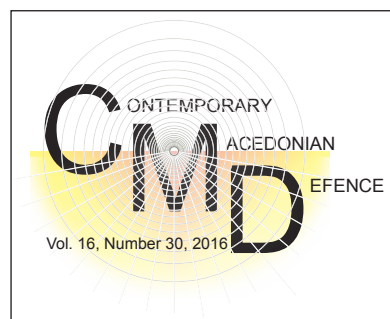


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THE IMPORTANCE OF THE NATIONAL – HISTORICAL EXPERIENCE FOR SHAPING THE MILITARY ORGANIZATION OF TODAY'S REPUBLIC OF MACEDONIA DURING THE SECOND WORLD WAR

Sinisha DASKALOVSKI¹

Abstract: *The military organization is one of the oldest, the most consistent and the most complex organizations, which in its evolutionary development had begun with the elementary forms of organization and stochastic structure, and reached the most complex ones, surpassing the defence-security needs, at least in some countries. The recognition that it can have a favorable or unfavorable influence on the development of the society and the state is a solid base for causing interest and doing continuous research. The starting point is the perception that several factors influence its establishing and development – the general and national historical experience, the region, the population, the socio-stratification characteristics of the community, the economic, technical-technological, military doctrine, and the characteristics of the political system; all having different influence. The aim of this paper will be to prove or, at least, raise the issue of the assumption on the importance of the national historical experience and its role in shaping the military organization in Macedonia during the Second World War.*

Keywords: MILITARY ORGANIZATION, SHAPING, HISTORICAL EXPERIENCE, WAR, FACTORS.

The genesis of the military organization in the initial period of war

The military organization is a state structure *par excellence*. In that context, it is one of the oldest, the most consistent and the most complex organizations which in its evolutionary development had begun with the simplest forms of organization and stochastic structure, and reached the most complex ones with a destructive power, which can cause irreversible losses for the actors involved in the conflict. Actually, the military organization as its basis has the same organization, and the same characteristics as other organizations – goal, rationality and specialization, and the only difference is the adjective “military” which differentiates it from other organizations.

According to the Encyclopedia Britannica dictionary, the army is “a great, organized power, armed and trained for war, especially on ground.” The term may

¹ The author is professor at the Institute for security, defense and peace studies, UKIM, Skopje

refer to a big department organized for independent activity or to the overall military organization of a country or of a ruler, for land warfare². There is no confusion, nor misunderstanding, that the military organization or the army can be found under another term as well, such as “armed forces” and it covers “the strategic forces, the land forces, the naval forces, the aviation forces, the commands, the administration forces and the support forces.” In this context, the paramilitary forces³ are also included, which ultimately presents a definition that is used in the frames of the NATO member countries, and which is used currently as well. Actually, this is a relatively autonomous social entity with centralized management, filling in a special way of employment, established system of command, and a solid structure made of parts in function of the defence-security needs and goals of the country.

Regarding its origin, there is research that claims that the roots of military organizations could be traced back to primitive society. More precisely, towards the end of the primitive society, it started taking form as an organization with specific features differentiating itself from other forms of organizations. In the period of the creation of the first states as a political form of organized society, it definitely obtained its own shape and identity. Since then, up until the outbreak of the Second World War, it will undergo a steady growth in its evolutionary development and structure. A small exception is the period of feudalism when the military organization was in regression. Nevertheless, even from today’s perspective, it is still of interest for research, especially the concept of military organization, seeking to confront heavy armour and cavalry. Unlike in feudalism, in the period of emergence and development of capitalism, an “explosion” in the development of the military organization can be observed.

At the beginning of the 20th century, war as a socio-historical category will reach a level that will open a new page in its typology. The First of the great wars will happen, with military alliances that will have armies of millions⁴ at their disposal, capable of causing millions of casualties, and according to some researchers, reaching up to 30 million casualties. Regarding the First World War, we cannot neglect the fact that the biggest part (80%) of the casualties is actually soldiers and only 20% civilians. The modern forms of war will progress thanks to the development and the modernization of the armies that will reach millions of soldiers, and military resources that will increase the attack and fire power. Of course, The First World War is mostly trench warfare, but it proved to be very destructive. In the period until the outburst of the Second World War, the military organization will continue the tempo towards greater fire and attack/shock capabilities and a more complex structure, and military doctrine will be on the rise. In the preparations for war, some countries will even militarize the whole country and the overall society.

² Encyclopedia Britannica Dictionary (Book 2), Toper, MPM 2005, pg. 122.

³ The Military Balance 2008: The IISS, London 2008, p.11.

⁴ For the needs of the armed forces in the beginning of the war, 20 million people were mobilized, and towards the end of the war three and a half times more.

Of course, this will be done by the countries that have the power and ambition to lead a Great War. The role of the military organization will be glorified.

Unlike the situation with the Great Powers, Germany in particular, Macedonia (in that period) has an utterly different situation regarding the country and the military organization. Macedonia and the Macedonian people neither have their own country, nor their own military organization. The historical experience and the memory for the country and the military organization take us back to the aspirations and the struggle of freedom and statehood in the recent or in the distant past. For the period subject of research – the period of the Second World War is the closest to the time of the Ilinden Uprising. It should accumulate the experiences from the previous attempts and aspirations of the Macedonian people for establishing their own country and their own military organization as its innate part.

The experiences from the period of the end of the Ilinden Uprising up until the outburst of the Second World War must not be neglected. Here, above all, we are speaking of the Balkan Wars and the First World War, when the Macedonian people face the consequences of the war that will grip their area in conditions of not having a country or a military organization to defend and protect it⁵.

This will significantly influence the determination of the progressive forces in Macedonia to accept and begin practicing the politics and the ideology of the Communist Party of Yugoslavia (CPY). This attitude seems to represent a step forward in finding new solutions for achieving the centuries-old aspiration for statehood. This time, unlike the others in the past, an effort was made by uniting the aspirations and interests of several nations in the broader region by revolution, which includes the use of force for accomplishing the final aim. The beginning of the Second World War will render the conditions for accomplishing the final aim even much more complicated.

Of course, Nazi Germany and its allies will take care of that. Moreover, Macedonian people will face other problems as well, those of internal character. These will replicate among the progressive forces, as part of the nation, who will come close to CPY. Thus, on the one hand there will be Nazi Germany and its allies with a modern military organization, which will occupy almost the entire Europe in a relatively short time, and then, according to its leader, in the second phase it would want to conquer the entire world, and on the other hand, as part of the anti-fascist forces, a country that does not have its own military organization and fighting to achieve its freedom, national liberation, and its own country. According to military historians, it is an issue of a Great War, in which the military organization is the most important tool for accomplishing the goals of the political strategy. The solution would be rather simple if force were fought with force. This was actually practiced and recommended by the Great Powers and the countries that possessed such organization. For all the others, the only way was to use secondary forms of battle and resistance.

⁵ See more in: Trajanovski A., History of Macedonia: short overview of the history of Macedonia and the Macedonian people from classical period until today, Menora, Skopje, 2008, pg. 433-437.

Indeed, it started in this way on the overall area of Yugoslavia, including the territory of today's Republic of Macedonia. The guerrilla, sabotage and attack groups will mark the beginning of the armed resistance. On the territory of Macedonia, this will happen in June 1941 with the attack at the airport in Skopje. However, it will turn out to be insufficient and it will not yield the expected results. Therefore, in July the same year, Tito's letter to the Regional Committee (RC) of the CPY for Macedonia will determine that the tasks of the Party's organization in Macedonia are to sabotage and organize partisan detachments⁶. After that, the partisan detachments will be established. In Macedonia, the first– Skopje Partisan Detachment was established in August 1941, the second– the Prilep Partisan Detachment in September, and the third– the Kumanovo Partisan Detachment in October 1941. The Partisan Detachments imply Partisan warfare, but this, of course, is not enough to fight the modern armies of the aggressors. These armies were great, well equipped and armed with combat weapons and systems for waging conquering wars. This is especially true for the German army which was the main power for reaching the interests and goals of fascist Germany. From the aspect of frontal combat, which was practiced on a global level, the chances for victory were greatly favouring one of the parties. Nevertheless, the Partisan detachments had another purpose regarding the positions, the experience and the memory of the past rebellions and uprisings. In Macedonia that was the Ilinden Uprising, but also the more distant ones have their influence, too. The experience gained with the participation of the Macedonian people in the Balkan Wars and the First World War has its impact as well.

It was more than evident that it was necessary to raise the military organization in the country to a higher level. This was especially true since the aggressor, primarily the Bulgarian occupation army and police, was ready to deal with such confrontation. The consequences were great indeed, because in a short time, the Partisan detachments will become dysfunctional, they will be caught in a crisis⁷. The way out of the crisis was sought for by solving the situations which occurred as a result of the unfavourable impact of some external, as well as internal factors. At the Council in Skopje, in January 1942, the occupation role of the Bulgarian army was condemned; an organizational-political breakthrough in the villages and reorganizing of the Partisan detachments was announced. Towards the end of March and the beginning of April, the RC and the Regional Headquarters (RH) will issue a directive for establishing new Partisan detachments on the entire Macedonian territory, as well as for establishing an operational headquarters. The forming of the Partisan detachments will begin towards the end of April, and in the autumn of 1942, a total number of 8 detachments will be formed. Of course, the quantum of the established detachments was important, but even more im-

⁶ Historical Archive CPY, Volume VII, Macedonia in NOR and the national revolution 1941-1944, Kultura, Belgrade, 1951, pg. 37.

⁷ One of the Partisan detachments will be broken, the other two will withdraw in illegal. See more in: History of the Macedonian People, Book III, Skopje, 1969, pg. 319 and History of the Macedonian people, Volume V, Skopje, 2003, pg. 110-111.

portant was the overcoming of the Rubicon, related to the reorganization of the military organization after the lost battle, which had not been the case in the recent and distant past. This, together with the renaming of RBH into Headquarters of NOPO of Macedonia, seems to present a solid base for the enhancement of the military organization.

Enhancement of the military organization

Several factors have a positive influence on the enhancement of the military organization. Of course, the development of the military organization could be influenced by factors with negative impact as well. And it was not insignificant; otherwise it will be difficult to explain the prolongation of this process in Macedonia as opposed to the other parts of Yugoslavia. However, they will not be present in that extent, so as to prevent the development and the growth of the military organization in Macedonia. This is mostly due to the favourable influence by the general military-political situation and especially the favourable development of the resistance and the struggle in the other parts of Yugoslavia, including Macedonia. Macedonia and the Macedonian people became part of the matrix of the unique political and military strategy of the CPY headed by Josip Broz Tito. In that aspect, the activity, the cooperation and the support were raised to a high level on the entire territory of the Yugoslav community without exception, including the territory of Macedonia. This will be undoubtedly confirmed by the decisions at the Second session of AVNOJ⁸, the written correspondence of the CPY with the RC of CPY to Macedonia and sending of CPY representatives to Macedonia. Thus, an attempt was made to raise the struggle and the resistance to a higher level by enhancement of the military organization⁹.

Among the favourable factors on the development of the military organization, the conspicuously significant ones are the trend of increasing the old and establishing new Partisan detachments, the establishing of the Central Committee (CC) of the CPM, and the problems of the Italian aggressors army. As a result, on August 8th, 1943 the CC of CPM will hold the Prespa meeting. At the meeting, a decision was made on the forming of a regular People's Liberation Army of Macedonia (or National Liberation Army of Macedonia) in the scope of the PLA of Yugoslavia, as well as decisions on: the forming of military-territorial bodies and their units, preparations for convening of an Anti-fascist Assembly for the National Liberation of Macedonia (ASNOM), issuing a Manifesto for the goals and the character of the National Liberation War (NLW) and the perspectives of Macedonia, and the creation of free territories in the region of Western Macedonia¹⁰.

⁸ Yugoslavia is developing and will develop on a federal principle, which will enable full equality of the Serbs, the Croats, the Slovenians, the Macedonians, and the Montenegrins, i.e. the people of Serbia, Croatia, Slovenia, Macedonia, Montenegro and Bosnia and Herzegovina. Historiski Arhiv CPY, Volume VII, Makedonija u NOP and narodnoj revoluciji 1941-1944, Kultura Beograd, 1951, pg. 283.

⁹ Historical Archive of CPY, mentioned literary work, pg. 187-195.

¹⁰ Todorovski M, Historical Meeting, Macedonia in the registry of emigrants, No. 245-246, September-October 1973.

Soon afterwards, the Headquarters of the NLW and the Partisan Detachments of Macedonia will issue an order¹¹ for establishing the first army with a developed organizational-formational structure of the first unit. On August 18th, on Mount Slavej, the Headquarters of the second operational zone will form the battalion “Mirche Acev”, the first Macedonian unit composed of battalion headquarters, three detachments and three detachments’ commands. Thus, an attempt was made to respond to the challenge and the need of creating an army on the territory of Macedonia as part of the People’s Liberation Army of Yugoslavia (or National Liberation Army of Yugoslavia). It is regarded, of course, as part of the unique military organization of Yugoslavia, which will be capable to respond to the warfare of the Great Powers, in this particular case – the forces of the aggressor. More precisely, this meant capacity of frontal confrontation. It is evident that the warfare practiced by the Partisans could not provide that. However, the Partisan Detachments had another role and function, which they will perform up until the end of the war and they will be an integral and important part of the military organization system of Yugoslavia.

In the period after the establishing of the “Mirche Acev” Battalion, favourable conditions for increasing the battalions and forming greater units will be created. This is primarily due to the capitulation of Italy, the intensified struggle in the Yugoslav region, the broadening of the social base of participants in the struggle on the Macedonian territory. The establishing of free territory on Macedonian soil will open the question of its use in strengthening the fight against the aggressor and the allies, as well as how to preserve and defend it. This, for a moment, brings us back in the recent past when the Macedonian people was in a similar situation, when the Macedonian people managed to create a free territory, and even to establish the first Republic in the Balkan, but did not manage to defend and preserve it. This is primarily due to the way of countering and fighting, while lacking the appropriate force for that.

As opposed to then, in the new situation, an attempt was made to create forces that will be able to properly respond to the most difficult conditions of warfare, being a part of a broader community – Yugoslavia. On the other hand, we must not ignore the fact that this refers to the favourable factors only; a war period when there are also many disadvantages, for instance, the German army, and the domestic traitors. However, they are not that great as to overcome the influence of the favourable factors, which will finally result in creating greater structures. The first Macedonian-Kosovo Brigade¹² will be created at the beginning of November 1943, and in the second half of December, the Second Macedonian Assault Brigade¹³ will be also formed. Thus, another year of war

¹¹ Archive of Macedonia , inv.No.560, Order No. 2 of the GS of PLA and PD of Macedonia, mentioned literary work, pg. 485-487.

¹² In the structure of the First Brigade, a headquarter of the brigade, four battalions, a detachment of heavy weaponry and approximately 800 fighters will be comprised. History of the Macedonian People, mentioned literary work, pg. 377.

