police relations must be based on successfully established agreements (memoranda). Second, the goal of cooperation is to achieve sustainable, lasting, efficient, predictable and legitimate relationships. It is more than possible that the achievement of these goals is not achievable. They may not be, but they are good guides for future police cooperation.[190]

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[186] Фрчкоски, Љ.Д., (1995), Меѓународна правна реакција против организираниот криминал, Безбедност, бр. 1/1995 година, стр. 5-6

[187] Камбовски, В., (2004), Казнено право - општ дел, Култура, Скопје.

[188] Ѓорѓевиќ, С., (2010), Полициска соработка во државите во ЈИЕ, Белград.

[189] Greene, J.R., (2006), The Encyclopedia of Police Science (Third Edition), Routledge, London

[190] Balzer, A.J., (1996), International Police Cooperation: Opportunities and Obstacles, Policing in Central and Eastern Europe, College of Police and Security Studies, Slovenia

For Nedelmann, three basic processes are needed to establish successful police cooperation, and he explains all of them with the term "harmonization":[191]

1. Regulation of relations;

2. Adaptation of different systems;

3. Harmonization in order to create common patterns of action.

Balzer enumerates four conditions as a determinant for the realization of police cooperation, namely:[192]

1. Perception of all participants of the existence of serious threats arising from the criminal activities of organized criminal groups;

2. Participation of experts in classifying the problem and proposing possible solutions;

3. Participation of the political power in the formulation of adequate legal proposals and provision of financial support and

4. Regular contacts between police and political representatives.

As can be concluded, the interest of the research-based community on this issue deserves attention and allows to define the term international police cooperation, to determine its types, content and modalities of cooperation in the fight against crime.

The Republic of Macedonia, through the established normative, institutional and content basis, is seriously involved in the regional police cooperation in breaking up international criminal networks and criminals. This conclusion stems from the provisions relating to domestic and international police cooperation contained in the Law on Interior, the Law on Police, the Police Code and other acts. This includes the ratified international documents, where the dissertation deals specifically with the Convention on Police Cooperation in Southeast Europe, the European Convention on Mutual Legal Assistance in Criminal Matters and its Second Additional Protocol.

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[191] Nedelmann, E.A., (1993), Cops across borders: The Internationalization of U.S. criminal law enforcement, Penn State University Press, Pennsylvania Park

[192] Balzer, A.J., (1996), International Police Cooperation: Opportunities and Obstacles, Policing in Central and Eastern Europe, College of Police and Security Studies, Slovenia

From an institutional point of view, the issue of police cooperation of our police is processed, which is realized through the well-known EU agency - Europol, which is responsible for law enforcement and which aims to help create a safer Europe by supporting law enforcement agencies in the fight. against international serious and organized crime and terrorism.

Chapter 5. Impact of the Covid-19 pandemic on illegal migration and human trafficking in the Western Balkan countries

5.1. Introduction

The reasons why people move are complex and often driven by multiple factors. Many factors influence why people migrate, how they migrate, and where they go to, and they are by no means all negative. Referred to as the 'drivers of migration', these factors influence migrants' decision-making process to move, as well as the means and destination, from departure from the country of origin to arrival in the destination country. For example, family, education, conflicts, employment, and human rights violations can all play a role.

These are influenced by the broader social, economic, political and environmental contexts in which people live and work. For example, pressures stemming from climate change and environmental degradation, though rarely cited by migrants as primary reasons to move, are critical to people's ability to remain in a place. These drivers normally overlap. They entail different degrees of freedom in the decision to migrate. Some categories of migrants like those forcibly displaced and refugees are driven by necessity.

5.2. Impact of Covid-19 pandemic on the human trafficking industry

Combating trafficking in human beings has long been a priority of the European Union (COM, 2017). Over the years, progress has been made in a number of respects. Cooperation between key actors, including at the political level, and law enforcement and judicial authorities, in national and transnational contexts, has led to prosecutions and convictions and improved victim identification and victim assistance and support. Information campaigns, educational programs

and training initiatives have been carried out to reduce the risk of victims of trafficking. Studies and reports have contributed to increasing knowledge about this phenomenon, and thus to developing appropriate response strategies.

Despite the progress made, trafficking in human beings remains a serious threat in the European Union, putting thousands of individuals, especially women and children, at risk every year. Traffickers exploit social inequalities and economic and social vulnerabilities that have been exacerbated by the Covid-19 pandemic, allowing perpetrators to find victims more easily. The pandemic also prevents victims from accessing justice, assistance and support, and makes it more difficult for the criminal justice system to respond to crimes. Furthermore, traffickers have a new business model of recruiting and exploiting victims over the Internet, which further complicates the response of law enforcement and judicial authorities (https://ec.europa.eu/anti-trafficking/publications).

In general, the total number of illegal migrants on all routes remains well below pre-crisis levels in 2015, even taking into account the decline in all activities in 2020 and 2021 as a result of the pandemic. However, the number of arrivals has started to grow and the number of illegal crossings at all EU external borders in the first nine months of 2021 has reached around 120,000, compared to around 77,000 in the same period in 2020 and just over 91,000 in the same period. 2019.[193]

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[193]   www.dailymail.co.uk/news/article-2017962/Anders-Behring-Breivik-Right-wing-extremist-hated-immigrants-multiculturalism.html

Figure 7. Illegal border crossings on three main routes
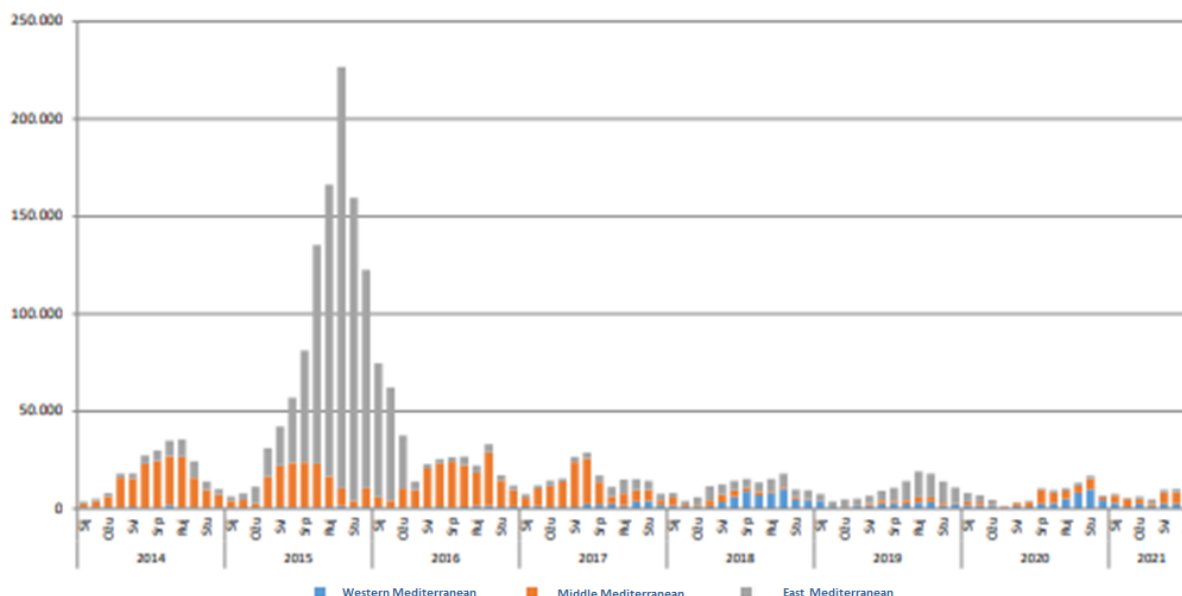
Source: Frontex

On the central Mediterranean route during 2021, the largest increase (+82%) was recorded compared to others. Although the total number of arrivals in Malta in 2021 was 470, a decrease of 78% compared to the same period in 2020 should be seen in the context of a sharp increase in arrivals in Italy, with more than 41.000 total arrivals, almost half from Libya. Migration from Tunisia is still high compared to previous years, accounting for almost 40% of illegal migration to Italy so far this year. There is also a significant trend of increasing the number of direct arrivals in Italy, in contrast to arrivals after search and rescue.

The total number of arrivals in Spain in 2021 is 25.852 (as of September 19, 2021), which is 54% more than in the same period in 2020. This is primarily because the number of arrivals in the Canary Islands is more than twice as high. Algeria is the main country of departure for migrants arriving via the western Mediterranean via mainland Spain, followed by Morocco. The main countries of departure on the Atlantic route to the Canary Islands are Morocco, Mauritania and Senegal.

On the Eastern Mediterranean route, the total number in 2021 is lower than last year, with a significant reduction in arrivals in Greece in 2021 by 58%. On the other hand, the number of

arrivals in Cyprus in 2021 increased by about 47%, and the number of arrivals directly from Turkey to Italy by a significant 208%, with 6.175 arrivals in Italy from Turkey in 2021 compared to 2.007 in 2020.

In 2021, 6.026 arrivals in government-controlled areas, 5,413 after crossing the Green Line and 613 directly by ship were reported in Cyprus to date, compared to approximately 4,100 arrivals by crossing the Green Line and by boat in the same period last year, of which 5,400 arrivals were recorded by crossing the green line of demarcation, and 496 directly by ship to areas controlled by the Cypriot government, from Lebanon, Syria or Turkey (334 from Turkey).

A worrying phenomenon is the instrumentality of migration for political purposes at the EU's various external borders. However, the event of June 2021, when the Republic of Belarus organized and sponsored the smuggling of migrants to the EU, is of the greatest concern. This followed political turmoil in Belarus and an international reaction to the forced landing of a passenger plane in Minsk. Flights and trips within the country were organized to facilitate the transit of migrants, first to Lithuania and then to Latvia and Poland, and the migrants were mostly Iraqi nationals. The number of illegal arrivals in Lithuania in 2021 is more than fifty times higher than the number of arrivals in 2020, and in Poland and Latvia there is a significantly higher number of illegal border crossings from Belarus.[194]

As a result of coordinated EU efforts (see below), the number of daily illegal arrivals has fallen sharply, but migration pressure from Belarus remains.

Another example of the need to constantly monitor changes in patterns is the increase in the number of transitions from the EU to the United Kingdom via the English Channel. By September 2021, 13.500 crossings along that route had been recorded, compared to 8.500 crossings throughout 2020.

The number of illegal arrivals from Afghanistan to the EU has not changed significantly since the recent turmoil. Nevertheless, the EU and the Member States are determined to learn from past experiences, working in a coordinated manner to address humanitarian challenges, and be ready for possible migration trends and new security risks.

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[194]   Europol, (2020). 'The challenges of countering human trafficking in the digital era, https://www.europol.europa.eu/publications-documents/challengesof-countering-human-trafficking-in-digitalera

The Covid-19 disease pandemic has significantly affected the arrival of migrants in 2020, both legal and illegal, and has created several new challenges in the area of migration management; at the same time, the pandemic has shown that foreign workers play a key role in the EU economy and that such legal migration is crucial.