¹³ The Second Macedonia Brigade will be constructed of two Macedonian and one Bulgarian Battalion of fighters who joined to the side of the People’s Liberation Army of Macedonia. Documents

will end, and a period in which the military organization in Macedonia will develop with a tendency to improve and prepare for the final period of the war.

The military organization in the final period of the Second World War

At the beginning – 27th and 28th January 1944, in the St. Prohor Pčinjski Monastery a military-political council will be held, which will emphasize the necessity of enabling the Partisan Detachments for fighting on the entire territory of Yugoslavia¹⁴. This means that further development and improvement of the military organization in Macedonia is needed. This mostly applies to the classical army, which according to its organizational-formational structural, the principles of use of the units, the fire and the assault/strike power and the manoeuvre capabilities has advantages over the Partisan Detachments, which are established strictly on a territorial principle.

More precisely, for the Macedonian army, a further increase of the units and their preparation for facing the most difficult form of battle was needed. The preparations for the establishing of greater formations than brigades will begin immediately and the first results will be visible towards the end of August 1944. More precisely, on August 25th in the village Sheshkovo, the First Macedonian Division will be established. An important influence and incitement for forming the operational-formational units will be played by the First Assembly of ASNOM (Anti-fascist Assembly for the National Liberation of Macedonia), when a decision will be made on the constitution of the Macedonian state as an equal federal unit in Yugoslavia, and it will be emphasized that the Macedonian army created the Macedonian state and that it can protect it¹⁵. Consequently, the attitude of the state towards the army will be determined in a rather evident way, which will finally produce positive connotations regarding its shaping and creating/turning it into an organization, preparing itself for the final period of the war, this time, unlike the other attempts for creating a state and army with capabilities to preserve its own country.

For Macedonia and the Macedonian nation, besides the liberation and the establishing of their own state, it was very important to become unified in the frames of its ethnical borders. However, it will be proved that the neighbouring countries, as well as the Great Powers, especially Great Britain and USA, and the CPY¹⁶ will not have understanding for this. The Macedonian members of the CPY will probably be aware of this, but the complexity of the situation in circumstances of invasion and integration into a broader community with an already established political and military strategy will focus their attention to directing the most important part of their strength

about the struggle of the Macedonian people for independence and national country, Volume II, University Sts. "Cyril and Methodius", Skopje, 1981, pg. 499-500.

¹⁴ History of the Macedonia People, Book III, mentioned literary work, pg. 404.

¹⁵ Documents about the struggle of the Macedonian people for independence. Mentioned literary work, pg. 590-591 and 614-615.

¹⁶ See more in: History of the Macedonia People, Volume V, Skopje, 2003, pg. 252-265.

and energy towards a smaller part – the Vardar part of Macedonia, and less towards the area of the ethnical border which already belonged to other countries. This is of course a topic that deserves special attention and research in which an attempt will be made to study the insights and standpoints on a period in which the centuries-old aspirations and ideals of the Macedonian people for establishing their own country will come true, but the unification in the frames of the ethnic borders in which part most of the population lived will not be fulfilled. Certainly, this will be discussed on another occasion, and now we will single out the trend of forming the divisions which will continue after the establishing of the First Division since the end of August and until the end of December 1944, when it will reach the number of eight divisions of the Macedonian army. With the establishment of the divisions, prerequisites will be created for establishing the corps as strategic forces. Actually, as early as September, the Headquarters of the Macedonian Army divided the Vardar part of Macedonia into three corps regions. Until the end of October 1944, the First Corps of the Macedonian Army – in the Skopje corps region, the Second Corps – in the Bitola Corps region, and the Third Corps of the Macedonian Army – in the Shtip corps region were established.

By establishing the divisions and corps, the forces for the final clash with the aggressor will be created both on their own territory and on the broader territory of Yugoslavia. The biggest part of the burden for liberating the Vardar part of Macedonia will be carried by the Macedonian army which, towards the end of 1944, will comprise of approximately 66,000 soldiers and officers.

In the beginning of 1945, the Supreme Commander of the People's Liberation Army of Yugoslavia will issue an order for establishing three armies, and the Bitola Corps, renamed as XV Corps, will enter the formation of the First Army. The forces and resources of the Corps will be in function of the operations for the final liberation of Yugoslavia. As a result, the Macedonian Army will achieve its aspirations and efforts for training for action on the overall territory of Yugoslavia, and form a highly-regarded military force capable of responding to the most difficult military challenges. Of course, this must also be understood as a force which is part of the matrix of the single political and military strategy of the Yugoslav federation, which in the summer of 1945 could count on the 110,000 members of the Macedonian army¹⁷. In comparison, even today, according to the NATO standards, the corps (the army) comprises of 60,000-80,000 individuals¹⁸ on the top of the military formations and presents a respectable force in all conditions and especially in great wars, as is the case of the Second World War.

Thus, on the one hand, regarding the phenomenon of forming and organizing the Macedonian army in the Vardar part of Macedonia during the Second World War, we form an understanding that it will start with the most simple forms of organization and stochastic structure, and towards the end of the war will reach the great and

¹⁷ History of the Macedonia People, Volume V, mentioned literary work, pg. 357.

¹⁸ The Military Balance 2011: The IISS, London 2011, p.486.

complex organizational-formational structures capable of fulfilling the most complex tasks for liberating Macedonia – the Vardar part. Certainly, the CPY played part in the establishing and organization of the Macedonian army, since it was treated as part of the People's Liberation Army of Yugoslavia. However, the main burden of the war on Macedonian soil will be carried by the Macedonian army. And not only that, but it will contribute to the final liberation of Yugoslavia, and especially with the active participation in the operations on the Srem front. This will prove that the Macedonian army, in some sense will surpass the necessity of liberating its own country and will manifest understanding and determination to participate as an equal partner in the final liberation of Yugoslavia along with the other forces of the National Liberation Army of Yugoslavia. Moreover, by this act, as well as by its prior activity in the fight against the aggressor, the Macedonian army will be included in the forces of the anti-Hitler coalition. Finally, the ideal and the aspiration of the Macedonian people for constituting its own country will come true, and of course, the prior experiences and the remembrance of the struggle and confrontation will have an important contribution, and a new quality will be added. This certainly applies to the military organization, as well as the concept of the unified political and military strategy in the scope of the Yugoslav community. Only the ideal and the aspiration for unity will remain unfulfilled for the Macedonian people and Macedonia.

Conclusion

Based on the analyzed material on the Second World War, and regarding the national-historical influence, we have come to the following conclusions and findings.

During the Second World War, the Macedonian nation, led by its progressive forces, will make an effort to bear the greatest burden of the fight and the resistance against the aggressor on its own territory to carry it using its own strengths and resources; to effectuate the political and military strategy of the CPY and its centuries-old aspiration and ideal for creating its own state with a right to its own identity to the point of separation from the Yugoslav federation. It will begin with the simplest forms of military organization and stochastic structure, and will develop to great military formations prepared to participate in frontal assaults.

The Ilinden Uprising, as well as the other uprisings and fighting experiences from the wars after the Ilinden Uprising will have a significant influence on the determination to start an uprising on the broader region and to act in a partisan manner.

It was proved that the inability to reorganize the military organization after the lost battle will have a crucial impact on the loss of the country. This knowledge will significantly influence the determination to unite the forces and resources with the other nations and continue the fight in circumstances of greater crises as well.

Finally, in the new environment, although in very difficult circumstances – the Second World War - the military organization will be established as a permanent organization capable to deal with the greatest military challenges.

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CRISIS MANAGEMENT IN THE HEALTH SECTOR – BENEFITS OF THE EVALUATION OF HOSPITAL DISASTER PREPAREDNESS PLANS

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Abstract: *Following the guidelines of the World Health Organization, in order to prepare health facilities for disaster management, the country developed a plan for preparedness for emergency / crisis situations. The tendency of the Ministry of Health of the Republic of Macedonia is to unify and standardize all hospital plans in the country as part of the introduction of the “safe hospitals” process. In this paper, the authors analyzed the need to evaluate the existing hospital disaster plans. The arguments for this are twofold; the first aspect is the envisaged self-evaluation in the process of hospital accreditation, based on which the strengths and weaknesses of the preparedness for crisis response, and the opportunities and threats of the hospital are identified. The second aspect is the possibility of utilizing the conducted evaluation to arrive at draft-measures for specifying and amending the existing plans and/or drafting new ones in the hospital facilities where such plans of response to crises have not been adopted yet.*

Keywords: *hospital, plan, crisis, evaluation*

Introduction

The member states of WHO adopted the International Health Regulations (hereinafter IHR) at the 58th Session in May 2005. According to the Constitution of WHO, the IHR is legally binding for any member state of WHO. The Regulations came into force on 15.06.2007, leaving space for member states to assess whether they are able to implement or need additional time to prepare all the necessary conditions. The deadline for entry into force was prolonged only for certain tasks relating to the monitoring, response and places of entry into the states. By June 2012, the states had to submit a report on steps taken to implement the IHR³.

The application of the IHR in the Republic of Macedonia is done by assessing the current situation in order to comply with the IHR.

By the entry into force of the IHR, the Institute for Public Health (hereinafter IPH) of the Republic of Macedonia became the contact institution responsible to report on cases of emergency public health events of international importance (i.e. the possibility of spreading

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³ International Health Regulations^{2nd} ed (2005), 1. Legislation – Health, 2. Communicable disease control – legislation, 3. Disease notification – legislation, 4. International cooperation, I. World Health Organization, Geneva, 5-18.

to neighbouring countries, and beyond) and it is in constant communication with the WHO on the one hand and on the other hand with the PHI centres for public health - former healthcare centres in the country (10 regional: in Skopje, Kumanovo, Stip, Kocani, Veles, Strumica, Prilep, Bitola, Ohrid and Tetovo).

Hospital preparedness plans for emergency / crisis in Macedonia

The Ministry of Health of the Republic of Macedonia conducts preparedness of the health system of the functioning and response not only in peacetime but also in case of risks, hazards, disasters, crises or emergencies.

In the Republic of Macedonia, hospital plans for emergency preparedness / emergency have been developed at the level of General Hospitals in Strumica, Stip, Veles, Kocani, Prilep, Kavadarci, Ohrid, Debar, Gostivar, Tetovo and Kumanovo, and the PHI Clinical hospital - Bitola and PHI University clinic for surgical diseases "St. Naum Ohridski" - Skopje, and PHI Clinic for Infectious Diseases and Febrile Conditions in Skopje. The plans include the resources and staff at PHI health centres, and the centres for public health at the level of individual regions, as well as all relevant stakeholders. In case of emergency / crisis situation it is necessary to activate the "hospital preparedness plan for emergency / crisis situation."

The plan for preparedness and response of the health system in emergency / crisis situations refers to a number of activities of response and recovery / from emergency / crisis, and refers to the protection and saving lives, property and the environment⁴.

The process of drafting of the plan takes into account the plans of the other institutions at an administration and health level, as well as the plans for specific disasters. The prerequisites for drafting of a plan for preparedness of the health system in emergency / crisis situations are the following:

- Identifying the risk and the need for urgency;
- Awareness of the state, government and decision-making structures of the need for the existence of the plan;
- Implementation of the plan guaranteed by an appropriate legislation;
- Readiness of the hospital for the coordination of preparedness, and
- Planning of the crisis response phase and recovering phase⁵.

The plan for preparedness of the health system in emergency / crisis comes into force at the moment of receiving a signal from the corresponding higher structures that there is an emergency which is presumed to result in many injured people (usually expressed as an approximate number)⁶.

⁴ Кочубовски М., Шутиновски Ж., Спасеновска М., „План за подготвеност и одговор на здравствениот систем при вонредни/кризни состојби во Република Македонија“, (2009) Национална и Универзитетска библиотека „Св. Климент Охридски“ – Скопје. 1-75

⁵ WHO's Community Emergency Preparedness: A Manual for Managers and Policy Makers (WHO 1999).

⁶ National Oil Spill Contingency Plan September (2000), Trinidad and Tobago, NEMA 1/12 Vol II Section 3.6.3 page 55

The response of the health system to particular and suddenly occurring emergencies / crisis situations, and the effectiveness and capacity in the provision of appropriate health services and medical assistance to the affected population depends on the level of preparedness of hospitals and other health care facilities.

Hospitals are expected to continue to function during an emergency / crisis situation; however, experience has shown that they tend to be particularly vulnerable in cases of emergencies / crises (e.g. natural disasters, especially earthquakes) in terms of infrastructure, and thus unable to meet urgent needs.

In this regard hospitals need to meet the following criteria:

- be designed so as to meet the safety standards and standards in terms of performance that will ensure the safety of patients and medical staff in the hospital at the time of an emergency / crisis situation;

- possess the necessary capacity and infrastructure to respond quickly to the emergency needs of the population and the rapid changes that occur in any emergency situation;

- play a critical role in the infrastructure of the health system. Their primary role is to save human lives, providing 24/7 care and thus they are perceived by the public as a vital resource for diagnosis, treatment and monitoring of physical and mental health, and

- play a central role in providing emergency medical assistance, i.e. when disasters engulf society, hospitals take the burden to provide immediate support in the form of urgent medical assistance.

The Ministry of Health and the Institute of Public Health of the Republic of Macedonia have a key role in drafting the plans in accordance with the WHO guidelines. They work on the implementation of the latest strategy of WHO for “safe hospitals”, which was launched in 2015. The aim of this strategy is hospitals to continue to provide equally effective services in emergency / crisis situations. According to the statistics, by the end of 2030, about 80% of the member states of WHO are expected to fully implement the program of “safe hospitals” in its entirety. Anticipated indicators to monitor implementation are:

1. Safe hospitals included in the national program for dealing with emergencies in the health sector,

2. Existence of a National “safe hospitals” program,

3. Establishing the number of critical hospitals provided in the plan for safe hospitals and recommendations for improvement of the preparedness for dealing with emergencies,

4. Establishing the number of existing hospitals that have already implemented actions to improve safety, the material and technical equipment of the hospital, the security of the building and the equipment, as well as the management of the emergency / crisis situations, and

5. The number of newly built hospitals set out to handle local disasters, and which have taken all measures to improve the safety, functionality and response to potential crises⁷.

The Republic of Macedonia is in the process of reconstruction and building more hospitals, which will implement the safety standards to give an adequate response in case of any emergency.

Structure of the hospital plan of preparedness for emergency / crisis situation

The plan of preparedness in emergency / crisis situations should be properly structured, taking into account the guidance given in the practical utility of the WHO and the National Plan for response to emergency / crisis situations.

The health system performance is measured not only by how each function works, but also by what their interaction is. The interaction between the functions is critical to achieving health outcomes.

Key components of the four functions, relating to the planning process of preparing for crises are shown in Table 1

Leadership and management	<ul style="list-style-type: none"> • Policy and legislation • institutional framework • Partnerships and coordination
creating resources	<ul style="list-style-type: none"> • Human resources • Medical supplies and pharmaceuticals • Collecting and analyzing data and reporting
health financing	<ul style="list-style-type: none"> • Funding preparations for crises • Financing contingency
providing services	<ul style="list-style-type: none"> • Procedures, guidelines and protocols • Dealing with a situation of great sacrifices • Risk management in health facilities • Utility infrastructure, logistics, telecommunications and security

Table 1. Key components of the four functions

⁷ World Health Organization 2015, Comprehensive Safe Hospital Framework

Evaluation of the hospital preparedness plan for emergencies at the University Clinic for Surgical Diseases “Naum Ohridski” in Skopje

The Plan for emergency preparedness / crisis is planned to include a thorough evaluation to identify its strengths, weaknesses, opportunities and threats (SWOT analysis).

In case of an emergency / crisis situation and in case of activation of the preparedness plan for emergency / crisis situations, just 24 hours after the commencement of the activities, it is necessary to evaluate the possible shortcomings that we have faced in the field, that are not set out in the plan.

The main objectives of the evaluation plan for emergency preparedness / crisis are to:

- analyze the implementation of the plan from the time of its drafting (from 2012 to 2015);
- identify the weaknesses and shortcomings of the activities;
- provide key recommendations for future improvement in implementing the activities of the Plan for emergency preparedness / crisis;
- achieve consensus on additional measures that the Ministry of Health as the lead institution and responsible health institution in emergency / crisis situations is required to take in order to successfully implement the plan for preparedness, and
- propose additional indicators and mechanisms for monitoring of the activities of preparedness of the health institution for emergency / crisis situations.

During our research, as an instrument for the evaluation we applied a Questionnaire for respondents under the principle of key informants' method who described their perceptions and facts of everyday work in the implementation of the plan for emergency preparedness / crisis situations.

The key informants approach is a research for obtaining key information and is part of an important initiative of WHO, used for insight and opinion on information about the readiness of the health system. The term “key informant” is based on the methodology of research that finds extensive use in other areas as well, such as: social, political and anthropological research.

The questionnaires were designed for a specific group of participants expected to have some knowledge of the subject of research.

The survey questionnaires were submitted electronically to 20 respondents from the University Clinic for Surgical Diseases “St. Naum Ohridski” in Skopje, members of the management team, coordinators and team leaders in the plan for emergency preparedness. The results were processed with the statistical and descriptive method and expressed in charts and tables.

Outcomes of the indicators for monitoring and evaluation of the survey

The indicators relate to the monitoring and evaluation of the current plan for emergency preparedness / emergency at the University Clinic for Surgical Diseases “Naum Ohridski” in Skopje, and they consist of:

- Appointment of a coordinator for emergency / crisis situation in the hospital,
- Establishing a Commission for the plan for emergency / crisis situation in the hospital,
- Minutes from the meetings of the Commission,
- Appointment of responsible persons involved in the plan (team leaders, coordinators)
- Annual evaluation of the plan for emergency / crisis situation,
- Assessment of the Plan for emergency / crisis situation,
- Number of conducted detailed analyses,
- Annual report on the evaluation of the plan,
- Number of organized training,
- Number of people trained in the hospital.

The results obtained by implementing the questionnaire are shown on chart 1. Their analysis within this research showed that respondents are not well informed and familiarized with the guidelines and activities, as well as the hierarchical structure contained in this hospital plan.

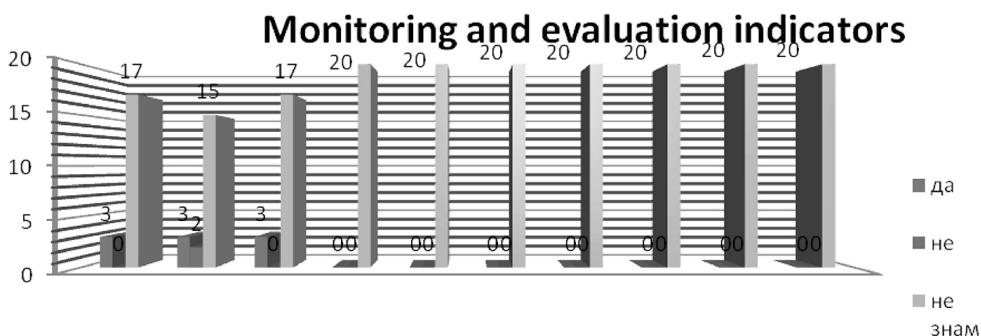


Chart 1 . The results obtained by implementing the questionnaire

Based on the evaluation of the plan for emergency preparedness / crisis situations, and taking into account the expected results and what has been achieved in relation to the planned activities, adequate conclusions can be made which will result in draft-measures for the possible amendments to the plan.

- from the moment of the drafting of the plan for emergency preparedness / crisis in 2012 until now, much of the staff has either retired or has been reassigned to other jobs inside or outside the clinic.

- there are changes in the staffing of the teams, and new personnel have also been involved.

- the level of awareness of the plan is at an unenviable level.

Proposed measures for introducing standards in the preparation and / or up-

dating hospital preparedness plan for emergency / crisis situations in health facilities

The conclusions that are based on the evaluation of the plan for emergency preparedness / emergency at the University Clinic for Surgical Diseases “St. Naum Ohridski” - Skopje led to draft measures to update and amend thereto, which should also serve as a model for other surgical health facilities.

1. Assign tasks in the pre-crisis phase

In order to avoid misunderstandings and achieve efficient activation of the Plan, it is necessary in the preparation phase each team member to receive individual instruction with details of the place where they are supposed to be when called upon, who they answer to and what their tasks are. This will increase the level of preparedness and will prevent unnecessary chaotic situations.

2. Internal notification of emergency / crisis situation

In order to alert all staff by giving a signal to activate the plan for emergency preparedness / crisis situations, it is necessary to install the appropriate signalling system for early warning in the form of red lights in the operating room, or if the former is impossible, to introduce a sound signal.

3. Marking the staff

Providing fluorescent vests for the staff for better identification and communication is one of the measures to be included in the amendment of the plan, and it is also part of the WHO recommendations.

Fluorescent vests should be part of the equipment for responding to emergency / crisis, held in a particular office. They should be accurately specified and documented, along with a list of persons obliged to take fluorescent vests, as well as to be informed in the process of preparedness for emergency / crisis situation.

4. Marking the injured

It is of tremendous importance for the overall administration of the victims and their selection to provide coloured triage bands (red, yellow, green and black), which are to be stored in the command centre.

The advantage of the bands in terms of coloured triage cards is that most of the wounded are unable to hold them in their hands and try not to lose the charts. A great number of the injured may suffer impaired consciousness; they are disoriented because of terror; children or elderly people in moments of pain and fear cannot take care of the charts. The forearm bands are fixed over the injured, thus avoiding the possibility of their loss, allowing categorization of the wounded in order to facilitate triage.

Patients marked with red band, requiring immediate resuscitation in the red zone, i.e. intensive care.

Patients marked with yellow band, require immediate medical attention and possibly surgery in four to six hours - treatment in the yellow zone, i.e. shock room.

Patients marked with green band: the injured are capable of moving on their own (not urgent) they do not need first aid - in the green zone for observation.

Patients marked with a black band, already dead, casualties to be taken to the morgue.

5. Scenarios

It is advisable to develop basic scenarios for emergency / crisis situations, the most practical of which, for the PHI University Clinic for Surgical Diseases “St. Naum Ohridski “- Skopje, is the scenario of mass injuries (mass traumatism). The expected frequency of the influx of patients at the clinic in a given emergency / crisis situation should be taken as a guide in the preparation of the scenario, according to which an approximate plan and estimate will be drafted of the medical supplies and equipment.

6. Diagram of movement

To avoid creating a chaotic situation in times of increased influx of patients, it is necessary to include a diagram of the direction of movement of patients in the plan for emergency preparedness / crisis. They should accurately define and mark the entrances and exits, persons appointed to give directions to the patients, and direction of movement of the wounded. Patients should not enter and exit at the same place. The movement should preferably take place in a continuous line. Elevators are only to be used for immobile patient, whereas mobile patients and the staff are to use the stairs instead of the elevator.

7. Medical Documentation

In cases of emergency / crisis situation alternative keeping of medical records should be set out, in case of inability to use the existing IT support due to the situation.

Therefore, employees from the administrative department should be assigned and trained for this purpose, in order to record the data in strictly defined registers.

8. Purchase of medicines and medical materials

The existing hospital pharmacy possesses resources set out for the operation of PHI University Clinic for Surgical Diseases “St. Naum Ohridski “- Skopje, under normal conditions. In case of increased influx of patients, there is an increase of the need for additional supply of larger quantities of medicines and medical materials, as well as the necessary sterilized materials. This implies the need to accurately specify within the plan for emergency preparedness / crisis the place of acquisition and the quantity of the necessary materials, as well as the manner to conduct this.

9. Addressing the financial implications of the emergency / crisis situation

In times of emergency / crisis situation the flow of patients increases, the workload increases, and thereby the reserves of the Clinic are exhausted, which in turn results with increased financial implications of the budget of the Clinic.

It is therefore necessary to design an elaboration of the financial implications arising from the increasing influx of patients, which would burden the budget of the Clinic. This means that based on the approximate number of patients and the maximum capacity for inpatient treatment, additional financial budget should be set out so that the Clinic would continue its operation in the newly developed situation. It will be used for procurement of additional resources or adequate medical devices, stretchers, orthopaedic chairs, bandage material, means and equipment for personal protection of health workers, additional need for medicines and medical equipment, in case of a pandemic situation - vaccines and chemoprophylaxis, fuel for sanitary vehicles, funds to cover the additional work of staff.

To enable the full implementation of the plan for emergency preparedness / emergency at the PHI University Clinic for Surgical Diseases "St. Naum Ohridski" - Skopje, it is necessary to provide adequate funding in addition to the regular budget of the clinic.

In this aspect, the Clinic would rely on the assistance of:

- WHO Regional Office for Europe - Department of health systems in the countries;
- The office of the World Bank in Macedonia;
- the local authorities;
- List of accessible funds of NGOs;
- Ministry of Health of the Republic of Macedonia;
- Health Insurance Fund of the Republic of Macedonia;
- possible donors, international NGOs, religious organizations, foundations in the country and in the Diaspora, businessmen donors (precisely defined);
- State Reserves Agency under the Ministry of Finance;
- State Sanitary and Health Inspectorate.

For the implementation of additional funds it is necessary to define preliminary agreements with these structures (banks, foundations, health insurance funds), in order to quickly and efficiently enable the access to the necessary additional resources in case of emergencies / crises.

Conclusion

The preparation of a technically compatible and operational plan for adequate response of the health system in emergency / crisis situations can minimize the morbidity and mortality caused by some emergency / crisis situation.

The advantages of developing strategic approaches should be used to benefit from the opportunities, whereas the weaknesses impeding this benefit should be overcome. Furthermore, the advantages should be used to reduce the effects of threats and address the vulnerabilities that can lead to real risks in achieving the desired result. The advantages and opportunities need to be aligned, whereas if the identified weaknesses and threats cannot be turned into strengths or opportunities, by good organization they should be reduced, i.e. avoided. The accessibility

to and the provision of quality services to the hospital in emergency / crisis situations is an important strategy for reducing morbidity and mortality during any critical event.

The response of the health system to specific and suddenly occurring emergency / crisis situations, and the effectiveness with a view to providing adequate health services and medical assistance to the affected population, depends on the level of preparedness of hospitals and other health care facilities. They are expected to continue to function during an emergency / crisis situation, but experience has shown that they tend to be particularly vulnerable in emergency / crisis situations (e.g. natural disasters, especially earthquakes) in terms of infrastructure, and thus are unable to meet urgent needs.

The plan for preparedness of the health facility for emergency / crisis situations aims to provide guidelines for the mobilization and organization of all available resources in order to respond to emergency / crisis situations by inevitably including standard operating procedures and lists for mobilization, updated on an annual basis.

According to the plan for emergency preparedness / emergency at the level of the PHI University Clinic for Surgical Diseases “St. Naum Ohridski” - Skopje, aiming at validation and implementation of the plan, as well as and further training of the human resources, the Crises Committee sets out organizing a simulated emergency / crisis situation several times a year (at least once per year), which is of immense importance for the process. The development of scenarios for the exercise should be an integral part of the plan for emergency preparedness / crisis situations.

Posters, leaflets should be produced as materials for information regarding the preparation and response in emergency / crisis situations, and they should be available to the general population.

It is particularly important to inform and educate those participating in the response to emergency / crisis situation, thus it is necessary to provide for professional and concise literature in the form of a booklet, designed for the staff at the PHI University Clinic for Surgical Diseases “St. Naum Ohridski” - Skopje. It should be distributed in a sufficient number of copies to be made available to the entire staff.

Based on the analysis of the plan for emergency preparedness / crisis situations during the survey which took place from December 2015 to February 2016, and upon its completion, and taking into account the hypotheses and expected results, as well as what has been achieved in terms of planned activities, draft measures were identified for updating and amending the plan, which would introduce the standards for its drafting and preparation for its implementation in case of possible emergency / crisis situation leading to a positive outcome.

The University Clinic for Surgical Diseases “Naum Ohridski” is now the only surgical facility that has produced a plan for emergency preparedness / crisis and a model of operation in such conditions, which should be followed by the other hospitals in order to complete the preparedness and have a successful crisis management response of the health system in the Republic of Macedonia.

Following this example and the guidelines of WHO, the standards for the developing plans for emergency preparedness / crisis situations will be set out in all hospital facilities in the country, as an inevitable necessity for the proper functioning of the health system in emergency / crisis situations.

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PRECONDITIONS FOR EFFECTIVE PARLIAMENTARY OVERSIGHT OF INTERCEPTION OF COMMUNICATION IN THE REPUBLIC OF MACEDONIA

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***Abstract:** Legitimate interception of communications is a measure that is undertaken in order to provide evidence and information relevant to criminal investigations, or is undertaken for the security and defence of the state. The interception of communication is effective but highly invasive measure. It represents an intrusion into privacy of individuals, whose communication is being monitored. Therefore, the oversight is an essential segment of the concept of interception of communication. The oversight should provide insight into the legality and compliance with international standards for interception of communication. This paper focuses on the parliamentary oversight as one of the many mechanisms of control in the Republic of Macedonia. Parliamentary oversight is determined by a number of related and mutually conditioned factors. This paper identified the current shortcomings in the implementation of parliamentary oversight. Furthermore, the paper sets basic preconditions for efficient and effective oversight over the legality of interception of communication.*

***Key words:** interception of communication, parliamentary oversight*

Introduction

Interception of communications is a measure which refers to the interception, tracking and recording of communication by using technical devices. Moreover, interception of communications includes audio and visual recording of the statement, which is not intended for the person who is recording. This measure is applied by the authorities in order to collect information and evidence related to the prevention, detection and investigation of serious crimes. Furthermore, interception of communication is undertaken for the purpose of the security and defence of countries. It is the most effective, but also the most invasive tool for collecting evidence and information. Interception of communication is non-selective in terms of content and personal information. According to the international standards, interception of communication as an intrusive measure should be practiced based on precisely defined rules, under appropriate conditions and in a procedure prescribed by law. Legitimate interception of communication should not be performed by non-selective collecting of information on citizens without fulfilling the prescribed requirements. Therefore, oversight of the interception of communications is a necessary mechanism for elimination of possible abuses of this measure.