Reductions in visa requirements worldwide have also been recorded in the EU, with 2.9 million short-stay visa applications in Member States in 2020, 83% less than in 2019. Several Member States have taken measures to ensure that irregularities do not occur in the case of third-country nationals who are unable to leave the EU due to travel restrictions. The pandemic also suspended the registration of new asylum applications. The number of 485,000 applications for international protection submitted in the EU + (EU + applies to the 27 EU Member States, Norway and Switzerland), in 2020 was approximately three times less than in 2019, and the total number of applications in 2021 is still below levels before the pandemic, although an increase has been reported in some Member States.[195] Due to the pandemic, fewer asylum seekers were redirected to the Dublin procedure for transfer to the responsible Member State, and the number was halved from 2019 to 2020.[196] In 2021, lower levels of transfers were still recorded.

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[195] In 2020, the largest number of applications was received in Germany, followed by France and Spain. In terms of population share, Cyprus received the most requests, followed by Malta and Greece. In 2021, Syrian citizens have submitted the largest number of first applications so far, followed by citizens of Afghanistan, Pakistan, Iraq and Turkey.

[196] The overall rate of positive decisions on applications under the Dublin Regulation in 2020 was 59%, a decrease for the third year in a row. Four countries - France, Germany, Greece and the Netherlands - accounted for more than three-quarters of all transfers.

Figure 8. Asylum applications 2020 and 2021 in the EU
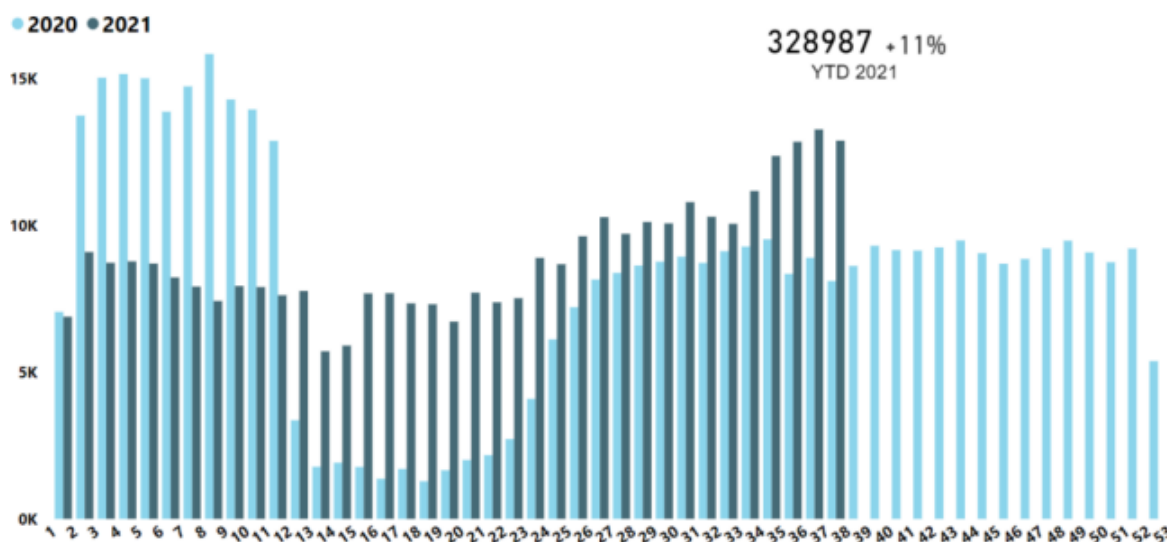
Source: EASO

Side by side, travel restrictions imposed to curb the pandemic have made it difficult to successfully implement returns. The number of return decisions issued in Member States in 2020 decreased by 19% compared to 2019, but the number of effective returns to third countries was more than twice as low.[197] The return rate has fallen to less than 18% in 2020, compared to 29% in 2019. Return operations are slowly continuing as restrictions are gradually lifted. However, some countries retain restrictions imposed during the pandemic. Turkey suspended return operations from Greece in March 2020 due to a pandemic, and the EU will continue to encourage Turkey to continue returns, in line with commitments made under the EU-Turkey Declaration.

During this period, the Commission sought to help Member States reduce the impact of the pandemic to a minimum. This included guidelines[198], practical support from agencies and exchange of best practices in areas such as conducting remote interviews and conducting online procedures.[199] Funding rules have also been amended to minimize the risk of delays and to adjust

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[197] In the Member States, almost 400,000 return decisions were issued in 2020, and more than 70,000 people were effectively returned

[198] Communication from the Commission - Covid-19: Guidelines for the implementation of the relevant EU provisions in the field of asylum and return procedures and for resettlement (2020 / C 126/02, 17 April 2020).

[199] For example, the work of the European Migration Network and the European Integration Website.

control and audit requirements to allow steps such as more frequent use of digital evidence to be implemented.[200]

Funding was also targeted at special needs, with a grant of € 25.3 million to strengthen Greece's capacity to fight Covid-19 in reception facilities and public hospitals, with the support of 14 Member States under the Mechanism Union for Civil Protection (UCPM).

In general, the pandemic reiterated the importance of building a more modern and harmonized approach to migration management. Timely exchange of information proved crucial, and the Migration Crisis Preparedness and Management Plan proved to be a valuable platform for exchanging information on the pandemic response. Ongoing operations include the deployment of a total of 1,982 permanent forces officers and other experts, four offshore patrol vessels, 19 coastal patrol vessels, 32 coastal patrol vessels, 13 border control vehicles, three thermal imaging vehicles, 121 patrol vehicles, three aircraft, eight helicopters, 21 cameras, 75 night-vision goggles, 29 mobile offices, 27 CO2 detectors and eight heart rate detectors.

Frontex's co-operation with third-country partners now includes status agreements with Albania, Montenegro and Serbia[201], and a status agreement with Macedonia has yet to be signed. The status agreement with Bosnia and Herzegovina was initialed in January 2019, but Bosnia and Herzegovina has not yet signed it. In order to further speed up cooperation with partner countries, the Commission will adopt a draft working arrangement and a status agreement by the end of 2021 in order to establish a framework for Frontex's cooperation with third countries.[202] It is envisaged that the new status agreement template will operationalize the possibility of joint operations along borders between third countries. From 2020, working arrangements between Frontex and the Republic of Guinea and Georgia have been approved and agreements with Albania have been revised, enabling structured cooperation between the Agency and those countries. The status agreements negotiated by the Commission and concluded by the Union with third countries are needed to enable Frontex to deploy border control officers exercising executive powers in the territory of third countries. All other types of cooperation between

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[200] Commission Implementing Regulation (EU) 2020/1019 of 13 July 2020 Regulation (EU) 2020/1543 has been revised to harmonize the deadlines for submitting invoices and recalls in order to reduce the risk of recalls.

[201] Frontex is currently deploying 110 permanent forces in its joint land and sea operations in Albania, 25 in joint land and sea operations in Montenegro and about 50 in a joint land operation in Serbia.

[202] The Commission is also developing model provisions to harmonize the exchange of information between Member States and third countries under the European Border Surveillance System (EUROSUR).

Frontex and third countries are usually based on bilateral working arrangements signed between the Agency and the competent authorities of the third country in accordance with Article 73 (4) of the European Border and Coast Guard Regulation.

The ultimate goal of EU migration policy is to ensure that migration takes place safely and legally and is well managed, to enable the EU and its partners to tackle the challenges of illegal migration and forced displacement, and to reap the many benefits of migration. To this end, the EU continues to pursue policies to achieve the best outcome for its Member States and partners in a world where illegal migration, forced displacement and legal mobility are a constant challenge, and to build an effective migration management system, protect fundamental rights and attract required talents and skills.

The routes and movements of migrants, many of whom are at risk, continue to change. They will be closely monitored and, where possible, foreseen to ensure the EU's readiness to respond to new trends. Recent events in Belarus and Afghanistan show that the EU must constantly assess and be ready to respond to new trends, adapting existing regulations and envisaging new measures to stop the abuse of migration and asylum systems in the form of state-sponsored migrant smuggling networks.

The EU has already taken several steps to improve its capacity to meet these challenges. Rapid and constructive progress in legislative matters under the new pact is now crucial and will serve to further strengthen Europe's capacity to manage migration, secure legal routes, protect its borders, accept those entitled to humane conditions and treat those with dignity with dignity. They do not enjoy this right, in accordance with EU values and principles.

5.3. Human trafficking in the Western Balkans during a pandemic by countries

The countries of the Balkans, due to the specificity of the location, especially Albania, Serbia, Kosovo and Macedonia, are internationally known as transit states. However, there is a good proportion of the victims, which is almost constant in percentage, who say that they end up in some of the Balkan countries, so these countries could also be said to be the ultimate destinations of trafficking victims.

Montenegro, Serbia, and Albania are also frequently cited as countries where trafficking victims originate, especially Serbia when it comes to trafficking in minors.

To summarize, although the Balkan countries are most commonly encountered in the context of "transit territories" for trafficking of victims, the overall problem of human trafficking beings with it`s present in their territory. Therefore, in order to alleviate this problem, in the long discussions of the representatives of the state authorities and the non-governmental sector, there is always a need to strengthen the capacities and mechanisms of the states as well as to strengthen the human and technical potentials in this field.

The Western Balkans area is particularly problematic, internationally, with the launch of a project "Citizen Associations as a Control Mechanism in the Fight Against Human Trafficking in the Western Balkans". Greece, for now, is considered to be a destination country for Eastern European and Nigerian victims.

To combat human trafficking, and minors in particular, the international community recommends that the Western Balkans establish a list of standards for identifying victims, that the civil sector be financially supported, with direct economic assistance to victims (that so far has not been done in Macedonia or Kosovo). In line with international trends, our country is the only one in the region where the Ministry of Labor and Social Policy manages the national victim management mechanism, while in Albania, Kosovo and Serbia the MoI is at the forefront of that mechanism.[203]

In Serbia, the Government adopted the Decision on the Temporary Restriction of Movement of Asylum Seekers and Irregular Migrants Accommodated in Asylum and Reception Centers in RS on 16 March 2020. By way of this Decision, the movement of asylum seekers and irregular migrants was restricted 24/7 to asylum centers and reception centers. The measure was imposed to "protect against the spread of infectious diseases in the territory of the RS" and "prevent the uncontrolled movement and wilful departure from asylum and reception centers of individuals who may be virus carriers". Migrants were allowed, under exceptional circumstances, to leave the facilities for a specific period of time, to, *exempli causa*, see a doctor. Asylum and reception centers were guarded by the Army of RS. On 9 April 2020, the Decision on the Temporary

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[203] http://www.utrinski.com.mk/?ItemID=B7A424666838874692418FB52796ACE9

Restriction of Movement of Asylum Seekers and Irregular Migrants Accommodated in Asylum and Reception Centers in RS was incorporated into the Decision on Measures during the State of Emergency, with higher legal power. This Decision was suspended after the end of the state of emergency.