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Oversight of interception of communication is a sensitive issue because it represents the control of the security services. The parliament is an institution that in democratic societies should provide control over the security services when they take actions that affect the fundamental rights of citizens. Supervision should prevent human rights violations in the operations of the security services. Although it is quite difficult to believe that the Parliament can in fact adequately control the security services, it should be expected and sought from it to fulfil this obligation at least on a basic level. In this regard, basic international standards for effective oversight are set out.² Standards require transparency of authorities authorized for legitimate interception of communications. These bodies should be subjected to oversight at all stages of interception of communications. Oversight should be independent. Supervisory authorities should be able to obtain access to relevant information. Effective and independent oversight of course presumes adequate resources for implementation of the supervision.

However, the effectiveness of parliamentary oversight is a debatable issue. The Venice Commission, for example, in the Report on the democratic oversight of the security services and signal intelligence agencies, identified several reasons why parliamentary oversight in European countries does not take place as expected and the problems are greater than previously perceived.³ Among them, the following are noted: technical sophistication of intelligence signals, which makes the supervision impossible unless they include appropriate experts, as well as the high level of networking between intelligence agencies, the necessary time parliamentarians should devote to supervision, among their other duties. The other crucial factor is that strategic surveillance includes an interference with individual rights, and supervision of such measures has traditionally been a matter of the judiciary.⁴ The constitutional principles of separation of powers can make it problematic for a parliamentary body to play such a quasi-judicial role.⁵

In the Republic of Macedonia the control and supervision over interception of communications may be judicial or non-judicial. Judicial control is carried out by the court, responsible for ordering the interception of communication. The Public prosecutor has the authority to carry out continuous control when interception of communications is performed in criminal investigations. Non-judicial oversight is carried out by the Parliament of the Republic of Macedonia, as well as the Ombudsman, media and general public. Parliamentary control can be indirect or direct. Mechanisms for indirect control are parliamentary questions and interpellation on the work of the ministers in the Government. Direct supervision of interception of communication is performed through two parliamentary commissions.

Concept of interception of telephone and other electronic communication in the Republic of Macedonia

The interception of communications in the Republic of Macedonia was introduced as a special investigative measure by the amendments to the Law on

² See: Ten standards for oversight and transparency of national intelligence services, University of Amsterdam, Institute for Information Law, 2015, available at: <http://www.ivir.nl/publicaties/download/1591>

³ See: European Commission for democracy through law (Venice Commission) Update of the 2007 REPORT ON THE DEMOCRATIC OVERSIGHT OF THE SECURITY SERVICES AND REPORT ON THE DEMOCRATIC OVERSIGHT OF SIGNAL INTELLIGENCE AGENCIES, Adopted by the Venice Commission at its 102nd Plenary Session, Venice, 20-21 March, 2015, p. 31-33

⁴ Ibid. p. 32

⁵ Ibid.

Criminal Procedure from 2004. The newly introduced special investigative measure was named - Interception of communications and entry into residences and other premises or vehicles to create conditions for the interception of communications, under conditions and procedures specified by law. In the new Law on criminal procedure (LCP), interception of communications is divided into three separate investigative measures:⁶ Monitoring and recording telephone and other electronic communications in a procedure established by a special law; Monitoring and recording in homes, indoors or enclosed space that belongs to the home, or office space designated as private or entering the vehicle and entering these premises to create conditions for interception of communications; Secret monitoring and recording with technical devices outside the home or the office space designated as private.

The special Law which regulates LCP on monitoring telephone and other electronic communications is the Law on communication interception (LCI). LCI was adopted in 2006 and has so far undergone two substantive amendments in 2008 and 2012.⁷ The Law establishes legitimate purposes for which telephone and other electronic communications can be monitored, establishes the conditions and competent authorities for interception and lays down the rules for oversight of the interception.

The monitoring system of telephone and other electronic communication in Macedonia has a complex structure. The communication can be monitored on two grounds:

1. As a special investigative measure which can be undertaken for detection and prosecution of criminal offenders. On this ground, communication is intercepted by the Ministry of Interior through the Bureau of Public Security. However, with the amendments to the Law on interception of communications made in 2012, the Financial Police and the Customs Administration became authorities to monitor communications.

2. As a measure which can be undertaken for the security and defence of the State, as follows:

- for the purpose of national security - interception of communications could be performed by the Ministry of Interior through the Security and Counter - Intelligence Directorate;

- for the purpose of defence - intercepting of communications is implemented by the Ministry of Defence.⁸

The dual structure of interception of communications in the Ministry of Interior is evident from this established concept. On the one hand, communication may be

⁶ Закон за кривичната постапка, Службен весник на Република Македонија број 150/2010

⁷ Службен весник на Република Македонија број 121/2006, 110/2008, 116/2012

⁸ According to Article 7, paragraph 7 of the LCI, the Ministry of Defence is the competent authority to monitor communications only in terms of congested spectrum radio waves high, very high and ultra high frequency (HF, BHF and UHF) that certain for the defence.

followed by the Public Security Bureau, as a part of this Ministry.⁹ On the other hand, for the purposes of security and counter-intelligence, communication can be followed by the Security and Counter - Intelligence Directorate, which is also a body within the Ministry of Interior.

As a special investigative measure, the interception of communication can be conducted if there are arguments for doubt for crimes which are provided LCP. According to Article 252, paragraph 1 of the LCP, special investigation measures will be implemented when it is possible to provide information and evidence necessary for successful criminal proceedings, in case they cannot be collected otherwise. The principle of subsidiarity means application of less invasive measures, if the goal can be reached in that manner. In this context, interception of communication, as an extremely intrusive measure, should be applied as a last resort measure (*ultima ratio*).

Legal conditions established for application of the measure, the rules of procedure, the principle of subsidiarity, etc. are undoubtedly aimed at protection of the secrecy of communications as a fundamental human right. However, some provisions can be identified in LCI that leave space for discussion, as for example, the oral court order, the term for which the communication may be monitored, the missing provisions for the nature of the offenses which may arise from the implementation of the interception of communication, etc.

Parliamentary oversight over the monitoring of communication in the Republic of Macedonia

In European countries, the parliamentary oversight is accomplished through a parliamentary commission responsible for supervision over all security and intelligence agencies, or through several specialized commissions to supervise the particular agency.¹⁰ It is considered a good practice to have a committee that will provide continuous monitoring by which the risk of some issues to coincide with the responsibilities of two or more specialized committees will be avoided.¹¹ In this respect, the existence of one committee is justified by the ability to avoid fragmentation of supervision. On the other hand, some consider that R. Macedonia has made a progressive step by establishing a special parliamentary commission authorized to

⁹ Public Security Bureau could follow communication only by court order, for the purposes of criminal investigations.

¹⁰ See: PARLIAMENTARY OVERSIGHT OF SECURITY AND INTELLIGENCE AGENCIES IN THE EUROPEAN UNION, DIRECTORATE GENERAL FOR INTERNAL POLICIES POLICY DEPARTMENT C: CITIZENS' RIGHTS AND CONSTITUTIONAL AFFAIRS CIVIL LIBERTIES, JUSTICE AND HOME AFFAIRS, STUDY, 2011, available at: <http://www.europarl.europa.eu/document/activities/cont/201109/20110927ATT27674/20110927ATT27674EN.pdf>

¹¹ See: European Commission for democracy through law (Venice Commission) Update of the 2007 REPORT ON THE DEMOCRATIC OVERSIGHT OF THE SECURITY SERVICES AND REPORT ON THE DEMOCRATIC OVERSIGHT OF SIGNAL INTELLIGENCE AGENCIES, Adopted by the Venice Commission at its 102nd Plenary Session, Venice, 20-21 March, 2015, p. 33

supervise the interception of communication as one investigative measure, because a Commission only specialized for this kind of oversight can rarely be found even in the most developed European democracies.¹² Actually, the parliamentary oversight in the Republic of Macedonia is conducted through two commissions:

1. Commission on oversight of the implementation of the special investigation measure - Interception of communication by the Ministry of Interior, the Financial Police Management, Customs Management and the Ministry of Defence.

The Commission has a President who is a member of the opposition, four members and their deputies. The Commission reviews issues in regard to:¹³

- Oversight of the implementation of the special investigation measure for interception of the communication by the Ministry of Interior, Financial Police Management, Customs Management and the Ministry of Defence;
- Legal aspect of the application of the special investigation measure for interception of the communication by the Ministry of Interior, Financial Police Management, Customs Management and the Ministry of Defence from the aspect of their harmonization with the Law on Communication Interception,
- Establishing international cooperation for issues in regard to this oversight,
- Other affairs in regard to the Ministry of Interior, Financial Police Management, Customs Management and the Ministry of Defence in regard to the special investigation measure for interception of communication.

The Commission works in sessions and is entitled to various forms of insight related to its powers. The Commission submits an annual Report to the Parliament, two months after the end of the current year.

Sessions of the Commission largely come down to discussions on specific laws or reviewing their own annual operation. On the sessions that were held in 2009, members discussed the proposals of the Law on Internal Affairs and the Law on National Criminal Intelligence database, as well as in 2012, when it mostly discussed proposed amendments to the Law on Communication Interception. In 2010, the Commission did not hold any sessions, in 2013, one session was held, while in 2014, the Commission could not be fully established because of the absence of the opposition in the Parliament. Only the Commission's Report for 2011 contained information on particular activities.¹⁴ The activities referred to the requests for access to information or conducting a field visit to inspect a specific case. The report underlined that the Commission is still not able to implement and enforce their responsibilities and effectively carry out the oversight function to determine whether the application of the special investigative measures

¹² Богдановски, А., Лембовска, М., НАДЗОР НАД СЛЕДЕЊЕТО НА КОМУНИКАЦИИТЕ ВО МАКЕДОНИЈА „Правејќи го невозможното возможно“, Analytica, Скопје, 2015, стр. 55, достапно на: http://www.analyticamk.org/images/Files/impossible_mk_final_95921.pdf

¹³ <http://www.sobranie.mk/>

¹⁴ Извештај за работењето на Комисијата за надзор над спроведување на мерките за следење на комуникациите од страна на Министерството за внатрешни работи и Министерството за одбрана, за 2011 година, број 18/435/2

is pursuant to the LCI, referring to obstructions by the Ministry of Interior. As stated in the report, the Ministry responds with major delays and with answers that do not correspond to the requirements of the written requests of the Commission, as well as that the Minister of Interior or an authorized representative, who were duly invited, have not attended any of the Commission sessions. Based on the conclusions, the report stipulates the need for finding mechanisms for effective exercise of the legal obligation of the Commission. Most of this report is actually dedicated to the activities of the Commission to obtain information on the case regarding the arrest of a president of one of the political parties and the possible interception of his communication.

2. Commission for supervision of the work of the Security and Counter - Intelligence Directorate and the Intelligence Agency. This Commission has a Chairperson, who is a member of the opposition, eight members and their deputies. The Committee considers issues regarding the:¹⁵

- respect of freedoms and rights of the citizens, companies and other legal entities, stipulated by Constitution and Law, by the Security and Counter - Intelligence Directorate and the Intelligence Agency;
- abiding by the Law in exercising the authority of the Security and Counter - Intelligence Directorate and the Intelligence Agency in terms of overreaching their authority, unauthorized activities, abuse and other adverse trends in its work, contrary to their rights stipulated by law;
- methods and means used by the Security and Counter - Intelligence Directorate and the Intelligence Agency in terms of respecting the Law and respecting civil and the rights of other entities;
- financial, personnel and technical facilities of the Security and Counter - Intelligence Directorate and the Intelligence Agency and
- other questions regarding the Security and Counter - Intelligence Directorate and the Intelligence Agency.

The meetings of this Commission are held without the general public and media, and minutes of meetings and reports are classified information. Of course, we should not overlook the fact that this is a sensitive area, but the overall classification of the reports and minutes of meetings, completely prevents the public, media and other stakeholders in the access and analysis of this type of documentation.

On November 17, 2015, another parliamentary commission was established, actually a **Commission of Inquiry** related to the illegal wiretapping of communication on a large scale, which was the occasion for a political crisis in the Republic of Macedonia. Putting aside the political dimensions of these developments and their negative impact on almost every aspect of the functioning of the state, there is no doubt that they boosted the interest of whether and how the supervision over interception of communication is exercised. The establishment of this Inquiry Commission was part of the obligations

¹⁵ <http://www.sobranie.mk/>

stemming from the so-called Przhino Agreement and from the recommendations previously delivered by a group of experienced experts for systemic issues of rule of law related to the interception of communication, included in the so-called Reinhard Priebe Report. The Commission of Inquiry had to prepare a report on its work by the end of January 2016. Among other things, a commitment was made to carry out field visits with particular insight in taking measures of interception of communication.

Findings on the current system of parliamentary oversight of interception of communication

The functionality and efficiency of the parliamentary oversight of interception of communication in the Republic of Macedonia should be analyzed primarily in the context of the complex structure of the interception system, as well as the expanded list of authorities of interception of communication.

The general impression which marked the work of the authorized parliamentary commissions in recent years is the constant mutual accusations, especially the relation between the Commissions and the Ministry of Interior. However, based on the current legislation and current practice in the implementation of parliamentary oversight, we can draw the following conclusions:

1. The existing legislation, especially the Law on communication interception as a *lex specialis* in relation to the monitoring of telephone and other electronic communication, is a standard and a solid legal base for ensuring proper parliamentary scrutiny. However, we observe an absence of precise regulation of supervisory powers of the commissions in current regulations. The practice has shown that the legislation is not sufficient to achieve the aim of monitoring because there is a lack of:

- Established methodology to implement the surveillance;
- Adequate bylaws, which precisely regulate certain open issues arising from the implementation of the legislation;
- Norms for liability in case of ineffective supervision of the entities involved in the supervision of interception of communication.

2. The multifaceted structure of interception of communications at a state level and within the Ministry of Interior, as well as the expanded list of monitoring authorities, brings confusion in the concept of surveillance. This concept opens more debatable issues, most notably in relation to:

- The possibility of overlapping competences in the implementation of the interception of communications;
- Personnel readiness of the authorities that monitor communication;
- Technical equipment of individual bodies authorized for interception of communication.

Moreover, in the recent years, the impression was that the Security and Counter - Intelligence Directorate plays a dominant role in the interception of communication and plays a role of a mediator between telecom operators and other authorities which monitored communication.

3. The functioning of the commissions was blocked, among other things, due to the long-term absence of opposition in the Parliament, as well as a series of early parliamentary elections, which marked the political environment over the past few years. All this had a negative impact and resulted in the inability to adequately establish committees for supervision and control within the new parliamentary structures. In addition, each new member of the supervisory commission imposes a problem with the security check as a condition for access to classified information. The crosscheck of parliamentarians as members of the commissions can take up to six months, and in more complex cases up to a year. There were cases when due to the duration of the checking, the appropriate commission could not be constituted.

4. The fact that the parliamentary commissions are mixed, composed of representatives of the opposition and the government, and especially the fact that the president is from the opposition party, should be an additional mechanism to ensure efficient oversight. However, we can sense the lack of political will to conduct objective oversight. This fact confirms the current practice which unfortunately showed that parliamentary oversight is reduced to “buying time” and mutual accusations between political opponents in the Parliament. The two competent parliamentary commissions have not conducted a single field visit in the competent authorities, although field visits are a method of learning about the process of implementation of the monitoring. There were some specific efforts to do so, but they failed. The fact that despite the efforts, the commissions have not conducted or maybe have been unable to inspect, does not exempt their members from liability for failing to act in accordance with the entrusted powers.¹⁶

5. If we exclude political will as a factor, the problematic issue of the structure of the current parliamentary commissions remains. The professional and educational competence of the members is questionable. Moreover, politically independent experts or specialists from the practice in the field of legal and security sciences, information technology and possibly other fields are not engaged in these commissions.

The stated findings suggest that parliamentary oversight of interception of communication in the Republic of Macedonia is only formal and not an actually implemented activity of the authorized commissions. In the recent years, not even the basic conditions for effective supervision were created. This statement raises concerns, especially given the fact that it is oversight that should determine whether the legislation is appropriately applied regarding one of the fundamental human rights - privacy.

In terms of the Inquiry Commission set up in 2015, it is evident that from the beginning of its establishment, representatives of the political parties in this Commission did not overcome misunderstandings concerning the powers and method of work of the

¹⁶ Каровска-Андоновска, Б., Примена на меѓународните стандарди во заштита на правото на приватност во Република Македонија, со посебен осврт на тајноста на комуникацијата, doctoral dissertation defended on 11.11.2013 at Faculty of Law Iustinianus Primus - Ss. Cyril and Methodius University - Skopje, p. 216

Commission.¹⁷ Led by their narrow party interests, the members of this commission have not dealt adequately with the challenge they faced. The public witnessed the daily quarrels between political opponents, at times manifesting low political culture. Further activities of the Commission were unquestionably determined by the overall current developments in the country. In the circumstances in which the Commission was formed it was probably not realistic to expect any positive result.

How to establish an effective parliamentary oversight of interception of communication?

In the context of the current social and political milieu in the Republic of Macedonia, parliamentary oversight is very important, but still a debatable issue. The current practice in the implementation of parliamentary oversight gives the impression that supervision is almost paralyzed and its importance is ignored. The fact that this oversight is one of the conditions which affects the positive assessment of the democratic environment in the state is overlooked. A state without parliamentary control of the security sector should, at best, be regarded as an unfinished democracy or a democracy in the making.¹⁸ For an effective oversight the political will and political culture is extremely important as a control of the security services. Even when the legal basis for parliamentary oversight is impeccable and the parliament has enough resources and expertise to deal with security issues, effective parliamentary oversight of the security sector cannot be complete without political will.¹⁹ Of course, oversight should certainly be in accordance with the necessary secrecy of the activities of the services and in a way that will not jeopardize their work. We should expect from the security services a certain degree of transparency and accountability, which will not compromise their core activities. The oversight should be exercised in a manner that will prevent the interception of communications to be the vehicle for any personal or political interests.²⁰ Parliamentarians as members of the commissions should have the integrity and authority to be able to seriously pursue trusted authority. To strive towards that goal, the Parliament should have the adequate human and material potential. The supervision should be carried out continuously and free from political and party influence. For this purpose the following preconditions need to be met:

¹⁷ The ruling party in the Macedonian bloc (VMRO-DPMNE) considered that the Inquiry Commission should investigate who actually wiretapped and for what purpose. The opposition party in the Macedonian bloc (SDSM) asked the Commission to investigate the contents of the intercepted conversations and determine political responsibility in connection therewith.

¹⁸ Бакрески, О., Контрола на безбедносниот сектор, Филозофски факултет - Скопје, 2008, стр. 160

¹⁹ Ibid, p. 162

²⁰ Каровска-Андоновска, Б. Примена на меѓународните стандарди во заштита на правото на приватност во Република Македонија, со посебен осврт на тајноста на комуникацијата, doctoral dissertation defended on 11.11.2013 at Faculty of Law Iustinianus Primus - Ss. Cyril and Methodius University - Skopje, p. 208

- LCI should precisely define the powers of each of the authorities to monitor communication for the purposes of criminal investigations, from those that are empowered to do the interception for security and defence. This will eliminate the current confusion, which complicates oversight and creates the impression of a dominant position of the Security and Counter - Intelligence Directorate in the whole system of communication monitoring.

- To create bylaws that will fill the identified gaps. This particularly applies to the field visits, also the consequences in cases when commissions cannot deliver, or delay submitting a report to the Parliament, the deadlines when they should submit the required information to the committees and the consequences of late delivery and also data storage and transfer, etc. Apart from that, it should be normatively regulated whether the commissions should be consisted of all members during the field visits. This issue was one of the reasons for postponing field visits.

- Commission members should be elected in accordance with their profession, education and experience. In case of lack of this profile, the proposed candidates should be properly trained through courses, seminars or other appropriate means of acquiring the necessary competencies.

- Commissions should engage independent experts in the field. They should have adequate expertise to access data from telecom operators and to be able to determine for example, whether the number of monitored communication corresponds to the number of issued court orders.

- To establish mechanisms that will raise awareness among committee members about the importance of parliamentary oversight over the interception of communication and appropriate mechanisms by which the members will be free of political and party influence in the performance of the oversight.

- To develop mechanisms of cooperation with other relevant institutions, especially with the Public Prosecutor and the Ombudsman.

Conclusion

Parliamentary oversight of interception of communication should provide insight into the work of bodies authorized for the interception of communication. Supervision over security services is certainly a difficult task, but it should not be eliminated a priori as an unattainable goal. Oversight should be effective and a real corrector of the work of these services. Otherwise, uncontrolled interception of communication could seriously jeopardize human rights and could create uncertainty.

Effective supervision can only be achieved with precisely established oversight mechanisms and by creating conditions for their proper application. Oversight should be carried out continuously through established practice, free from political and party influence. Oversight should not mean only submitting an annual report to the Parliament, although the Law on communication interception did not provide more additional mechanisms aimed at effective oversight.

The current practice of parliamentary oversight over the interception of communication

in the Republic of Macedonia is not satisfactory. Parliamentarians did not meet the expectations and did not show commitment to cope with the challenges they faced as members of the commissions. The reasons are complex. Negative experiences created a need for interventions in the existing legislation and for creating appropriate bylaws. For an effective oversight there is a need of precise regulation of all aspects related to field visits of parliamentary commissions in the security services, as well as with the storage and transfer of data from monitored communication. Furthermore, supervision will be effective only if it is performed by commissions whose members or associates have appropriate professional, educational and experiential competencies.

However, it seems that the most important precondition is the independence and dedication of the members of parliament commissions. This condition is the most difficult to achieve, especially now after the loss of confidence as a result of illegal wiretapping that the country faced in 2015. To cope with the challenge of supervising the security services, parliamentarians as members of supervisory commissions must put aside their narrow party and daily political interests. In this regard, the political will and the creation of mechanisms that would contribute to the elimination of party-political influence on the individuals involved in surveillance is extremely important, raising the level of safety culture and strengthening confidence among parliamentarians.

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SAFETY AND HEALTH AT WORK AND THE APPLICATION IN THE ARMY OF THE REPUBLIC OF MACEDONIA

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Abstract: *Safety and health at work is an area that all employers and workers face, regardless of the size of the organization. The obligations and rights are clear and unambiguously regulated, and they have to be followed by all participants in the working process equally. Safety and health at work means creating conditions for work, so that certain measures and activities are undertaken to protect the life and health of employees and other persons who are entitled to it.*

Safety at work is a set of technical, medical, legal, psychological, pedagogical and other activities, by which threats that endanger the lives and health of people at work are detected and removed, as well as measures, procedures and rules to prevent or reduce dangers. The main objective of safety at work is to create safe conditions in order to prevent accidents at work, injuries and occupational diseases. It should not be limited to certain diseases, but we have to seek to prevent any diseases as well as if some person already has professional diseases.

The law on safety and health at work defines the conditions for safe operation, and thus the conditions for safe operation of those who perform it. The set of obligations consists of appropriate behavior in constructing the means of operation and personal means of protection, during their creation and use on the workplace, or the place where the work is performed.

The safety and security of people, carrying out their daily activities on the workplace, depends on the application of the legislation and the rules of safety at work and the appropriate selection and use of means of protection.

Abiding by the law, taking measures and activities for protection of the employees in the Army is of great importance for the performance of the units missions.

Key words – law, workers, employers, work, workplace, safety, health

INTRODUCTION

Historically, the need to take certain actions for the safety of those involved in the work process had occurred with the first forms of work, because each job is followed by larger or

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smaller health hazards. The development of industry only increased the danger, a result of the increased number of jobs; however, the working conditions did not improve, but rather deteriorated.

The improvement of the means of work, especially the technical progress known as the “industrial revolution”³, led to increased number of work accidents and work-related diseases. During this period of economic expansion, the working conditions were cruel, inhuman and employees often worked in conditions bordering on exploitation.⁴

These types of changes take place especially in the late XX century and the beginning of XXI century, marked by a high degree of automation, replacing manual labour with intellectual in all areas of work. But this creates new dangers, new risks and forms of endangering the life and health of workers.

As a result of the events in the early XIX century and the first legislation to be adopted for protection of the rights of workers, at the end of the XIX and early XX century almost all European industrial countries (England, France, Germany, Belgium, the Netherlands) had adopted a multitude of laws and regulations governing labour relations, but they were only the part referring to the issues of protection of workers at work.

Safety at work occurs as an organized activity at the beginning of the XIX century, when the term sanitation and hygienic technical protection was adopted, and it only constitutes a part of the multidisciplinary area named Work Safety.⁵

The foundations of security and safety in the European Union (hereinafter EU) was set out in 1951 with the founding of the European Coal and Steel CECA.⁶

Employees in the Republic of Macedonia (hereinafter RM) exercise their right to a safe and healthy work environment provided by the employer under the Constitution, the Labour Law, Law on Safety and Health at Work and a number of secondary legislations (regulations and guidelines).

The legal regulation in this area starts the intensive development of the legal system for safety and health at work of employees, expansion of social rights, as well as the creation of international organizations which greatly contribute to the establishing of a stable system of safety and health at work of workers.

Basic concepts of safety and health at work

In modern societies, work is a human necessity, the first and fundamental condition for survival and functioning in society. It is in the interest of any society all entities, and each individual to achieve the highest level of safety and health at work. Side effects such as workplace injuries, occupational diseases and diseases

³ Трудово право, авторизирани предавања, Доц. д-р Андон Мајхошев, Доц. д-р Војо Беловски, Универзитет „Гоце Делчев“ Штип, Правен факултет, Штип 2010 година, стр.41

⁴ Трудово право, авторизирани предавања, Доц. д-р Андон Мајхошев, Доц. д-р Војо Беловски, Универзитет „Гоце Делчев“ Штип, Правен факултет, Штип 2010 година, стр.41

⁵ Безбедност и здравље на раду, књига 1, Божо Николиќ и група аутора ВТШ Нови Сад, 2011, стр.1

⁶ Систем безбедности и здравља на раду у Републици Србији, Јелена Старчевиќ и група аутора, Београд 2009 година, стр.137 и Трудово право, д-р Тито Беличанец и

д-р Гзиме Старова, Правен факултет – Скопје, Скопје 1996 година, стр.89

related to the workplace, have to be reduced to a minimum, i.e. to achieve working environment in which employees will feel comfortable and would gladly pursue their professional tasks.

To achieve this goal we need a systematic approach to preventive action, as well as connecting entities, which carry out certain obligations and activities nationwide and abroad through participation in international institutions in this area.

In modern conditions, safety of work, as a social activity, is very important and can be considered from several aspects. Safety at work is a set of technical, medical, legal, psychological, pedagogical and other activities which help detect and remove hazards that endanger the life and health of people at work and measures, procedures and rules to prevent or reduce hazards. Thus, “the purpose of safety at work is to create safe conditions in order to prevent injuries at work, occupational diseases and accidents at work”.⁷

Having in mind that safety and protection of health depends on several factors, we can say that “the safety and health at work is a multidisciplinary area – a combination of technique, physics, medicine, organization, chemistry, etc.”⁸

The basic obligation and responsibility of all stakeholders is to advocate the implementation of established rules and regulations, measures and standards for working conditions and constantly strive they are amended and aligned with the technological and socio-economic development, in order to promote the safety and protect the health of workers.

International documents on safety and health at work

In the area of safety and health at work the most important sources of the international law are the conventions of the International Labour Organization (hereinafter ILO) and the EU directives.

By the adoption of several recommendations, charters, conventions, declarations, directives etc. in the field of health and safety at work, it can be concluded that several international organizations and institutions such as the ILO, the UN and the EU pay great attention to safety and health at work. The adopted international legal acts in this area also represent international legal instruments, and thus oblige EU member states and signatories of these legal instruments to implement them in their national legislations.

International labour organization

The right to health and the right to safety at work are a universal human and labour right, which requires equal access to their provision.⁹

⁷ Sluzba zastite na radu, Hrvatsko drustvo inzenjera sigurnosti, Zagreb, Svibanj 2009, str.1

⁸ Прирачник за Закон за безбедност и здравје при работа, Проект на Меѓународна организација на трудот, Австриска Агенција за развој, Скопје 2009, стр.4

⁹ Прирачник за Закон за безбедност и здравје при работа, Проект на Меѓународна организација на трудот, Австриска Агенција за развој, Скопје 2009, стр.4.

The first serious step on international level in the field of protection and safety of health at work of workers was made in 1890 with the holding of the first International Conference in Berlin. Several requests were introduced to limit working hours, banning employment of women and children in underground mines, as well as a request for a ban on their employment in dangerous and unhealthy jobs. All these requirements, even though they were highly advanced in favour of the workers, were not consistently implemented in practice and were impudently played. Therefore, the conference in Berlin was characterized as “theatre performance”.¹⁰

Actions to improve care and increase health and safety at work continue in the future. In 1900, the International Association of Labour Legislation was established, and in 1919, the International Association of Labour (ILO) was established, as part of the Treaty of Versailles to end World War II, reflecting the belief that “universal and lasting peace can be achieved only if it is based on social justice”.¹¹

ILO was transformed to an independent organization in 1946 and became a member of the Organization of the United Nations (hereinafter UN), i.e. ILO became the first specialized agency associated with the newly formed United Nations.

Since it was established to the present day, ILO has adopted and published a number of conventions, 187 declarations and 198 recommendations in the field of safety and health at work.¹² They should be properly incorporated in the national law of each state, which tends to be integrated into the international developments.

Of all the adopted conventions, International Convention no. 155 of the ILO, adopted on 67 session of the General Assembly of the ILO on 06/22/1981, which entered into force on 11.08.1983 year has a special importance for safety and health at work.¹³

International Convention No.155 was ratified by the Parliament on 17.11.1991.