After the state of emergency ended on 6 May 2020, a new government decision was adopted – an Order Restricting Movement on Roads Leading to Asylum and Reception Center Facilities and Grounds. The Order prohibits access to the center grounds and facilities and the center residents from leaving the center except for justified reasons (e.g. to see a doctor). Several CSOs filed an initiative with the Constitutional Court of RS to review the constitutionality and legality of the Order and the Order was cancelled on 14 May.

By the Government Decision on the Status of Foreign Nationals in the Republic of Serbia during the State of Emergency of 24 March 2020, the validity of all expired IDs for asylum seekers and foreigners granted asylum was extended until the state of emergency is lifted. The Decision lifted all police activities regarding the collection of biometric data until it is safe to collect them, thus suspending the registration of asylum seekers. The Asylum Office continued issuing certificates and personal documents in the prescribed manner, but the asylum procedure was suspended.

At the beginning of the second half of March 2020, the Government of Kosovo declared the state of emergency in the country. Decisions were made by the government to stop the movement of citizens at a certain time and in a certain number of persons. Regarding asylum seekers, they were placed in three AC in Kosovo, one in Prishtina in the "TaukBahqe" neighborhood, where a total of 16 asylum seekers, with four families with their children, were sheltered. The conditions were at a satisfactory level, the building is close to the Prishtina city center. AC in the village of Vranidoll accommodated mostly male asylum seekers, i.e. single boys aged 18 to 40, up to 90 people, while AC in the village of Magure up to 88 people. Freedom of movement was restricted to asylum seekers the same as to citizens of Kosovo. This restriction was imposed on the basis of the penultimate ID card number and the same applied to asylum seekers. Due to the pandemic, the government stopped all MoI activities, including interviews for refugee status determination.

In Albania, the situation at the border became more difficult in the first months of 2020 due to the pandemic outbreak in the country. As a measure to protect the people inside the overcrowded

National Reception Center for Asylum Seekers in Babrru and to prevent the spreading of Covid-19, the center stopped accepting new arrivals from the border areas. In order to improve the availability and access of migrants to sanitary services in the context of the Covid-19 situation, five furnished containers were procured and installed at the registration and temporary accommodation centers for irregular migrants in Kapshticë, Korçë and Gërhot, Gjirokastër. Translation services were only possible by telephone, and all non-essential activities in the centers and those involving a large number of people were postponed. Trips with migrants to public facilities are avoided, unless necessary. Furthermore, as a result of the Covid-19 pandemic, there is an unprecedented demand for medical items and medicines, which are mainly supplied by CSOs. During this situation, conditioned by strict government measures, CSOs are not able to carry out monitoring missions to verify potential violations of the rights of state authorities.198 These circumstances have put migrants and asylum seekers in a more vulnerable situation. Given that, AHC has called on the institutions to verify the accommodation conditions for this category and guarantee better respect of their rights, especially their right to life and the right to health.

Governments in the Federation of BiH and in the Republic of Srpska declared the state of disaster and emergency on 16 March 2020. Due to the Covid-19 outbreak, a set of different measures was introduced to prevent further spread of the virus, including restriction of movement of asylum seekers and migrants accommodated in reception centers. On 16 April 2020, the Council of Ministers of BiH restricted the free movement of foreigners "in order to minimize the consequences of coronavirus and to prevent the outbreak". Under this decision, movement and stay were limited for foreigners not holding valid ID documents based on which their real identity is possible to ascertain, who stay in BiH illegally, who have expressed intention to seek asylum, and hold valid attestation of expressed intention or have filed the request for asylum in BiH. With the intention of local law enforcement agencies to remove migrants from the streets, reception centers faced difficulties in particular overcrowding-making the isolation measures, including physical distance, almost impossible to implement.

Amid the pandemic situation, the Security Minister of BiH called for the urgent deportation of migrants, by saying that BiH "will not be a parking lot for migrants and that 10.000 of them will be deported". He even instructed the director of the SFA to provide the list of "illegal, economic

migrants" and to see how to deport them from BiH.195 This caused massive anxiety of numerous asylum seekers in the country as they were worried that deportation might take place even before the asylum procedure was completed. As a result of the Council of Ministers's decision, authorities in Bihać started with forcible relocation of asylum seekers residing in private accommodation to Lipa, the newly opened temporary emergency facility near Bihać. All asylum claim applications and refugee status determination interviews were put on hold until 1 June 2020. Extending asylum seeker cards for persons accommodated in temporary reception centers has been delayed, and still presents a challenge for the SFA.

Due to the outbreak of coronavirus in Montenegro, the National Coordination Team for Infectious Diseases, adopted among other things, a temporary measure –a ban on entry of foreigners, except foreigners with permanent or temporary residence in Montenegro.196 All this had an impact on the entire asylum system in Montenegro. Namely, MoI handled the accommodation, reception and other rights of foreigners seeking international protection in accordance with the order on temporary measures for the prevention of importation in the country, suppression and prevention of transmission of the new coronavirus.

Since the day the mentioned order became effective, the Directorate for the Reception and Accommodation of Foreigners Seeking International Protection has prohibited persons residing in their accommodation facilities to leave them. Camps are being guarded by the police. In case of potential entry in the country, despite the mentioned order, foreigners are placed in AC. Interviews before the Asylum Directorate, referring to the process of granting international protection, are suspended until further notice. In early April, CA teams were granted access to camps, to ensure free legal aid to foreigners seeking international protection.

5.4. Human trafficking in the Republic of Macedonia

The temporary and permanent residence of foreigners in the Republic of Macedonia is regulated by regulations and transparent procedures that are fully harmonized with those of the European Union. Most of the activities in this area are performed by the Ministry of Interior in cooperation with other ministries and institutions. This cooperation is continuously expanding and deepening, especially after the adoption of the Law on Foreigners and its latest amendments, especially due to the current global migration movements.

Regarding the number of foreigners with temporary and permanent residence in the Republic of Macedonia, it can be assessed that this is not a large volume of immigrants. However, given their characteristics, the need for effective management of economic and non-economic immigration in accordance with the demographic and socio-economic development of the country is indisputable. Given the current unfavorable conditions in the labor market, the Republic of Macedonia should continue to pursue a flexible and market-oriented policy of hiring foreign workers according to the long-term goals of employment policy.[204]

Today, when the Republic of Macedonia enters the post-reconstruction phase, with a real opportunity to join the European Union, the country should be expected to become more attractive for immigration, and the number of foreigners to increase continuously.

The available data on the number of foreigners regularly staying in the country on various grounds can be assessed as relevant. It is important to note that activities are underway to improve the existing system for electronic processing of data on foreigners, which includes data on foreigners with approved temporary residence, asylum, permanent residence and measures taken against foreigners (canceled stay, expelled, misdemeanor charges), because it does not correspond to the modernization of IT technology and connection to other databases.[205]

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[204] Government of the Republic of Macedonia (2004), "National Strategy for Integration of the Republic of Macedonia in the European Union", Skopje, Sector for European Integration, General Secretariat of the Government of the Republic of Macedonia.

[205] ĐorĐević, B. (2009): Evropska politika upravljanja migracionim tokovima i Srbija kao njen deo. Bezbednost zapadnog Balkana. No. 12. pp. 78-91

Emigration from the Republic of Macedonia is very intense and reaches enormous proportions. The problem with the available data from domestic and foreign sources on the scope and dynamics of these migration movements is evident.

Emigrants today make up at least one-fifth of the country's total population. These migration movements take place under the influence of numerous and diverse factors, of which several groups of stakeholders stand out in terms of their importance: changes in the socio-economic development of the country; long-term very high visible unemployment; the tradition, the formation of numerous Macedonian communities and the established migration ties; changes in the immigration policies of the host countries.[206]

The consequences and implications of emigration are numerous and very complex, and are manifested in several domains, with their impact on demographic and economic development being particularly important. Its direct and indirect impact on the development of the population and the acceleration of the process of demographic aging is continuously increasing. The impact of modern economic emigration on the socio-economic development of the Republic of Macedonia is manifested through short-term and insufficiently expressed development effects, and numerous negative consequences and implications with long-term effect.

In recent years, more attention has been paid to the diaspora and its involvement in the social and economic development of the country. In that sense, a comprehensive policy is needed to include the diaspora in the development of the country, inter alia through programs aimed at optimizing the use of remittances, identifying the development potential of the diaspora, returning and reintegrating highly educated staff.

In the area of illegal migration, the Republic of Macedonia has made great progress. The management of these migration movements is regulated by legislation harmonized with the legal flows of the European Union, efficient and transparent procedures and developed international cooperation in this area. Successful implementation of integrated border management results in a significant reduction in the number of illegal migrants.[207]

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[206] Center for Research and Policy Making, (2007

[207] ĐorĐević, B. (2009): Evropska politika upravljanja migracionim tokovima i Srbija kao njen deo. Bezbednost zapadnog Balkana. No. 12. pp. 78-91

5.5 Republic of Macedonia and the Western Balkans Route

Macedonia is part of the so-called Balkan route starting from Turkey, Greece, through our country and Serbia leads to Western Europe.

According to Interpol, the "traditional" Balkan route is one of the two main channels for migrant smuggling in Europe. The first leads through Central Asian countries to Russia, and from there through Ukraine, Slovakia and the Czech Republic to Western Europe. The Balkan route is the second channel through which illegals from Asia transfer to Western European countries. Last year, the Council of Europe's Organized Crime Report on the Balkan route said human trafficking was linked to the falsification of travel documents and the bribery of border police, led by Kosovars. Italy and Greece are major destinations for illegal immigrants. Albania, Slovenia and Greece are the countries through which Macedonians illegally leave for the white world.

In the first half of last year, the Slovenian police blocked the way to Europe for 233 Macedonian citizens, who crossed the Slovenian border illegally. Illegals who use this route to enter the EU usually go to Italy, and from there to France, Germany, Switzerland or the United Kingdom. For Afro-Asians as well as for Central European emigrants, Slovenia is often the transit country, but for illegals from the former Yugoslav republics, this alpine country is often the final destination. Croatian police and border services discovered more than 2,000 illegals from Macedonia last year. The smuggling network was led by Croatian citizens of Albanian origin, who had developed channels in Albania, Kosovo and Macedonia.

The Macedonian-Greek border is the most used by illegal immigrants from Albania to enter the EU. The border in the Bitola-Prespa region is part of the regular route of economic emigrants in search of work in Greece and Western European countries. The illegals are transported through Medzitlija and the Greek port of Igoumenitsa to Italy, and from there to developed Europe.

Illegals often do hard physical work, are placed in miserable conditions, receive relatively small wages, and in their free time avoid the police. At their expense, European bosses collect the cream.

Residents of the villages under Kozuv say that there are many Macedonians in Greece, who work illegally for 500 euros. They say there was work for the elderly as well. The elders kept cattle, cleaned stables, and milked cows.

Unlike cattle breeders, Macedonian masons who crossed the border illegally earned more. They received about 40 euros a day, and food and sleep were provided by the owners.

Those who will not receive a visa decide to cross the border illegally. About 20,000 Macedonian seasonal workers are hoping for an agreement between Macedonia and Greece for seasonal employment this year as well.[208]

The situation is similar in Italy and in other Western European countries, where some of the emigrants are involved in crime and drug trafficking, for which they use the same channels.

Republic of Macedonia and the state of the borders with the neighboring countries

In 2005, police took control of the border, including the green border, from the army. The Border Police currently consists of 1950 people. 4 regional centers with structures similar to that of the Ministry of Interior have been created.

The Southern Regional Center established in 2004, based in Bitola, is responsible for the border with Greece, the Eastern Regional Center for the border with Bulgaria, the Northern Regional Center in Skopje for the borders with Serbia and Kosovo, and the Western Regional Center based in Ohrid for the border with Albania.

The country has two international airports. One is located in Skopje and the other in Ohrid. Its borders are not part of the Schengen area, but the principles meet the Schengen requirements. Together with FRONTEX, they organize training for the workers. Crime prevention trainings are held at both central and regional levels.

In the preparation of the risk analysis of illegal migration in the Republic of Macedonia, the reports and data from the Sector for Analytical Research and Documentation were used, ie the report on the state border in relation to illegal migration during 2012. It can be used to determine the statistical indicators on the situation of illegal migration in the Republic of Macedonia,

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[208] Center for Research and Policy Making, 2007

especially for each Regional Center for Border Affairs, which is responsible for the border with the neighboring country.

Figure 9. Macedonia as a transit country

Source: Southern Regional Center (2019)

From the Western Regional Center of the Border Police in Ohrid, the data show that since the time of visa liberalization, the biggest task for their unit is to deal with organized crime. The character of Macedonia as a transit country is significantly shown not only from the Greek border but also towards Greece. There are three sectors operating at the regional level[209]:

- ✓ Department for Foreigners;

- ✓ Department for Illegal Migration; and

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[209] Панајотов, С., (2020), Infomigrants: Мигранти одново се упатуваат кон балканската маршрута преку Идомени, Миа, 22 јули 2020 година, https://mia.mk/infomigrantsmigranti-odnovo-se-upatuvaat-kon-balkanskata-rutapreku-idomeni

✓ Returns Acceptance Department.

The Ohrid Regional Center was established in 2006 and includes inspectorates, and the location is responsible for covering the border with Albania.

After the initial steps, between 2007 and 2009, it was typical that a large number of Albanian citizens (3,000 people per year) came to Macedonia who considered the country a transit country, then left for Greece or other EU countries. There were also a small number of foreigners who aimed to find employment on the black market.

The inspectors, then, felt that in the initial period the handling of this "additional" phenomenon was a great difficulty (this includes human trafficking and organized crime) but, with the introduction of stricter measures in the Macedonian Criminal Code and by strengthening resources, the situation immediately improved. They are currently very successful in uncovering crimes.

Since 2011, after the establishment of visa liberalization, and Albania's entry into NATO, there has been a decrease in illegal migration, but a large number of forged documents are pointed out as a new phenomenon. Such documents are typically used by Kosovo citizens because the young country's travel documents are not accepted anywhere in Europe. From Kosovo, they travel first to Macedonia, then to Albania and finally to the EU, or they will try to use fake passports at the Ohrid airport.[210]

When border police officers catch someone, they first check to see if the person needs legal or medical assistance. Provide him with the opportunity to contact family members.

If the identity can be determined within 24 hours, the person will go to the misdemeanor court where he can be sentenced to a fine of up to 500 euros for prohibited or illegal crossing of the Macedonian border. The enforceability of this sanction is debatable, so many times the judge issues a verdict only as a reprimand or forces the foreigner to reimburse the costs of the procedure.

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[210] Панајотов, С., (2020), Infomigrants: Мигранти одново се упатуваат кон балканската маршрута преку Идомени, Миа, 22 јули 2020 година, https://mia.mk/infomigrantsmigranti-odnovo-se-upatuvaat-kon-balkanskata-rutapreku-idomeni

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In the case of organized crime groups, of course, in terms of the gravity of the crime, there may even be a criminal court taking responsibility.

Most often it is about drug trafficking, aiding prostitution and smuggling of excise products. In the case of Macedonia's neighboring country, determining identity is not difficult. Cooperation with them is also good.[211]

If within 24 hours it is not possible to determine who the foreigner is, and the country of origin is also suspicious, the person will be transferred to an open reception center.

Virtually all of the illegal migrants arrive across the green border. They are often caught at depth controls that are cheaper, and border guards already know the most commonly used trails. Experiences in this regard show that this border area of economic migrants poses a lower challenge than organized crime.

In 2018, a total of 175 (167) migrants, 158 Albanian citizens, 17 Macedonian citizens were detected in the area of the Regional Center "West". Near the border line, the border police at the entrance to the Republic of Macedonia detected 32 (48), 31 Albanian and 1 Macedonian citizen, while at the exit from the Republic of Macedonia, 46 (34), 39 Albanian citizens and 7 Macedonian citizens were detected. Inside the area of the Regional Center-West, 97 (85) persons were detected, 88 Albanian and nine Macedonian citizens who were found to have crossed the Albanian-Macedonian border illegally.[212]

The reason for illegal crossing of the state border is usually of an economic nature, due to seasonal employment, mostly in the border villages of Velesta, Radolishta, Delogozda, Frangovo and others, as well as in the nearby cities of Struga, Debar and Gostivar, where they are accepted by the local population, and part to transit to the southern border, in order to illegally leave for R. Greece.[213]

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[211] Стојанчова, П., (2020), Балканската мигрантска рута повторно атрактивна, Радио Слободна Европа, 26 јуни 2020 година, https://bit.ly/376YOng

[212] Панајотов, С., (2020), Infomigrants: Мигранти одново се упатуваат кон балканската маршрута преку Идомени, Миа, 22 јули 2020 година, https://mia.mk/infomigrantsmigranti-odnovo-se-upatuvaat-kon-balkanskata-rutapreku-idomeni

[213] Стојанчова, П., (2020), Балканската мигрантска рута повторно атрактивна, Радио Слободна Европа, 26 јуни 2020 година, https://bit.ly/376YOng

During this period, the Regional Center-West forcibly removed 145 (152) people, all Albanian citizens.

From the Southern Regional Center of the Border Police in Bitola, it is emphasized that the border crossing in Gevgelija is characterized by the crossing of Afghan migrants in large numbers, but also that the center does not have certain specific, ie accurate data.

The center confirms the information given by their colleagues who work in the Western unit regarding the need to determine the identity of the foreigner within 24 hours. After that time, the foreigners are transferred to a reception center from where they usually leave, ie they are directed to unknown places.

Illegal migrants can only be returned to Greece if it can be proven that the person who came from Greece, for example, has a suitable hotel reservation. In other cases, Greece will not accept that person. The Macedonian regional center has no feedback on what will happen proximate in Greece, ie what will be the fate of the returned foreigner.

Simple, straightforward sketches and descriptions of routes to Hungary and Austria were found in most of the illegal migrants. Those drawings probably come from human traffickers. There are some characteristic waves at certain times: in winter much fewer people come without money and documents; in summer, for understandable reasons, border guards have more work to do. In 2018, this regional center said that a total of 93 asylum seekers arrived, and in 2019 this number was 223. Most asylum seekers often do not wait for the completion of the procedure and flee the reception centers, so there is no possibility to perform the procedures. for asylum.[214]

According to Interpol, the growing human trafficking is mainly controlled by organized crime gangs from Macedonia and Serbia and Montenegro. Interpol considers it a substitute for drug trafficking. The price paid by the emigrants for transport in the promised land ranges from 2,000 to 8,000 euros.

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[214] Панајотов, С., (2020), Infomigrants: Мигранти одново се упатуваат кон балканската маршрута преку Идомени, Миа, 22 јули 2020 година, https://mia.mk/infomigrantsmigranti-odnovo-se-upatuvaat-kon-balkanskata-rutapreku-idomeni

The special action of the Ministry of Interior called "South", a few months ago resulted in the arrest of 26 criminals involved in the trafficking of people from Albania through Macedonia to Greece.

Several organizers of human trafficking and luxury vehicles were discovered in the operation, including several police officers. The detainees are in custody at the Shutka remand prison, where they are awaiting the outcome of the trial.

Last year, the police in Ljubljana discovered a group led by a Macedonian citizen, which from January to April last year transferred 446 illegals from Croatia through Slovenia to Italy. The group earned more than 65,000 euros.

Interpol in Croatia has registered seven organized groups of Croatian citizens of Albanian origin specializing in smuggling of emigrants.

Croatian authorities last year convicted a Macedonian Albanian of smuggling 270 foreign immigrants. He and his group organized the transportation of illegals from Turkey, Iraq, Pakistan, Kosovo, Albania and Cuba, who then transferred them to Slovenia.

In 2018, a total of 166 (148) migrants were detected in the area of the Regional Center "South", which is an increase of 12% compared to the same period last year. Thereby, near the border line, during an attempt for illegal entry in Macedonia 44 (31) persons were detected, seven Pakistanis, six Moroccans, five Albanians, three Englishmen, one from Kosovo, Iraqi, Senegalese and Dutch citizens, as well as 19 Macedonian citizens, who were staying illegally in the Republic of Greece.[215]

When leaving Macedonia 31 (45) migrants were detected, out of which 16 Albanians, four Kosovo and 11 Macedonian citizens who intended to enter the Republic of Greece illegally, while inside the area of the Regional Center for Border Affairs "South" were detected 91 (72) illegal migrants, 33 Afghans and Pakistanis, 20 Syrians, three Albanians and one Kosovo and one Palestinian citizen.

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[215] Стојанчова, П., (2020), Балканската мигрантска рута повторно атрактивна, Радио Слободна Европа, 26 јуни 2020 година, https://bit.ly/376YOng

The most common places of illegal crossing of the state border in the Bitola region are the villages Medzitlija, Kravari, Kremenica, Graeshnica, Bistrica, Velushina, the former watchtower Lerinski Pat while in the Gevgelija region they are performed at the places called entrance-Gevgelija, Zelatni, Zelezni, Prdejci, Smokvica, Bogorodica and GK 33,57 / 1, 56, 59 and 62. In the Dojran region the villages Nikolic, the places called Solunski pat, Vladaja and the former watchtower Nikolic and in the Kavadarci region the most common places of illegal border crossing are called Puljevac, Sveti Petre, the former watchtower Mal Kozjak and the village. Maiden.[216]

Typical places where persons who entered the Republic of Macedonia illegally are discovered are the places called Tunnels on the highway Skopje-Gevgelija and the junction Negotino, when transporting migrants by taxis, buses and passenger motor vehicles, and are discovered by police officers from the police station for traffic safety from Demir Kapija as well as by the Mobile Unit for Cross-Border Crime.