The ratification of the Convention by RM means that the provisions of the Convention are part of our legislation on safety and health at work. The actual implementation of the provisions of the convention No.155, i.e. the majority of the provisions of this Convention shall be implemented in the Law on Safety and Health at Work.

Single European act and Directive 89/391/EEC in EU

Health and safety at work, as an international standard for the protection of workers' rights at work, except in the documents of the ILO (as a specialized agency of the UN), where it holds a special place and significance, also has its place and significance in all other major organizations and institutions as well, especially in the EU documents.

¹⁰ Трудово право, д-р Тито Беличанец и д-р Гзиме Старова, Правен факултет – Скопје, Скопје 1996 година, стр.77 и Трудово право, авторизирани предавања, Доц. д-р Андон Мајхошев, Доц. д-р Војо Беловски, Универзитет „Гоце Делчев“ Штип, Правен факултет, Штип 2010 година, стр.40

¹¹ Устав на МОТ од 1919 година и Constitution of the International Labour Organisation and selected texts, International Labour Office Geneve 2010, page 5

¹² Прирачник за Закон за безбедност и здравје при работа, Проект на Меѓународна организација на трудот, Австриска Агенција за развој, Скопје 2009, стр.4

¹³ Меѓународни стандарди на трудот, Ратификувани конвенции од Република Македонија, Проект за деловно опкружување, Агенција на САД за Меѓународен развој, Дигитпринт-Скопје, Скопје 2007 година стр.230

Based on numerous analyzes performed in the field of safety and health in 1957, the European Economic Community (EEC hereinafter) was established, whereas by the adoption of the Rome Treaty by EEC, the issues in the field of safety and health at work will start to be perceived comprehensively by legislation and in other branches and sectors of industry.

The actual grounds of health and safety at work were set out in 1986, by the adoption of the first Single European Act, which entered into force in 1987. The Single European Act is the cornerstone of the overall work related to safety and health, the European directives and regulations on safety and health in recent years.

Article 118A of the Single European Act of 1987 is particularly important for safety and health at work.

EU defines and traces its legislative approach to health and safety at work based on the conventions and recommendations, adopted and published by the ILO and the Single European Act.

Only two years after the entry into force of the Single European Act in 1989, EEC Directive 89/391 adopts the framework for measures to promote and improve safety and health in the workplace.

The European regulations cover several framework and individual Directives (about 75), which legally regulate certain aspects of health and safety at work.

The implementation of these guidelines, as well as the recommendations arising from them, divided into a total number of twenty (20) thematic areas, is mandatory in the EU. EU member states, have a high degree of applicability of about 96%.

Based on the above, it can be concluded that the legal field for Safety and Health at Work is relatively well covered and well regulated in the EU, which is a good basis of regulating this legal issue at a national level, not only among EU member states, but also in the countries candidates for EU membership.

Bearing in mind the aspirations of the Republic of Macedonia for EU membership, it is clear that the country has a wide range of problems in the field of health and safety at work, which should be dealt with accordingly, by adopting legislation in this area.

Safety and health legislation in Macedonia

Safety and health at work is a continuous process that needs to be approached very responsibly. The implementation of measures, regulations and standards in the area of safety and health at work is a necessary step for any employer.

In our legislation, safety and health at work is conceptualized as an integral part of the organization of the work process, and based on that it is provided to every worker, and every useful thing, regardless of the type and complexity of the work, which is in accordance with the constitutional principle of the right of every employee for protection at work.¹⁴

¹⁴ Прирачник за Закон за безбедност и здравје при работа, Проект на Меѓународна организација на трудот, Австриска Агенција за развој, Скопје 2009, стр.4

In Macedonia this issue is legally regulated by the Law on Safety and Health at Work, which employers must follow, while ensuring suitable working conditions in the workplace.

This law defines the measures for safety and health at work, the obligations of the employer and the rights and obligations of employees in the area of safety and health at work, as well as the preventive measures against occupational risks, the elimination of risk factors for accidents, providing information, consultation, training of workers and their representatives, and their participation in planning and undertaking measures of safety and health at work.¹⁵

The Policy of Safety and Health in the Republic of Macedonia is based on the relevant international regulations and documents (ILO conventions, EU directives, recommendations and strategy). The Republic of Macedonia as a candidate country for EU membership, and member of the ILO and the UN, has thus far ratified 74 ILO Conventions and accepted the most important international regulations concerning the safety and health of employees. This implies that the Republic of Macedonia has implemented the legislation in respect to safety and health at work into the national legal acts, which is one of the basic conditions for membership in the international community, especially the EU.

Protection, safety and health of employees, i.e. the right to a healthy and safe working environment in the Republic of Macedonia is defined in Article 32 of the highest legislative act, the Constitution of the Republic of Macedonia states that “Everyone has the right to work, right to free choice of employment, protection at work and material assistance during temporary unemployment”¹⁶, which includes the rights and obligations of employers, as well as employees.

Apart from the Constitution of the Republic of Macedonia, which defines the right to safety and health at work, as the highest legislative act, the legislation in this area is regulated by other legislation as well, such as: the Law on Safety and Health at Work, Health Care Law, Health Insurance Act, Pension and Invalidity, Law on Labour Relations, etc. (regulations, guidelines and collective agreements).

Health and safety at work in the Army of the Republic of Macedonia

The primary mission of the Army of the Republic of Macedonia is defence and protection of the territorial integrity and independence of the republic, protection of the population from external threats in all types of conditions - in peace, in crisis and in war. Furthermore, the army is ready to fulfil its international obligations-contribution to the collective defence of NATO, participation in international operations and protection of the broader national interests.¹⁷

¹⁵ Член 1, Закон за безбедности здравје при работа (Сл. весник на РМ бр.92/07, 136/11, 23/13, 25/13, 158/14, 15/15, 129/15, 192/15)

¹⁶ Член 32, став 1 од Уставот на РМ

¹⁷ Бела книга на одбраната, Министерство за одбрана на Република Македонија, Скопје 2012 година, стр.35

To achieve this primary mission of the Army, it is necessary to plan measures and activities that will allow a high level of protection of staff and also a successful and professional execution of tasks.

The Army of the Republic of Macedonia is an organization made up of well-trained, capable men and women who are fully committed to the defence and security of the Republic of Macedonia and the defence of national interests. In support of the national security objectives and intentions, our Army successfully completes missions from a wide range of military operations and is ready to respond to a variety of domestic and international emergency situations.¹⁸ In order to provide welfare and security to the population, the Army must be prepared, without forgetting the need to focus on the health and safety of the members of the Army.

The Macedonian Army is a complex organization, but we should never forget that they are people who give their lives to the Army.¹⁹

The Army's status, rights, obligations, duties and the responsibilities of the personnel serving in the Army are regulated by the Law on Army service,²⁰ but when it comes to the safety and health of the military and civilian personnel to the legal provisions of the Law on Security and health are applied. Given the fact that in the Army great attention is paid on these issues, based on the legislation, in order to protect the health of personnel in the Army at work, internal rules, guidelines and reports have additionally been adopted.

Based on the adopted legislative legal acts on safety and health in the Army, it can be concluded that particular attention is paid to the safety and health of the entire staff, i.e. all jobs are equally important, because each job is followed by certain specifics and risks to health and safety of persons.

Conclusion

The right to health and safety at work is a universal human and labour right, the right to safety and health at work is a fundamental right and is guaranteed by the Constitution of the Republic of Macedonia. Safety and health at work is a priority issue for both employees at a national level, and the employees in the Army.

The benefit from the application of the legislation on safety and health at work is manifold, the performance of the assigned tasks is at a much higher level, and therefore there is higher effectiveness and efficiency.

The application of the standards for safety and health at work in the Army and their greater implementation can further be achieved by applying the experiences in the civil sector, which will contribute to improving safety and reducing hazards and risks at work.

¹⁸ Бела книга на одбраната, Министерство за одбрана на Република Македонија, Скопје 2012 година, стр.77

¹⁹ Оперативен концепт на АРМ, Скопје 2007 година, стр.67

²⁰ Член 1, Закон за служба во АРМ (Сл. весник бр.36/10, 23/11, 47/11, 148/11, 55/2012, 29/2014, 33/15, 193/15)

Moreover, only with good planning and implementation of measures and activities for Safety and Health at Work, will a high level of protection of personnel be provided, as well as successful and professional completion of assigned tasks.

The Army, as a specific institution, for over two decades, has permanently taken various measures and activities for safe execution of the assigned tasks, improving health and safety at work and application of legal regulations governing this matter.

The dynamics of the execution of the tasks set before the members of the Army require a proactive approach to protecting the safety and health at work, i.e. preventive action is necessary, which includes recognition of the risks in the workplace.

In this regard, the measures and activities are primarily of a preventive nature aiming at ensuring safety and health at work in the workplace. However, the creation of safe working conditions in workplaces and practical application of the standards for safety and health at work is largely driven by several factors.

In addition, the adoption of internal rules and regulations regarding this matter, regulating staff training and the purchase of necessary personal protective equipment, according to the standards, will greatly reduce the dangers and risks in the workplace.

The application of standards for safety and health at work in the Army and their greater implementation can further be achieved by applying the experiences in the civil sector, which will contribute to improving safety and reducing hazards and risks at work.

The benefits are increased safety of employees, increased success in the workplace, successful and timely completion of assigned tasks.

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SLOVENIA'S CONTRIBUTION TO NATO-LED OPERATIONS

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Abstract: *The Republic of Slovenia, as a NATO member country develops its defence capabilities and contributes to defence cooperation with other member countries. This contribution, among other things, can be seen through Slovenia's participation in NATO-led operations and missions. This paper gives an overview of the contents of the Slovenian Strategy for Participation in International Operations and Missions, as one element of a comprehensive approach within the national security of the Republic of Slovenia. This paper uses relevant data in the analysis of the Republic of Slovenia participation in NATO-led operations and missions, in the period following 2001. The focus is on the question: how can a 'new' NATO member country contribute to international peace and security and what impact does such contribution have for the national security. Slovenia is very passive on the issue of military engagement in distant crises flashpoints and the Slovenia's interest for the security of the region of South Eastern Europe and the Western Balkans prevails. Concurrently, while presenting the case of Slovenia, being a NATO member country since 2004, the paper also gives an overview of the participation in NATO-led operations and missions of an aspirant country for NATO membership- i.e. the Republic of Macedonia. Although not a NATO member, Macedonia is a major contributor to the NATO missions in Afghanistan, ISAF. The paper is intended to stimulate creative and critical thinking about practice and research undertaken in the field of participation in NATO-led operations and missions. The paper should be viewed as a dynamic work in progress, designed to provoke discussion and additional research.*

Key words: *Strategy, international operations and missions, Slovenian Armed Forces (SAF), NATO-led operations and missions, South Eastern Europe.*

Introduction

The essential elements of the security and defence policy of the Republic of Slovenia arise from the adopted strategic documents. The Strategy of the Participation of the Republic of Slovenia in International Operations and Missions is one of those documents. The Strategy defines the mode of actions of the Republic of Slovenia in international operations and missions and it represents a framework which determines the necessary capabilities for its implementation. By its participation in international operations and missions, Slovenia promotes its national interest and at the same time fulfils the obligations deriving from the membership in the United

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Nations Organizations, the European Union, NATO, the Organization for Security and Co-operation in Europe, and the Council of Europe (Strategy of the Participation of the Republic of Slovenia in International Operations and Missions, 2010:4). Accordingly, participation in NATO-led operations and missions is very important and is one of the essential elements of building common security, both within NATO and between the Alliance and its partners. The active involvement of the Republic of Slovenia in international efforts for peace and stability in the world is a reflection of its political commitment for the realization of common interests and goals within the international security institutions. Participation of the Republic of Slovenia in NATO-led operations and missions is a clear expression of that commitment.

Analysis of the Strategy of the Participation of the Republic of Slovenia in International Operations and Missions

The Strategy of the Participation of the Republic of Slovenia in International Operations and Missions defines the mode of action of the Republic of Slovenia in international operations and missions, which according to the changes in the security environment becomes more complex and requires a comprehensive approach to attain the set goals. In its introduction, the Strategy emphasizes that Slovenia's active participation in international operations and missions is an integral part of a comprehensive approach in ensuring national security and prosperity, the implementation of foreign policy, security, economic, development and other interests and objectives. By its participation, at the same time, Slovenia fulfils the obligations deriving from the membership in the United Nations Organization, the European Union, NATO, the Organization for Security and Co-operation in Europe, and the Council of Europe, and it helps to improve Slovenia's international image and position and strengthen its reputation and credibility. On the other hand, in the Resolution on the National Security Strategy of the Republic of Slovenia it is set that the participation of the Republic of Slovenia in international operations and missions will be based on international law. On this basis Slovenia will define the conditions, methods and the extent of its participation in international operations and missions. However, this participation will be carried out in accordance with Slovenia's national interests, as well as the available resources and capabilities (Hribernik, 2011:380). It is important to point out that the participation in international operations and missions is an important transformation tool. The knowledge and skills acquired and tested thereby have a positive impact on the development of national capabilities (Strategy of the Participation of the Republic of Slovenia in International Operations and Missions, 2010:5). The basic principles and values in the Strategy, underlying Slovenia's interest in participating in international operations and missions include the strengthening of international security, democracy, the respect of human rights and fundamental freedoms, the rule of law, responsibility and solidarity, as well as the respect of international law. It is also important to mention that the Slovenia's participation in international operations and missions, as a NATO member country, is in accordance and consistent with the NATO's Strategic Concept. Stated goals are identical to the commitments expressed in the Defence Strategy of the