Otherwise, the motives for the illegal crossing of the Macedonian and Albanian migrants are of economic character, ie working illegally in the Republic of Greece, while migrants from Afro-Asian countries transit through the country in order to go to Western European countries.

During this period, 149 persons were returned by the Greek border authorities due to illegal entry from the Republic of Macedonia, of which 77 were Macedonian and 59 from Kosovo, seven Albanian citizens and 6 Serbian citizens, while the Regional Center "South" forcibly removed them. 63 people, including 12 Somalis, 10 Afghans, 8 Greeks, 7 Pakistanis and Palestinians, 5 Moroccans and English, three Chinese, two Senegalese and one Kosovo Iraqi, one Dutch and one Belarusian.

During 2018, 7 criminal charges were filed against 13 perpetrators in the area of the Regional Center "South", including 12 Macedonians and one Pakistani citizen for smuggling 29 Afghan, 20 Somali and 21 Pakistani citizens.

Regarding bilateral returns, 24 bilateral agreements have been concluded. These agreements refer to such Macedonian citizens and such persons who passed from Macedonia to the countries

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[216] Стојанчова, П., (2020), Балканската мигрантска рута повторно атрактивна, Радио Слободна Европа, 26 јуни 2020 година, https://bit.ly/376YOng

of the European Union, as well as to the citizens of the former Yugoslav Republic, and to those persons who resided in the territory of the Republic of Macedonia before 1991.

In the northern and eastern centers the situations are approximately the same. What we have in common is that we are always talking about illegal migrants, who, through this Balkan route, want to reach Western countries, looking for a better life.

In the area of Regional Center North during 2018, 337 (139) migrants were registered, which is an increase of more than twice compared to the same period last year.

During 2019 year, in the area of the Regional Center "North", on the Macedonian-Serbian border, 156 (37) migrants were discovered, 48 Pakistani, 27 Afghan, 14 Somali, 9 Turkish and Palestinian, 8 Serbian, 5 Algerian, and 4 citizens each from Eritrea and Bangladesh, 3 each from Sudan and Morocco, one each from China, Russia, Tunisia and a citizen of Guinea, as well as 18 Macedonian citizens.

During this period, eight people were forcibly removed from the Macedonian side, five Serbs and one each a Chinese, Russian and Turkish citizen.

Near the border line by the border police during illegal entry into R. 10 illegals were discovered in Macedonia, out of which 2 Serbian and one Turkish citizen, as well as 7 Macedonian citizens, while leaving Macedonia 18 people were found, three Serbs and Afghans, one Pakistani and 11 Macedonian citizens. In the interior of the country in the area of the Regional Center "North" were found 128 people, 47 Pakistanis, 24 Afghans, 14 Somalis, 9 Palestinians, 8 Turks, 5 Algerians, four citizens each of Eritrea and Bangladesh, three Serbs each, Sudanese and Moroccan and one each from China, Russia, Tunisia and Guinea.[217]

In the territory of Regional Center "North" 20 criminal charges were filed for the crime of "smuggling of migrants" against 22 Macedonian citizens and one Pakistani citizen, for smuggling of 49 Pakistanis, 33 Afghans, 14 Somalis, 5 Algerians, 4 Eritreans and citizens Bangladesh, three each from Morocco and Sudan, two each from Kosovo and one each from Guinea and Tunisia.

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[217] Стојанчова, П., (2020), Балканската мигрантска рута повторно атрактивна, Радио Слободна Европа, 26 јуни 2020 година, https://bit.ly/376YOng

181 (102) illegal passers-by were registered on the territory of Regional Center "North" on the Kosovo-Macedonian border, 146 Albanian, 15 Kosovo, 12 Macedonian, five Turkish, three Serbian citizens. Upon entering the country, 54 (23), 37 Albanians, 6 Kosovo, three Serbs and 8 Macedonian citizens were detected, while upon leaving Macedonia, 15 (14) persons, 9 Albanians, two Kosovo and 4 Macedonian citizens were detected. 112 (65) migrants, 100 Albanian, 7 Kosovo and 5 Turkish citizens were found inside the country.[218]

During this period, 158 (64) persons, 144 Albanian and 11 Kosovo and three Serbian citizens were forcibly removed from the Macedonian side.

During 2018, in the area of the Regional Center "East", 4 (15) people were detected, of which inside the country, three were detected, two Bulgarian and one Macedonian citizen, while trying to leave the country illegally a Serbian citizen were found.

During this period, 2 (5) persons were forcibly removed by the Macedonian border authorities, one Albanian and one Bulgarian citizen each.

Immigration profile

One of the main political goals of each country is the creation of effective mechanisms for monitoring and managing migration flows. For that reason, efficiency in migration management, in institutional and political frameworks, is also necessary.

Namely, the lack of accurate information and statistics on the number of migrant workers, legal or illegal, is practically detrimental to the development of an effective migration management policy. Understanding national migration policies requires appropriate data processing and transmission for access to comparative international migration, national political coordination, and active cooperation between responsible authorities.

Therefore, the need to establish a migration profile, which is of great importance, covers:[219]

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[218] Southeast European Law Enforcement Center, (2019), Report on illegal migration in Southeast Europe, https://www.selec.org/wp-content/uploads/2020/04/SELECReport-on-Illegal-Migration-in-SEE_public-version.pdf

[219] Вевер, О., Бузан, Б., Келструп, М., Леметр, П., (2010), Идентитет, миграција и новата безбедносна агенда во Европа, Скопје, Академски печат

✓ Analyzing the current situation in data collection and analysis / statistics;

✓ Identifies gaps in the analysis and development of practical recommendations based on the experiences of European Union member states and / or neighboring countries in order to increase migration statistics in the country;

✓ Strengthening the capacities of the Government for the importance and assessment of the current and potential means for regular and irregular migrations and the efficiency of the national and regional migration policy;

Namely, the migration profile should expand the knowledge about migration and enable assessment of how migration can affect the development, improvement and reasonable use of the distribution of existing migration information among relevant actors.

The migration profile will also serve as a political document for identification and policy orientation in the field of migrations that occur, ie which are of economic nature. The transformation of migration movements, as well as the management of their control can serve any Government in accurate records of state needs.

The Covid-19 pandemic has strongly impacted migration policies in the region. Due to the Covid-19 pandemic crises declared by the World Health Organization, during March 2020, all WB countries declared states of emergency and closed their borders. Migration flows in the region decreased and migrants were locked down in asylum and reception centers. In the accommodation facilities, migrants were informed on measures for protection and prevention of the virus in several languages and not a single person among asylum seekers and migrants were confirmed to be infected. Employees and asylum seekers in centers were equipped with protection equipment, and separate rooms for quarantine and self-isolation were prepared in the centers. Asylum procedures were temporarily suspended and activities of CSOs in the centers were reduced and primarily conducted online.

On 18 March 2020, the President of Macedonia signed the decision and declared the state of emergency in the country for 30 days and after that the state of emergency was continued on several occasions. As a result, some changes in practice were affected by the authorities and institutions involved in migration and asylum management. Namely, the management of AC in

Skopje restricted the freedom of movement for the asylum seekers accommodated in this facility outside the center. The management of the facility requested from the asylum seekers to limit their movement outside the facility and reduce their movement only to urgent matters or purchase groceries from the stores near the center.

At its 28th meeting on 25 March, the Government of Macedonia decided that all new asylum seekers and illegal migrants found in the territory of the country would be accommodated in TC Vinojug in Gevgelija for a 25-day quarantine, prior to being transferred to AC in Skopje (In April, there was only one asylum seeker, an Iranian national, accommodated in TC Vinojug in accordance with the government guidance). Although there was no formal decision adopted by the authorities to limit or prohibit the presence of CSOs and other actors in the transit centers, all CSOs and other organizations decided to limit their presence and visits to both transit centers during the pandemic crises. Regarding the security of Tabanovce and Vinojug transit centers, the police remained in charge of their maintenance. The military continued to be present, patrolling and protecting the border with Greece, without any changes in their mandate.

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The second wave of the Covid-19 pandemic devastated the Western Balkans. Many states are quarantined. This has reduced the transparency of public procurement processes, as well as the space for civil society organizations and the media to report on problems of corruption and organized crime. Criminals and corrupt officials quickly realized the possibility. We are seeing how the pandemic has revealed the weaknesses caused by mismanagement and corruption and how it threatens to worsen the already vulnerable socio-economic and health conditions. In 2015, more than half a million refugees and migrants flooded the Western Balkans, especially from Greece, through Macedonia, to Serbia, and then to Hungary. Although this so-called Balkan route was declared closed in March 2016, the flow never stopped completely; and in recent months, it has risen again. Migrants are still being smuggled along Corridor 10 - the main transport route from Thessaloniki via Macedonia and Serbia to Budapest, as well as west of Belgrade via Croatia and Slovenia, to Graz and Salzburg in Austria. In 2015, dramatic images were broadcast around the world of asylum seekers and migrants trying to cross the border from Greece to Macedonia in an attempt to head northwest along the Balkan route to central Europe. Since the closure of the Balkan route, the number of irregular crossings has dropped from

694,674 in 2015 to just over 4,000 in 2017.[220]Since the beginning of 2016, increased border security, such as the erection of fences and the deployment of Frontex border police and joint border patrols, has prompted migrants to cross the Adriatic route from Greece to Albania via Montenegro and Bosnia and Herzegovina then to Croatia. The closure of the Balkan route has also led migrants and asylum seekers to rely more on criminal networks to provide them with smuggling services and fake passports.[221] However, the number of people trying to enter northern Macedonia through Greece - and from there to southern Serbia - has been growing since 2019. Corridor 10 has regained its popularity as an artery for smuggling migrants: in 2019, almost 25,000 irregular crossings to Macedonia were reported.[222] Most of the asylum seekers and migrants are young men coming from the Middle East and North Africa, as well as Afghanistan and Pakistan.[223]

Figure 10. Statistics on irregular crossings through Macedonia
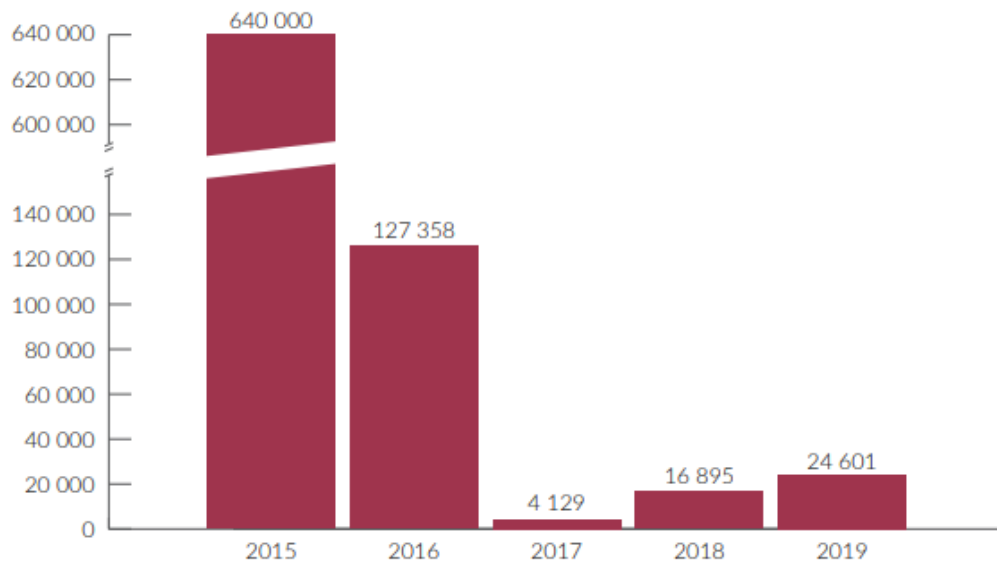
Source: Ministry of Interior of Macedonia, Annual Reports for 2017, 2018 and 2019 and Report on Risk Assessment for Organized and Serious Crime (2017-2019).

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[220] Ministry of Interior of Macedonia, Risk Assessment Report on Organized and Serious Crime, 2010–2015 and Report on Organized and Serious Crime Risk Assessment, 2017–2019

[221] Southeast European Law Enforcement Center, (2019), Report on illegal migration in Southeast Europe, https://www.selec.org/wp-content/uploads/2020/04/SELECReport-on-Illegal-Migration-in-SEE_public-version.pdf

[222] Ministry of Interior of Northern Macedonia, 2020

[223] Ministry of Interior of Macedonia, 2020

Migrants are smuggled through Republic of Macedonia in three main steps: crossing from Greece to Republic of Macedonia, transit through Republic of Macedonia and crossing from Republic of Macedonia to Serbia. The smuggling of migrants from Greece to Republic of Macedonia takes place along two main routes: one from the village of Idomeni (Greece) to Gevgelija (Republic of Macedonia) and the other along unmarked paths over Mount Belasica, near the town of Strumica (Republic of Macedonia).[224]

In 2015, Idomeni was the main crossing point for hundreds of thousands of migrants and refugees en route to Central Europe. Today, the village remains the center, but at a significantly lower level. The migrants are being smuggled into the vicinity of the Hara Hotel, located on the E-75 highway connecting Thessaloniki and Skopje. The smuggling is mostly carried out by Afghans and Pakistanis, often in cooperation with citizens of Republic of Macedonia. The most common routes pass through the border village of Moin, west of the river Vardar and the villages of Stojakovo, Prdejci, Selemli, Negorci, Miravci, Miletkovo and Bogorodica.

Migrants are often smuggled in cars and trucks across the Bogorodica border crossing. There were also several cases of migrants trying to cross the border by passenger or freight train through the Gevgelija railway border crossing. This mode of crossing can be dangerous: migrants could be injured or killed while trying to jump on moving trains or in contact with high-voltage cables (Panayotov, 2020). In 2015, 14 migrants who fell asleep on the tracks were killed by a train traveling from Thessaloniki to Belgrade.[225]

The second route passes through the mountain near Belasica and through the Dojran region, where the police of the Republic of Macedonia regularly detect migrants. For example, in July 2020, police found 12 Syrian migrants near the village of Davidovo in a personal vehicle with Serbian license plates, driven by a Serbian citizen from Vranje.[226]

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[224] Ministry of Interior of Macedonia, Annual Reports for 2017, 2018 and 2019 and Report on Risk Assessment for Organized and Serious Crime (2017-2019)

[225] Академик, (2015), Воз во близина на Велес прегази 14 мигранти: машиновозачот немал услови да го сопре возот, информираат од обвинителството, 24 април 2015 година, https://akademik.mk/voz-vo-blizina-naveles-pregazi-14-migranti-mashinovozachot-nemal-uslovida-go-sopre-vozot-informiraat-od-obvinitelstvo-3/

[226] Георгиев, З., (2020), Дивите патеки преку Беласица – нова балканска рута за мигрантите низ Македонија, Сител, 18 јули 2020 година, https://sitel.com.mk/divite-patekipreku-belasica-nova-balkanska-ruta-za-migrantite-nizmakedonija

After crossing into the Republic of Macedonia, the migrants head north along Corridor 10, from Gevgelija through Veles to the capital, Skopje. The improvement of the highway between Demir Kapija and Smokvica has increased the speed of traffic and reduced the number of controls, which has facilitated the smuggling of migrants. The alternative route used by smugglers to evade police patrols stretches from Gevgelija to Kumanovo through Bogdanci, Valandovo, Strumica and Stip.

Figure 11. Entry points for migrants and smuggling routes through the Republic of Macedonia

Source: Georgiev, 2020.

To reduce their risks, smugglers often use vehicles with lost or stolen license plates and place migrants in abandoned or empty houses. Smugglers often wear masks and gloves to avoid leaving traces of DNA or fingerprints on vehicles - a practice that does not raise much suspicion due to Covid-19 precautions.

Near the Serbian border, migrants are usually left near Kostrnik, the Makpetrol gas station on the E-75 highway or the Tabanovce ring road. From there, they are picked up and taken to the villages of Lipkovo, Lojane or Vaksince in the Lipkovo region - Muslim-majority villages, which provide a safe haven for smugglers and migrants. The migrants are then smuggled into the village of Miratovac in Serbia, and then controlled by Serbian criminal groups. In response, Serbia erected a fence along the border with Republic of Macedonia to stop the flow (Serbian authorities began erecting a fence on the border with Macedonia in the Presevo area. This part of the border is notorious for the frequent movement of migrants crossing it). Macedonia after entering through Greece and use the villages on the Macedonian side of the border as landfills while waiting to enter Serbia (Macedonia has a similar fence near Gevgelija, on the border with Greece).

In southern Serbia, many asylum seekers and migrants gather in camps around Presevo, Bujanovac and Vranje. As of November 9, 2020, there were approximately 900 asylum seekers and migrants in these three camps. From there, they try to head north.

Methods of smuggling

Smuggling of migrants through the Republic of Macedonia is facilitated by criminal networks that have connections in the countries of origin and destination, as well as in neighboring countries, which ensures continuity along the entire route. They offer a full range of services, including accommodation, providing false documents and contact information in countries along the route.

These criminal networks have a vertical structure with clearly defined roles for each member, such as host, observer, transporter, mediator and treasurer. For example, the host's responsibility is to take care of migrants once they enter the Republic of Macedonia, while the observer's job is to identify police patrols, checkpoints or ambushes along the route and inform other network members.[227]

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[227] Стојановски, Т., (2016), Трговија со луѓе, Македонска ревија за казнено право и криминологија - седмо редовно советување на тема: 10 години од примена на Кривичниот законик на Република Македонија, Охрид.

To communicate in a way that avoids detection, smugglers use social media messaging applications such as WhatsApp, Viber or Telegram. They also rely on social media and use online platforms to facilitate services.[228]

And what is more, they track migrants via GPS devices. Communication tools are often changed or combined; for example, it is not uncommon for smugglers to initiate communication via mobile phones or the Internet and then extend it to business phones or radios.

The fee charged for smuggling migrants from Greece through Macedonia and Serbia is between 300 and 1,500 euros, depending on the mode of transport, the quality of accommodation and other services. It is worth noting that this is approximately the same price that was charged in 2015 and until the beginning of 2016. The fees allegedly jumped to 3,500 euros in the period immediately following the closure of the Balkan route.[229] Fees are usually paid in cash either in one of the major Greek cities, to the driver or driver, or by using money transfer services such as the Havala system.[230]

There are indications that smugglers sometimes cooperate with police officers, who provide them with information about police patrols and checkpoints. For example, in 2016, as a result of a secret operation codenamed "Coyote', 19 people were arrested and five police officers were investigated for smuggling migrants, selling drugs, abusing their position and false identification in the regions of Veles, Negotino, Gevgelija and Skopje. Police officers were charged with providing information, logistics, and even police uniforms to a criminal group.[231]

In another case, in 2018-2019, the police in Macedonia detained 17 members of an organized criminal group, including a senior police officer from Stip who participated in the smuggling of

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migrants. The members of the criminal group used an accomplice in the police to receive reports of anti-smuggling operations and how to cover up their criminal activities.[232]

But police have also been successful in cracking down on smuggling networks. In October 2019, police in Republic of Macedonia, as part of Operation Reflex, prevented the entry of 252 migrants along the borders with Greece, Bulgaria and Serbia.[233]

The criminal network was organized by a father and son from Bogdanci, who in the period between December 2019 and October 2020, smuggled about 100 migrants in the country for significant profits. The other members of the group were transporters who transported migrants through northern Macedonia. Most migrants came from Afghanistan, Pakistan, Syria, Iran, Egypt and other Middle Eastern countries.[234]

While the number of people on the move decreased significantly between March and May 2020 as a result of pandemic-related restrictions, the numbers began to rise again in June and have been rising ever since: during the first nine days of October, Republic of Macedonia police detained 878 migrants near the border with Greece (Stojancova, 2020). This increase not only creates a larger market for migrant smuggling, but also exacerbates the humanitarian crisis in southern Serbia, where the number of camps housing asylum seekers and migrants is growing.

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[232] Делевска, С.К., (2019), Уапсен полициски началник за Штип за шверц на мигрант, повеќепати откриената рута уште е жива, 15 февруари 2019 година, https://sdk.mk/index.php/makedonija/uapsen-politsiski-nachalnik-na-shtip-zashverts-na-migranti-povekepati-otkrienata-ruta-ushte-ezhiva/

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[234] Mak Press, (2020), Акција на МВР против организирана група за криумчарење мигрант, се користеа и хеликоптери, 15 октомври 2020 година, https://vesti.mk/read/article/https%3A%2F%2Fmakpress.mk%2FHome%2FPostDetails%3FPostId%3D374320

5.6. Recommendations

The general conditions and reasons that contribute to the emergence of illegal migration are globalization and internationalization of the labor market and differences in living standards between countries. However, the tightening of the visa policy, especially in the countries of the European Union, has no less significant impact on the increase of illegal migration. The Republic of Macedonia with its location and the current level of socio-economic development is determined as a transit country.

Illegal migration is a complex problem that covers many aspects and therefore the Government of the Republic of Macedonia, ie the Ministry of Interior as a body responsible for dealing with this type of illegal activities, pays special attention in dealing with them. On December 22, 2003, the Government of the Republic of Macedonia adopted the "National Strategy for Integrated Border Management", whose main goal was to establish the border police and transform the competencies regarding the security of the state border, then harmonize the legislation with that of the European Union. as well as integrated monitoring of border-related activities. The Law on State Border Surveillance, which entered into force on 01.04.2007, the Law on Foreigners, which entered into force on 01.01.2008 and the Project New Personal Documents, are one of the basic tools in dealing with with illegal migration.

Looking ahead: recommendations

Continuously monitor FRONTEX direct coordinated activities at the borders with Greece and Turkey, Hungary and Serbia, focusing on the identification and return of illegal migrants to Greece.