Republic of Slovenia and the Resolution on the National Security Strategy. Furthermore, the Strategy of the Participation of the Republic of Slovenia in International Operations and Missions addresses the strategic interests, determined by its geostrategic position, political, security, economic, developmental, humanitarian and other interests and principles, including the obligations within the international organizations of which Slovenia is a member. The most important strategic interest of the Republic of Slovenia remains the region of South Eastern Europe, as well as Eastern Europe and the Caucasus, the Mediterranean, the Middle East, Asia, Africa, and other regions in the world. There is no determination of priorities by regions; it remains only for rescue operations. If we analyse the commitments set in the Resolution on the National Security Strategy, priority is given to international operations and missions in the context of NATO and the European Union, particularly in those crisis areas which have a direct effect on the national security of the Republic of Slovenia, such as the areas of South Eastern Europe, the Middle East, Central Asia, and North Africa (Resolution on the National Security Strategy of the Republic of Slovenia, 2010:34). In this context as Hribernik underlines (Hribernik, 2011:380-381), the Strategy additionally mentions Eastern Europe and the Caucasus as areas of great importance for Slovenia's energy security. The Strategy emphasized the activities within the framework of multinational projects, as one of the core elements of providing the necessary capabilities for participation in international operations and missions. The focus should be on modularity and without duplication of the required capabilities and capacities. According to the Strategy, Slovenia assists other countries (EU Member States or third countries) in cases of natural and other disasters by providing units for protection, rescue and relief, experts for individual areas, and material and financial resources. Participation within the EU and NATO rapid reaction forces stands as a special form of participation in international operations and missions. Slovenia is developing the appropriate capabilities for this purpose. In 2011, the Slovenian Armed Forces (SAF) participated for the first time in the NATO Response Forces (NRF) with a battalion sized unit, namely the Chemical, Biological, Radiological and Nuclear (CBRN) Defence Battalion, as a part of the Immediate Response Force (IRF) (Annual report of the Ministry of Defence for 2011, 2012:28). The Strategy further describes the process of its implementation, as well as the decision-making process with regards to the Slovenia's participation in international operations and missions. It is important to point out that the rescue operations are excluded from the sometimes 'long' decision-making process. This also applies to the deployment of the SAF in the NATO Response Forces. The Slovenian Government adopts the final decision for Slovenia's participation in international operations and missions. On the other hand, there are considerations that the involvement of the National Assembly of the Republic of Slovenia in the decision-making process for Slovenia's participation in international operations and missions should be increased. The Strategy points out the importance of raising the awareness and public support for participation in international operations and missions that are closely related to the efforts aimed at

increasing the security of Slovenian citizens. It is remarkable that the priorities for Slovenia's participation in other international crisis flashpoints, except the Western Balkans, are not entirely accepted by the Slovenian population. While Slovenia's participation as part of the NATO-led KFOR mission in Kosovo has garnered fairly high support in opinion polls for years (between 30 and 40 percent), there is much less enthusiasm for involvement in the Alliance's ISAF mission in Afghanistan (around 10 percent). This stands in contrast to the opinion in comparable countries, such as Estonia, where support for staying in Afghanistan remains roughly three times higher (Hribernik, 2011:377). There is no doubt that the Strategy emphasizes the interest of the Republic of Slovenia primarily for the security in the region of South Eastern Europe and the Western Balkans. Slovenia's participation in international peace operations is limited by its size and capabilities. In practice, the vast majority of troops deployed are engaged in NATO-led operations (mainly with KFOR in Kosovo and, until 2014, also in ISAF in Afghanistan). Only a small percentage has been deployed in EU and UN-led operations (Vuga, 2014:1). The same statement is shared by Grizold and Кораџ (Гризолд и Копач, 2013:14), who indicate that the main effort concerning the participation of the Slovenian Armed Forces (SAF) in international operations and missions is focused on NATO-led operations and missions (missions: ISAF in Afghanistan and KFOR in Kosovo). Vuga (Vuga, 2014:1-4) highlights the fact that Slovenia follows a policy of prioritizing contributions to missions in South Eastern Europe and the Balkans. Slovenia's historic cultural and ethnic ties as well as its close proximity to the Balkans have made security in the region a top priority, and have gained public support in Slovenia. The public is less convinced about the need to participate in other distant crises flashpoints and possibly violent missions. It is necessary to point out Hribernik's conclusion (Hribernik, 2011:378), according to whom in many European NATO member countries, the discrepancy between the desires of the policy makers on the one hand, and public opinion as well as actual capabilities on the other hand, is often all too apparent. The public opinion in Slovenia does not always accompany the determinations of the official Slovenian authorities. Actually, the public supports the regional approach for participation in international operations and missions.

In the end, the Strategy emphasizes that the Strategy of Slovenia's Participation in International Operations and Missions is a guidance document for planning and development of all required capabilities for Slovenia's participation in international operations and missions.

Participation of the Republic of Slovenia in NATO-led operations and missions

The participation of the Republic of Slovenia in international operations and missions is in correlation with the commitments defined in the Resolution on the National Security Strategy, the Strategy of the Participation of the Republic of Slovenia in International Operations and Missions and the Defence Strategy of the Republic of

Slovenia. Accordingly, Slovenia's participation in international operations and missions depends on the expressed national interests, but also on the available resources and capabilities.

So far, regarding NATO-led operations and missions, Slovenia has participated in SFOR (Stabilization Forces) in Bosnia and Herzegovina, KFOR (Kosovo Forces) in Kosovo, NTM-I (NATO Training Mission) in Iraq, ISAF (International Security Assistance Force) and post ISAF (Resolute Support) in Afghanistan and NATO's humanitarian operation in Pakistan. The Annual Report of the Ministry of Defence of the Republic of Slovenia for 2003 (Annual report of the Ministry of Defence for 2003, 2004: 51) analyzes the contribution of the Republic of Slovenia in the NATO Stabilization Force, SFOR in Bosnia and Herzegovina for the period from 1997 to 2003. The biggest unit deployed within the NATO Stabilization Force is a motorized infantry company within the Battle Group established by Poland, Portugal and Slovenia. Furthermore, the contribution of the Air Force and Medical units from SAF, within SFOR, should not be neglected. The Republic of Slovenia participated in this peace support operation by the end of 2004, when the NATO operation in Bosnia and Herzegovina ended. In December 2004, the NATO HQ in Sarajevo was formed. The two staff officers of the SAF were deployed in the NATO HQ. The Alliance launched an operation in Kosovo in 1999, in order to build peace and stability in Kosovo. The Republic of Slovenia has participated in the NATO forces in Kosovo, KFOR, since 2000. According to the Annual report of the Ministry of Defence of the Republic of Slovenia for 2005 (Annual report of the Ministry of Defence for 2005, 2006: 16-17), in 2005, the Republic of Slovenia participated in the KFOR with a military police platoon and a mechanized infantry platoon, as well as with staff officers at the NATO HQ in Prizren. In 2005, the Republic of Slovenia increased the size of its contingent, which unlike in 2004 when it consisted of 32 personnel, in 2005 the number increased to 89 personnel (Figure 1). In 2007, the Republic of Slovenia deployed in Kosovo, for the first time, units of the size of a battalion, with its own area of responsibility. In 2009, the size of the battalion battle group reached a number of approximately 390 personnel (Figure 1). The task of the SAF in Kosovo is to maintain a safe, stable, and secure environment in order to ensure the conditions for a gradual transfer of responsibilities to civilian authorities, as well as to maintain the projects of civil-military cooperation. In December 2003, the National Assembly of the Republic of Slovenia adopted a decision for the participation of the Republic of Slovenia in the NATO forces in Afghanistan, ISAF. Slovenia started its participation in ISAF in February 2004. SAF deployment area was Western Afghanistan, more precisely in Herat and Kabul. Besides providing protection of the camp in Herat, in Afghanistan, SAF provided activities of the operational mentoring teams and activities of civil-military cooperation. In April 2013, the 19th contingent of the SAF was deployed. According to the plan for the gradual reduction of the presence of the SAF in Afghanistan, the number of military personnel was decreased to about 56 personnel. In May 2014, the last 20th contingent of the SAF in Afghanistan returned to

Slovenia. 4 members of the SAF remained out of the contingent of about 33 personnel in the ISAF mission in Afghanistan. In July 2014, the number decreased to 2 SAF members (Figure 1). According to the portal 'The Slovenian Times' of 08.05.2014, which published statements given by authorities from the defence sector of the Republic of Slovenia, the last rotation of troops returned to Slovenia one month earlier ahead of the initially planned return date under a decision taken by the Defence Minister, Jakič. It is also noted that Slovenia will remain present in ISAF until the end, with its staff deployed in the ISAF command centre, in Heart. Regarding the post-ISAF, the training and assistance mission to the Afghan army (Resolute Support), participation of 15 people was envisaged, who would not necessarily be troops. It remains to see the contribution of the Republic of Slovenia in this NATO-led mission, in which Slovenia currently is present with 7 personnel (Figure 1). The data analysis shows that there is a big difference in the size of KFOR and ISAF contingents, with significantly greater presence of the Slovenian Armed Forces in Kosovo.

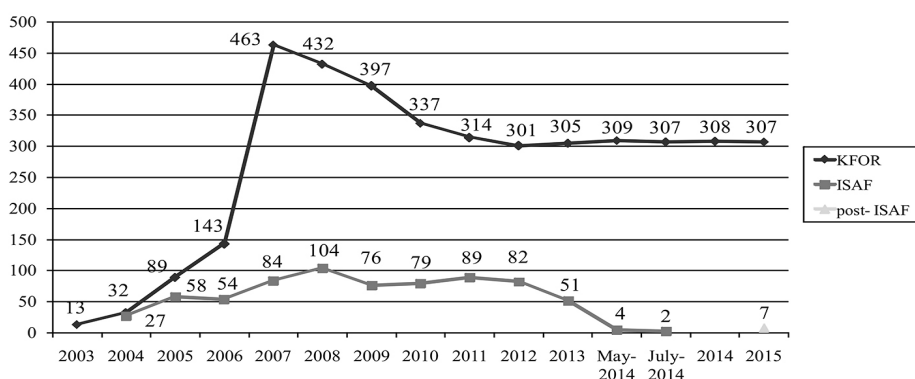


Figure1. Graphic overview of the Slovenia's participation in NATO-led missions KFOR, ISAF and post-ISAF

The reason for that should be sought in the growing influence the Western Balkans region has in the national security of the Republic of Slovenia, and as already stated, in the available resources and capabilities. Afghanistan is a quite distant region, and the insufficient financial and logistical capabilities of the Republic of Slovenia are a limiting factor. There is a determination that Slovenia remains committed to further participation in NATO-led operations and missions, as a credible ally that honours its obligations. The contribution to KFOR remains a top priority of Slovenia, and it will continue to contribute to the stabilization of Afghanistan (Visit to NATO by the Slovenian Minister of Defence, Permanent Representation of the Republic of Slovenia to the NATO, 2013). However, it is beyond any doubt that in future Slovenia will be more present in Kosovo, despite the commitments expressed by official Slovenian authorities

that the Western Balkans and Afghanistan are considered to be equally important for the national security of the Republic of Slovenia. This should stimulate further considerations about changing the traditional regional focus of Slovenia's participation in NATO-led operations and missions, and in general, of Slovenia's participation in international operations and missions.

Slovenia participated in the NATO Training Mission (NTM-I) in Iraq from 2006 until the end of 2008. This NATO mission did not include combat tasks, but rather training of the Iraqi army, and its support in the procurement of equipment and technical resources. After the devastating earthquake in Pakistan in 2005, at the request of the Pakistani government, NATO began an operation to remove the effects of the earthquake. Slovenia participated in the operation along with France under the land component of NATO, in which two teams of civil-military cooperation were formed (Pakistan earthquake relief operation, 2010). In fact, one Officer and one NCO from the Slovenian Armed Forces, experts in the field of civil-military cooperation were deployed in the operation. Figure 2 shows the size of the contingents of the Republic of Slovenia³ participating in NATO-led operations and missions, on a rotational basis. The period from 1997 to 2004, previously analyzed, in which Slovenia participated in the NATO SFOR in Bosnia and Herzegovina, is not shown on the figure. The participation of the Republic of Slovenia in international operations and missions is aimed to satisfy the obligations of its NATO membership.

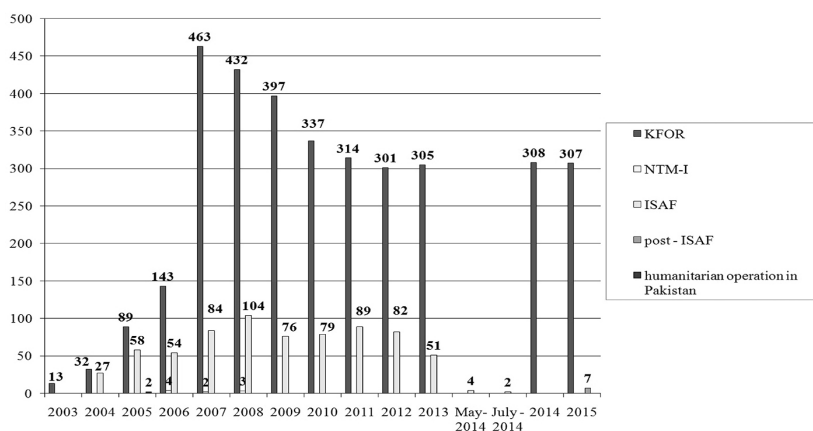


Figure2. Graphic overview of the Slovenia's participation in NATO-led operations and missions

³ Figure 2 shows the approximate size of the contingents on rotational basis. It does not take into account the personnel assigned to NATO headquarters in Sarajevo, Skopje and Belgrade and the central command of ISAF in the United States. Also, for the period from 2007 to 2013 the average annual contribution of Slovenia in NATO-led operations and missions is showed, because the available data are annual. In fact, the total number of personnel that participated in NATO-led operations and missions for calendar year is available. Because the rotations are performed in six months the displayed size of contingents of KFOR and ISAF was obtained. However the graphic vividly depicts the contribution of the Republic of Slovenia in NATO-led operations and missions.

According to the data in the Annual Report of the Ministry of Defence of the Republic of Slovenia for 2009 (Annual report of the Ministry of Defence for 2009, 2010:29), the contribution of the Republic of Slovenia in international operations and missions, in 2009, is 6.4% of the land component of the SAF, with the biggest participation in NATO-led operations and missions. In addition, according to the Annual report of the Ministry of Defence of the Republic of Slovenia for 2010 (Annual report of the Ministry of Defence for 2010, 2011:36), the SAF deployed approximately 431 members to NATO operations and missions in 2010, on rotational basis of 6 months. Each member state sooner or later hosts important NATO events and also important activities of the Alliance, like peace support operations and missions (for example Afghanistan), which reflects critically in the public eye (Jazbec, 2009). According to Jazbec, the constant dialogue with the public is important from various points of view and deserves more attention. However, it will be harder to convince the public for further active involvement of the Republic of Slovenia in operations and missions in distant crisis regions.

Compared with the Republic of Slovenia which is a NATO member country since 2004, the first contribution of the Republic of Macedonia, as an aspirant country for NATO membership, started within the NATO-led mission ISAF in Afghanistan in 2002. In 2010 the highest level of troops sent in one rotation was reached, 242 personnel (Figure 3).

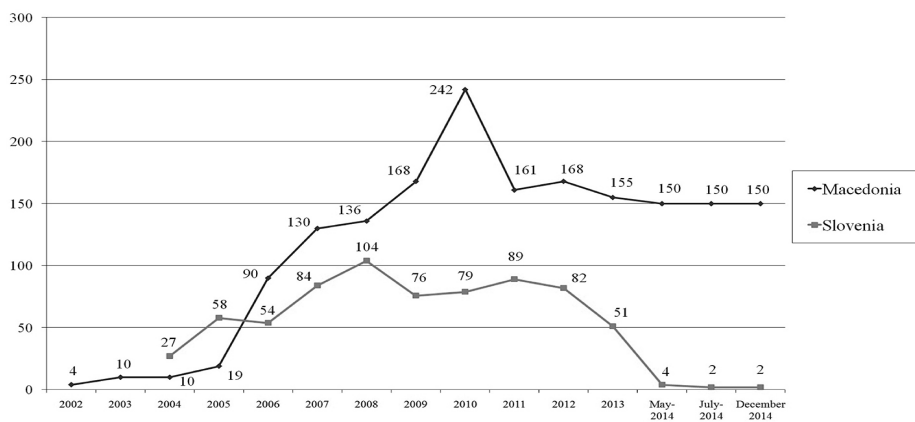


Figure3. Graphic overview of the participation of the Republic of Slovenia and the Republic of Macedonia in ISAF mission

In fact, despite the deployment of one company for providing protection of ISAF command in Kabul, one military police platoon and one ranger platoon of the Army of the Republic of Macedonia were deployed within the contingent of the 86th Brigade of the National Guard of Vermont (USA). They were included in the process of training of the Afghan National Army. Despite the fact that it is a small country with limited

resources, the Republic of Macedonia was one of the major contributors to the ISAF mission. In addition, the Republic of Macedonia, since 1999, has continuously provided ongoing support to NATO forces (KFOR -Kosovo Forces) in Kosovo (Бела книга на одбраната - БКО, 2012:61). Macedonia's contribution to NATO-led operations and missions continued in the post-ISAF. At present, the Republic of Macedonia participates in the post-ISAF mission (Resolute Support) with a total of 39 personnel.