Active involvement of the border police of the Republic of Macedonia in organizing regional and international "joint operations for the return" of illegal migrants to their countries of origin, with the support of FRONTEX and other organizations, as an effective tool in dealing with illegal migration.

Continuous implementation of the provisions of the Readmission Agreement of the Republic of Macedonia with the EU, as an effective tool in dealing with illegal migration.

Intensify direct contacts with representatives of diplomatic missions or other relevant bodies in order to successfully implement readmission agreements.

Continuous adaptation of the methodology of the Border Police of the Republic of Macedonia to the methodology of CIRAM (integrated model of risk analysis in the countries of the European Union) which was amended during 2011, in order to adopt the management approach of risk analysis and define risk in terms of threat, vulnerability and impact. This approach helps to emphasize the need for risk analysis as a key tool for ensuring optimal resource allocation by limiting budget planning, staffing, and equipment efficiency.

Regarding the abuse of visa liberalization it is necessary:

- ✓ Continuous monitoring of the emerging elements of abuse and exchange of relevant data with the countries in the region and with the WB-RAN countries;

- ✓ Timely updating and exchange of risk profile data in order to improve the effectiveness of the measures taken at the borders;

- ✓ Exchange of data for denied entry;

- ✓ Preventive action through continuous meetings with citizens by organizing forums, educational workshops, round tables on "Stop abusing the visa-free regime", adapted for several target groups in municipalities and schools throughout the Republic of Macedonia.

- ✓ Detection of abuse of the international protection mechanisms of the transit illegal migrants from Greece in Macedonia. Increase the capacity of the border management to quickly determine the status of international protection of asylum seekers and reduce the risk of abuse. Therefore, it is necessary to increase the capacity of the border management to quickly determine the status of international protection of asylum seekers and reduce the risk of abuse.

- ✓ Fast procedure, registration and exchange of biometric data for asylum seekers is required.

- ✓ Improving the cooperation with UNHCR, MARRI, IOM, DCAF, OSCE etc.

✓ Implementation of the communication system TETRA.

✓ Implementation of the project for control and surveillance system at the Northern Border as well as the need to implement a control and surveillance system at the Southern border.

✓ Equipping with the provided equipment and training of the border staff, which is lacking for quality execution of the control and supervision of the state border from its own budget funds.

In the area of illegal migration, the Republic of Macedonia has made great progress. The management of these migration movements is regulated by legislation harmonized with the legal flows of the European Union, efficient and transparent procedures and developed international cooperation in this area.

Successful implementation of integrated border management has resulted in a significant reduction in the number of illegal migrants.

From the above, a general conclusion can be drawn that in the Western Balkans region and in Macedonia is most concerned about the risk of the so-called secondary movement from Greece through the Western Balkans, ie the direct impact of the transitory migration movement from the Middle and Far East through Turkey and Greece to EU countries as countries of destination. This is because it is almost impossible to reduce the secondary movement, despite focusing and taking border security measures (surveillance and detection), due to which the border management in general and the border security activities will continue to face the challenge of preventing and reducing illegal migration. At the moment, the border police of EU countries and countries in the region are still not efficient enough and have limiting effects in completely preventing this phenomenon. It is assumed that the current measures taken by various regional borders are deeply ineffective in preventing illegal border crossings with Greece.

As long as the entry into the EU in Greece is relatively easy (low degree of risk of return) new migrants will continue to arrive from the Republic of Macedonia. Turkey, leaving the use of the Western Balkans route unchanged.

If Bulgaria and Romania join the Schengen area, there is certainly a possibility of bypassing the Western Balkans route and it will result in finding new options-opportunities (routes).

Additionally, the risk of abuse of the asylum system in the Western Balkans and Republic of Macedonia in order to avoid delays in favor of increasing the risk of secondary movement. It is supported by local helpers, using public transport and is currently the main mode of operands. Although additional efforts have been made to repatriate migrants to their countries of origin, this situation will generally not change in the near future.

The Republic of Macedonia is committed to efficient management of migration processes and builds an active and consistent migration policy, taking into account the national, social, economic and cultural development of the country.

It is a policy based on the principles of respect and protection of human rights and freedoms, solidarity, long-term macroeconomic benefits and historical responsibility. Advocating for the use of the advantages of the legal migration movements, in order to expand the free economic initiative and the free flows of capital, with the policy of legal and free migrations, the Republic of Macedonia will create assumptions for reducing the intensity of emigration and using its great development potentials by improving an efficient system for issuing work permits and maintaining a transparent framework for acquiring Macedonian citizenship.

In doing so, it will guarantee foreigners residing in the country respect for fundamental human rights and freedoms, will enable them to stay temporarily or permanently and integrate into Macedonian society, including seeking asylum.

The Republic of Macedonia will pursue a modern migration policy, regulating immigration in accordance with the country's development strategy.

So, based on the analysis and comparisons from the research and the contents that enter the subject, the conclusions drawn refer to the treatment and prevention of asylum and migration, and also human trafficking, the indicators and factors that affect the effectiveness, and actions to be taken to unify the Strategies, to deal with migration, asylum and human trafficking, and their negative consequences in the Republic of Macedonia, the Western Balkans and the European Union.

The decision to choose the above subject matter was based on the fact of my activities and studies in this area so far as part of my professional commitment, the job and tasks I am currently performing and my personal interest in upgrading in this area.

I also noticed that the topic of harmonization is theoretically and scientifically not adequately represented to a satisfactory extent, although it is a broader area of law that deserves special attention and the need for thorough scientific elaboration.

Starting from the fact of my previous experience and knowledge in this field, the cooperation with my mentor who is an expert in the same and his scientific research experience, was created this realization of a fairly quality scientific research project about prevention of human trafficking and illegal migration in the Republic of North Macedonia as well as in other Western Balkan countries.

Conclusion

The dissertation, first of all, covers the sequence of trafficking of human beings, often referred to the trafficking in white slaves, is a crime with a historical dimension. It occurs at all stages of society's development, modifying and adapting to existing conditions. Further there will be discussion about illegal migration as a global issue.

1. Illegal migration is a serious sociological, cultural and criminological problem, which has undergone an expansion over the last decade, which can be viewed from different aspects: security, criminology, criminal, psychological, moral, victimological, etc. Illegal migration, as a specific form of organized crime, is also characterized by increasing prevalence and a high degree of social danger.

2. The risks of illegal migration are numerous. Illegal migrants face a lot of problems. Illegal migrants run the risk of being cheated, may very easily become victims of human trafficking, may end up in prison, lose all their money or even lose their lives.

3. The complexity of the problem of organized illegal migration requires a complex security-criminal response in solving it, that is, engaging the security system in preventing their occurrence and suppressing consequences, as well as providing assistance and support to victims at national and international level, while respecting current security standards.

4. The current needs of contemporary security-criminal practice require that existing, outdated criminal methods of detecting, clarifying and proving criminal activities related to illegal crossing of the state border be redefined.

5. Apart from it, the underdevelopment of awareness of social expediency and justification of prevention results in the expansion of organized crime. The biggest drawback to crime prevention policies is the neglect of prevention, which should actually be a primary element of security. This indicates the necessity and urgency of identifying objective and subjective causes, that is, global and micropolitical, economic, social, normative, moral

and security factors that favor organized illegal migration, as well as the conception of social actions on their control.

6. The Republic of Macedonia is committed to efficient management of migration processes and builds an active and consistent migration policy, taking into account the national, social, economic and cultural development of the country. It is a policy based on the principles of respect and protection of human rights and freedoms, solidarity, long-term macroeconomic benefits and historical responsibility.

7. Advocating for the use of the advantages of the legal migration movements, in order to expand the free economic initiative and the free flows of capital, with the policy of legal and free migrations, the Republic of Macedonia will create assumptions for reducing the intensity of emigration and using its great development potentials by improving an efficient system for issuing work permits and maintaining a transparent framework for acquiring Macedonian citizenship. In doing so, it will guarantee foreigners residing in the country respect for fundamental human rights and freedom will enable them to stay temporarily or permanently and integrate into Macedonian society, including seeking asylum.

The Republic of Macedonia will pursue a modern migration policy, regulating immigration in accordance with the development strategy of the country, in such a way that:

- ✓ will harmonize the immigrations with the necessary inflow in working age and active population;

- ✓ will determine annual quotas for employment of foreigners in accordance with the needs of the labor market;

- ✓ will encourage the return of emigrants and citizens of the Republic of Macedonia residing abroad;

- ✓ will facilitate the immigration of family members of Macedonian citizens;

- ✓ will consistently respect the Geneva Convention on the Status of Refugees as well as EU asylum measures

- ✓ fight effectively against illegal migration, primarily through further improvement of the integrated border management system;

- ✓ will continuously strengthen the institutional capacities and human resources in the competent institutions in the field of migration.

The Republic of Macedonia will continue to adjust its national legislation and procedures in the field of migration in accordance with the changes in the legislation of the European Union and international standards. Thereby, special attention will be paid to the regulations related to the integration of foreigners in the Macedonian society, prevention of xenophobia, discrimination and marginalization. In that sense, it will be especially committed to the conception and implementation of programs to encourage dialogue between immigrants and the domicile population.

In order to successfully implement the migration policy, it will be necessary to further strengthen the institutional capacities, including the human resources, as well as their material and technical equipment. Having in mind its complexity, for successful realization of the envisaged activities it is necessary to coordinate the mutual cooperation of the competent bodies and institutions, as well as to further specify the competencies of the already established bodies and groups in the field of migration flows in the country and integration of foreigners. According to the decentralization process, it will be necessary to identify certain activities at the local level, especially in the implementation of measures for immigration and integration of foreigners in local communities.

The designated holders for implementation of certain measures and activities, within six months after the adoption of the migration policy in the Assembly of the Republic of Macedonia, will prepare action plans that will determine in detail all necessary steps for effective implementation of measures and activities determined by migration policy. At the same time, the holders responsible for the implementation of the measures and activities of the migration policy are obliged to anticipate the necessary financial means for their realization.

The migration policy of the Republic of Macedonia, is a document whose implementation will be continuously monitored and the effects of the undertaken measures and activities will be

evaluated. Given the nature of this issue, it remains an open document for possible additions and changes to the measures and activities for its consistent implementation.

The security situation in the Western Balkans region is relatively stable in the sense that there are no visible potentials for its significant destabilization. However, this does not change the fact that there are more and more potential threats to the stable security of this area. Unresolved political issues, high levels of corruption, the presence of organized crime, poverty, lack of prospects, high unemployment, are just some of the trends and threats that threaten the security and stability of this region. Throughout history, the Western Balkans have faced a number of security challenges, such as the refugee and migrant crisis, smuggling of migrants, drug trafficking, money laundering and the like, all of which are favorable conditions for organized crime. Accordingly, it can be said that organized crime is a serious threat to the countries of the Western Balkans.

The Global Initiative Against Transnational Organized Crime (GI-AOC) reports that the Western Balkans are a crossroads of trade in many illegal goods and a geographical hub for smuggling migrants trying to enter Western Europe.

It is estimated that about 1.5 million asylum seekers and migrants have passed through the Balkans since 2015, mostly from the Middle East and North Africa. The movement of migrants includes various types of migration, ie illegal entry and stay of foreign citizens and stateless persons in the Western Balkans, international protection in the Western Balkans, return of Western Balkan citizens under readmission agreements, human trafficking and smuggling of migrants.

Thus, this dissertation sheds light on the grim number of mixed migrant flows through the Western Balkans, the prices they pay for smuggling, and the cost of drugs in the region. To achieve this, it uses a pioneering approach in two previous reports of the Global Initiative against Transnational Organized Crime on Organized Crime in the Western Balkans, namely accurately identifying and looking at what is happening in selected hotspots, especially the large number of exit routes smuggling migrants and key nodes of the drug trade.

The increase in the number of migrants from countries outside the region, in transit through the Western Balkans, also served to increase the number and scope of criminal organizations dealing

with the smuggling of migrants. Migration flows affecting the countries of the region bring with them various challenges such as human trafficking and smuggling. During the transit through the countries of the Western Balkans, migrants primarily pass in an irregular way, therefore resorting to smuggling is in a way the norm. This is supported by the fact that modern migration regimes limit the possibility of crossing borders safely and legally. Recourse to smuggling networks makes the migrant population more vulnerable to dangers, such as violence, exploitation or human trafficking.

Migrant smuggling is an extremely lucrative business, with criminal networks profiting from a low risk of detection and punishment. Smugglers treat migrants as slaves, similar to drugs and firearms traded on the same routes. They are rapidly changing smuggling routes to adapt to the security situation in transit countries or the response of law enforcement agencies, but they are also abusing legal entry and residence procedures.

Although smuggling of migrants is illegal, it is possible to hear many stories from migrants and people who live or are familiar with the hotspots of migrant smuggling about how the police and border guards often participate in it. For a fee, they can agree not to be in a certain place at a certain time or to transport asylum seekers and migrants across the border. Corrupt police officers and border officials have been arrested in several locations - in BiH, Albania, Montenegro and Macedonia.

Focusing on illegal activities at these hotspots provides a closer look at the drivers and facilitates organized crime. At the same time, the analysis of these hotspots in the regional context provides an indicator of the extent of illegal trade and potential profits.

The Global Initiative presents the region as a transit corridor for the smuggling of drugs, weapons and people, and a major problem is widespread crime and corruption. From a global perspective, however, the Western Balkans are a relatively stable place. This area is a small market for illegal goods and services - big money, as some criminal groups in the Western Balkans have discovered, is being made elsewhere.

In the section on drug trafficking, the report offers detailed maps of smuggling routes, highlights changes in drug prices as they cross borders, and shows wholesale and retail drug prices in key hotspots in the region, which are also hubs of drug smuggling or markets.

New trends in the regional drug market indicate:

- ✓ increased cultivation of cannabis (especially indoors) in countries other than Albania, such as Bosnia and Herzegovina, Macedonia and Serbia,

- ✓ there is a large flow of cannabis from the Western Balkans to Bulgaria,

- ✓ there is a strong influx of cocaine from several directions, including Croatia, Greece and Black Sea ports in Bulgaria and Romania,

- ✓ increased production, but also consumption of synthetic drugs.

Many of the hotspots identified in this report, most commonly found in border areas, are characterized as polycriminal - various criminal activities are present at the same time, such as drug trafficking and money laundering, with smuggling of migrants.

One example is Gornji Vakuf-Uskoplje, a small town in Bosnia and Herzegovina, but a logistics hub, close to major roads, making it a strategically located but inconspicuous hub for smuggling. This case of Gornji Vakuf-Uskoplje illustrates that the focal points for drug smuggling do not have to be only major and major cities - urban areas or socio-economically vulnerable cities, but also logistics centers along key trade routes.

However, although these locations are well known, drug seizures are small - except for cannabis - or arrests of major criminals are rare, suggesting that there is a "protection economy" that allows and earns from the status quo.

The report concludes that the flows of people, drugs and money through the Western Balkans are not straight lines like the vector on the map. They move, often over short distances, on different paths depending on obstacles and opportunities, "said Walter Kemp, one of the report's authors.

People who traffic, smuggle or launder money are attracted to the region because of the low risks of crossing borders or using businesses and banking systems. Most transactions in the criminal "underground" would not be possible without associates at the "top".

While the Western Balkans have a bad reputation for laundering illegal profits, there is not much information on the cities and sectors where this is a problem. The report also looks at money

laundering sectors and hotspots. For example, relatively little money is laundered in companies that do more cash, such as restaurants, bakeries, cafes, bars, clubs, hotels, souvenir shops, gas stations, taxi companies, sports clubs, grocers and rental companies. More money is flowing into the construction industry and real estate, gambling and tourism.

The report points out that illegal profits made in the Western Balkans are most often laundered in the region, while criminal groups from the Western Balkans make big money (especially from drug trafficking) outside the region.

So, beyond to being so positioned that the Western Balkans have always been an important crossroads, for example, heroin trafficking on the Balkan route or a major hub for smuggling migrants, they are also suitable for money laundering across the region. As already mentioned, it has a special impact on real estate and construction - by affecting the growth of prices despite the fact that there is no increase in income. Other popular methods of money laundering are through the tourism industry, gambling, call centers, exchange offices and remittances from abroad.

The dirty money that is earned and laundered in the region maintains the ecosystem of crime and corruption. Although the report provides details on prices and routes for smuggling migrants and drugs, as well as illegal financial flows, it also emphasizes that additional information is needed, especially from official sources. It is striking how few competent institutions either know or want to share data on drug prices, their purity, seizures and consumption habits, as well as money laundering. Fact-based public policies require more publicly available information - not only at the national level, but also at focal points and at the regional level.

Given the above, the Western Balkans is in a way the center of this trade - as a transit region, a place for the recruitment of infantry for these groups; a safe place to hide and invest or launder money gained from criminal activities, but the main action takes place abroad. This refers also to the human trafficking and illegal migration through the Western Balkan countries.

What is even more important to point out is the fact that the Covid-19 pandemic, did not significantly disrupt illicit flows in the Western Balkans, such as illegal migration and human trafficking.

Scientific Results

In the pursuit of scientific inquiry within the framework titled "Preventing Human Trafficking and Illegal Migration in the Republic of North Macedonia and Other Western Balkan Countries," the focal point on North Macedonia and the broader Western Balkan region has yielded significant results. The findings encapsulate a meticulous examination of diverse dimensions, elucidating the intricate interplay between security considerations and the prevailing challenges of human trafficking and illegal migration. The comprehensive scientific results can be summarized as follows:

1. Terminological Precision

A meticulous emphasis on terminological precision has been underscored, particularly in the context of North Macedonia and Western Balkan countries. This precision serves as a foundational aspect for comprehending security implications and framing subsequent discussions. I have justified this emphasis by highlighting its crucial role in fostering clarity in security discourse.

2. Historical Contextualization

A nuanced exploration of the historical backdrop of migration, encompassing both legal and illegal paradigms, has been undertaken with a particular focus on North Macedonia. This historical contextualization serves as a crucial framework for understanding contemporary security challenges in the region. I proved the importance of this exploration by establishing its role in providing a comprehensive foundation for addressing present security issues.

3. Capacity Assessment

The capacities of Western Balkan countries, as well as the international entities such as the UN and EU, have been meticulously evaluated, specifically within the context of addressing the migration crisis.

This assessment sheds light on the security resilience of the region, emphasizing the unique considerations of North Macedonia. I established the evidence of this assessment's significance by demonstrating its role in highlighting specific strengths and weaknesses crucial for effective security measures.

4. Legal Framework Clarification

The interplay between Criminal Law and Human Rights Law has been elucidated, with a specific lens on North Macedonia. This clarification provides a localized understanding of legal frameworks crucial for addressing security concerns related to human trafficking and illegal migration. I demonstrated the importance of this clarification by showcasing its role in shaping effective security measures.

5. International Collaboration

An in-depth analysis of international collaboration, with a focus on preventive measures and protective mechanisms, has been conducted. The exploration of collaborative efforts is particularly relevant to enhancing the security apparatus against transnational threats within the Western Balkans, including North Macedonia. I confirmed the significance of this analysis by affirming its role in fortifying regional security through cooperative measures.

6. Localized Examination

A comprehensive exposition of the precise situation concerning human trafficking within the Republic of North Macedonia has been provided. This localized insight contributes significantly to a targeted and context-specific approach to security considerations in the region. By analyzing the localized factors, I have figured out their impact on security dynamics, affirming the importance of a focused approach.

7. Pandemic Impact Analysis

Rigorous scrutiny of the impact of the Covid-19 pandemic on both illegal migration and human trafficking within the Western Balkan countries, with specific attention to North Macedonia, has been undertaken. This analysis discerns the unique security challenges posed by a global health crisis in the region. I declared the critical insights gained from this analysis, emphasizing the need for adaptive security measures in response to the pandemic's impact.

In summation, the scientific results derived from this dissertation are poised to inform policies and strategies, specifically tailored to the security landscape of North Macedonia and the broader Western Balkan countries. The comprehensive scientific findings presented in this dissertation are anticipated to play a pivotal role in shaping policies and strategies that are uniquely crafted to address the intricate security dynamics of North Macedonia and the broader Western Balkan countries. Through meticulous research and analysis, the results of this study offer invaluable insights that can be directly applied to enhance the security apparatus and response mechanisms in the region.

One of the primary contributions of this dissertation lies in its potential to drive evidence-based decision-making within the realm of combating human trafficking and illegal migration. By delving into the nuanced aspects of these complex issues, the research outcomes act as a beacon for policymakers, law enforcement agencies, and relevant stakeholders. The findings not only highlight the specific challenges faced by North Macedonia but also offer a broader regional perspective, facilitating a more holistic and informed approach to security. The depth and specificity of the scientific results presented in this dissertation serve to augment the collective knowledge base concerning security challenges in the Western Balkan region. Through a meticulous examination of the factors contributing to human trafficking and illegal migration, the research provides a nuanced understanding of the root causes and modus operandi involved. This nuanced understanding, in turn, lays the groundwork for the formulation of targeted and effective strategies.

Moreover, the outcomes of this study contribute substantively to the ongoing collaborative efforts aimed at fostering a more secure and resilient environment. By aligning the scientific findings with practical applications, the dissertation bridges the gap between theoretical knowledge and actionable strategies. This alignment ensures that the recommendations derived from the research are not only theoretically sound but also pragmatic in their implementation, thereby maximizing their impact on the ground.

In essence, the scientific rigor and meticulous analysis employed in this dissertation empower policymakers and security practitioners with a refined understanding of the security challenges in North Macedonia and the broader Western Balkan region. The tailored strategies informed by these findings are poised to create a more effective, adaptive, and regionally sensitive approach to counteracting human trafficking and illegal migration, contributing significantly to the overarching goal of fostering a safer and more secure environment in the Western Balkan region.

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