Conclusion

The analysis in the paper reflects the contribution of the Republic of Slovenia in the Alliance led operations and missions, before Slovenia became a NATO member, as a NATO partner, and after it gained full membership in 2004. The acquired knowledge and skills from participation in international operations and missions have a profound impact on the process of development and maintenance of national defence capabilities. This statement in the Strategy of the Participation of the Republic of Slovenia in International Operations and Missions is followed by the fact that the participation in NATO-led operations and missions contributes to the equitable division of responsibilities and obligations within the Alliance, aimed at guaranteeing the international peace and security. The participation of the Republic of Slovenia in NATO-led operations and missions, in the past, depended on Slovenia's national interests, but also on the available resources and capabilities, as well as on the obligations deriving from the Slovenia's membership in the Alliance. The special interest for the stability and security of the South Eastern European region contributed to greater participation of Slovenian Armed Forces in the NATO operations in the Balkans (SFOR in Bosnia and Herzegovina and KFOR in Kosovo). This is primarily due to the fact that stable and safe neighbourhood will provide security and prosperity at home. That brings us to the conclusion that the strategic interests depend on the geostrategic position and the political, economic and security interests. Basically, in the Slovenia's strategic documents the commitment to participate in international operations and missions within NATO and the EU prevails, even though the strategic commitment of the Republic of Slovenia is to strengthen security through participation in the international efforts within the UN. All this is supported by the public, with more prevalent commitment to regional action. It can also be concluded that the differences, between the desires and expectations expressed by the political commitment to participate in international operations and missions on the one hand and public opinion and real opportunities on the other hand, are always present.

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REGULATING PRIVATE SECURITY IN THE REPUBLIC OF MACEDONIA

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Oliver BAKRESKI²

Abstract: *Private security in the Republic of Macedonia has been in an ancillary position in the recent years, and it has often been marginalized by media and unaccepted by citizens. Nevertheless, today, in most western European countries employees in the private security sector are significantly more numerous than the ones in the public security sector. It is due to the transformation of the attitudes toward the place and role of this sector in providing security. The primary concept is most commonly based on the need for coerced enforcement of law, and that means increased demand for security services. The theoretical explication in this paper is focused primarily toward the scope of the private security concept, and toward the perception of the legal framework, which regulates the activities of private security.*

Key words: *concept, private security, security, protection, services.*

Introduction

Today, the issue of what a government does to regulate this sphere is especially important. The answer to this issue should create a possibility for the government to realize the numerous alternatives at disposal, and to choose the regulatory options which will enable the proper and effective functioning of the private security sector, simultaneously protecting human rights. Of course, if the reasons of the government for regulation do not correspond with the goals of the companies which are operational within their scope, or they just simply cannot manage to foresee these goals, then companies or firms face a very difficult future that could force some of the companies to act outside the regulations in order to survive. Therefore, the purpose of the regulation of the private security companies should not compromise the businesses in the country, as long as those practices do not compromise international standards and human rights.³

Hence, it is clear that every single movement and attempt to establish regulation of this sector will take a lot of time to arrange and implement; although, it is evident that most of the legal options for misuse of private security companies are more likely on a national level, and not international. The existing national regulation varies in quality and efficiency in many

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³ Kinsey Ch.: *Soldiers and International Security: The Rise of Private Military Companies*, Routledge, London and New York, 2006, pp.23-75.

countries. Most of the countries have adopted laws with many flaws, and in some countries the legal regulation does not exist at all. In many cases, the so-called “grey zones” are legal, including extraterritorial disputes and problems regarding interference of state and non-state actors working together. This means that every country involved in any way in regulating the private security and its activities has a need to develop laws which are relevant for the security firms as well as the laws which would regulate their activities.⁴

In the Republic of Macedonia, private security is an important factor in the overall relations for building a beneficial security ambience in the country. This sector is also a real partner of the public security sector of the country that has explicit elements of absolute domination of ownership, as well as privatizing certain functions which were previously the exclusive right of the public security sector. This also created the opportunity for the private security agencies to take part in the joint efforts along with the police for protection of citizens, their assets, and their lives. This, to a great extent imposes the need for cooperation on the level of functionality/contribution between these two sectors which should be an unselfish instrument for the overall contribution/effect in the public security in general, as well as building mutual response against threats which leave strong implications on the security and jeopardize people and their property.⁵

Legal grounds for establishing security agencies in the Republic of Macedonia

Nowadays, the issue in the Republic of Macedonia is not the need for private security, whereas the broadest discussion is waged over the issue: „What should the private security be like?“. The answer to this question demands a holistic approach and foreseeing the conditions in this sphere, which will form a complete vision and comprehension for this significant segment.

Besides the terms security agencies need to meet - quoted as standardized in the respective law, they also need to comply with the legal definitions given in the Law on commercial companies,⁶ which regulates and records the enterprises and their activities in the Central register of the Republic of Macedonia.

Consequently, the activity the private security is authorized to perform according to the Law on private security is as follows: legal entities registered in the Central register of the Republic of Macedonia, licensed for private security services, etc.⁷

By analyzing the Law on private security we arrive at the conclusion that the section on terms, as quoted in Article 8 from the Law, strictly regulates that private security is performed for providing services, as well as for personal needs. The fact there is an emphasis on the dominance of security in the form of services is a sufficient indication that this is the prevailing form of private security as an activity of public interest, as well as commercially.

⁴ Ahić J.: *Sistemi privatne sigurnosti*, Sarajevo, 2009, str.20-42.

⁵ Bakreski, O., *Kontrola na bezbednosniot sektor*, Filozofski fakultet, Skopje, 2012, str.104-105.

⁶ Zakon za trgovski drustva (Службен весник на Република Македонија, бр.28/04).

⁷ Zakon za privatno obezbeduvanje, (Sluzben vesnik na Republika Makedonija, br.166/12 i 164/13), clen 10.

The second type of private security for individual (private) needs is the physical protection that certain legal entities organize according to the law for protection of their own employees, clients and other persons, as well as their own personal property and real estate.⁸

Basically, security includes a variety of security issues, divided on physical and technical security. According to Article 9, Paragraph 2 from the Law physical security refers to physical protection, monitoring-patrol security, transportation and money transfer security, as well as other valuable cargo security, security for public events, etc., whereas technical security refers to protecting persons and assets with technical means and devices, according to the regulated standards in order to prevent illegal actions against persons and property, and private security for personal needs refers to physical security as physical protection and monitoring.

Regarding physical security, security employees have certain authorization according to law: to check the identity of persons entering the property they protect; to alert the person to leave the property, if the person remains on the property without authorization to do so, i.e. to warn persons who jeopardize their own and the safety of other people, or cause damage to the property by their conduct; to restrict the entrance of uninvited persons, as well as to prohibit unauthorized recording or inserting recording devices and equipment on the property they protect; to detain and hand over to the police a person caught committing a criminal offense a criminal act ex officio, until the arrival of the police; to inspect persons, items, vehicles, and luggage, and use means of coercion.⁹ Furthermore, the same Article, Paragraph 2 defines territorial authorization for the enforcement of the abovementioned, depending on the type of private security specified in Article 9 and Article 10 of this law. In that context, the private security employees, employed in legal entities licensed for private security for personal purposes could only use these authorizations in the facility they secure, or to the boundaries of the protected facilities when conducting physical protection and monitoring security (local authority). If these employees provide physical security to members of the legal entity outside the facilities or to the boundaries of the area, they are authorized to use only coercive force, (Article 45 p. 1 Paragraph 6) in case their physical integrity and/or life are endangered, as well as the physical integrity and life of the protected person (functional authority).¹⁰

Therefore, while providing security activities, the security employees are allowed to use certain coercive measures considered a one step further in giving greater authority to security personnel, respectively, the use of coercive mea-

⁸ Bakreski O., i dr. *Komentar na zakonot za privatno obezbeduvanje*, Komora na RM za privatno obezbeduvanje, Skopje, 2014.

⁹ Zakon za privatno obezbeduvanje, (Sluzben vesnik na Republika Makedonija, br.166/12 i 164/13), clen 45.

¹⁰ Bakreski O., i dr. *Komentar na zakonot za privatno obezbeduvanje*, Komora na RM za privatno obezbeduvanje, Skopje, 2014.

asures such as: physical force, rubber baton, methods of restraint, chemical agents (spray), firearms and trained canines.¹¹

By analyzing the amendments which are set out to strengthen certain authorizations, especially coercive measures, it could be perceived that few bold steps are made, which should be regarded only as a way of more efficient tasks execution and facilitating the work of the public security sector in the joint efforts to deal with the risks and threats aimed at the citizens and the country.¹²

Regarding the operating of technical security, certain harmonization has also been made to further specify this segment. Hence, the new Law on private security sets out that technical security is to be performed with the use of technical means and devices in order to prevent illegal actions toward persons and property, especially protection from unauthorized access to facilities subject of protection; unauthorized utilization and disposal of items subject of protection; unauthorized entry of firearms; explosive, radioactive, flammable and poisonous materials; burglary, diversion or violent attacks on the secured facilities; unauthorized access to data and documentation; assault on vehicles transporting money and other valuable items, and assault on private security employees conducting transportation of money and other valuable load.¹³

The Law on private security clearly and strictly stipulates that private security can only be performed by persons who hold: a license for private security and an private security identification card. The license for security and the identification card are issued by the Chamber, provided that the individual meets the conditions defined by this Law.¹⁴ The mere stipulation of the aforementioned conditions prevents unauthorized persons doing activities in the scope of private security, but there are certain prerequisites that need to be created for its implementation. The law treats the license as a proof of qualification for conducting private security activities, and as a license for practicing the activities and tasks of private security professionally. The license for private security is a precondition for obtaining a private security identification card, which is granted to candidates upon signing of the contract as security employees with the legal entity authorized to perform private security services. The license is a certification upon a conducted training, with lifetime validity, whereas the validity of the identity card is connected with employment; thus, based on the acquired license, the candidate may obtain IDs from different security agencies, but is not allowed to hold more than one card, due to the obligation to retrieve it upon the expiration of the working contract.¹⁵

¹¹ Zakon za privatno obezbeđivanje, (Sluzben vesnik na Republika Makedonija, br.166/12 i 164/13), clen 54.

¹² Bakreski, O., *Kontrola na bezbednosniot sektor*, Filozofski fakultet, Skopje, 2012, str. 106-107.

¹³ Zakon za privatno obezbeđivanje, (Sluzben vesnik na Republika Makedonija, br.166/12 i 164/13), clen 40.

¹⁴ Zakon za privatno obezbeđivanje, (Sluzben vesnik na Republika Makedonija, br.166/12 i 164/13), clen 20.

¹⁵ Bakreski O., i dr. *Komentar na zakonot za privatno obezbeđivanje*, Komora na RM

In the Republic of Macedonia, statistical data of the Central register of the Republic of Macedonia point to the fact that 64 entities with 2171 employees provide services for private protection, while 38 entities with 1134 employees provide protection services with security systems, and there are 10 entities with 82 employees registered in the segment of investigative activities.

Services provided by security agencies

Nowadays, services provided by the private security comprise a wide spectrum of activities, starting from protection of property and capital, to private services for airport security, protection of banks and personal security. Despite the fact that the private security sector includes numerous key actors, and that it might be beneficial in identifying them is actually acknowledged, still, this sector refers to all the actors providing security under a contract and with a certain financial income. Thus, not only is the authorization in the private security domain amplified, but the range of users of its services is enlarged. Furthermore, not only individuals, but also governments, international organizations, humanitarian aid agencies, international and national companies hire private security companies in order to ensure their safety while conducting their duties.¹⁶

Basically, private security companies offer different types of services according to the client's budget and security needs. The basic level of service includes providing security for shopping centers and small gatherings, surveillance services, investigative services, general risk assessment and risk reduction services given to private businesses, as well as support of post- conflict reconstruction processes through protection of the defense and security forces and agencies engaged in reconstruction.¹⁷ Big companies could ensure making regular income by connecting with local and state authorities, by securing water purification plants, airport security and protection of public institutions. The highest rank of services includes protection of nuclear plants, rapid response deployment teams in times of catastrophes and overseas military missions.¹⁸ This fact shows that this sector in general has reached maturity regarding the volume and diversity of services provided on the market.¹⁹

In the Republic of Macedonia, the most common services provided by the security agencies are used by the following: educational institutions, the social sector, health sector, sports federations, local authorities, private sector, business community,

¹⁶ *Policy Statement on Privatisation of the Security Sector*, Extra Assembly of the Parliamentary Forum on Small Arms and Light Weapons, Panama City, 2007, pp. 1-4.

¹⁷ Berndtsson, Joakim, *The Privatisation of Security and state Control of Force: Changes, Challenges and the Case of Iraq*, School of Global Studies, University of Gothenburg, 2009, p.1.

¹⁸ *Ibid.*, p. 1.

¹⁹ Alyson Bailes and Caroline Holmqvist, 'EU Must Regulate Private Security Firms', *European Voice*, 22-28, September 2005, p. 8, see Hans Born, Marina Caparini, and Eden Cole, *Regulating Private Security in Europe: Status and Prospects*, Geneva Centre for the Democratic Control of Armed Forces (DCAF), Policy Paper – №20, 2007.

banking sector, diplomatic-consular offices, international organizations, etc. The services that are commonly provided include: securing buildings, securing persons and property, securing sport games and other cultural events, securing banks and financial institutions, securing schools and universities, hospitals and clinical centers, municipalities and infrastructure, securing firms and companies, saving banks, as well as escorting money distribution, convoy, foreign diplomats security, etc. Some of the security agencies also perform monitoring of the activities of critical infrastructure, and analogous to that, make critical infrastructure installations, including mobile patrols, security consultations, secured storage and destruction of papers, offer transportation and services related to money security etc. Also, only a part of the agencies are focused on professional research, making analyses and assessments, as well as a small number of agencies offering detection equipment and advise during selection of alarms, safes, safety glass and windows, and not many of them providing VIP services and bodyguard services, transportation and protection of tourists and tourist groups in the country.²⁰

Conclusion

The legal regulation of the private security sector varies from one country to another. Due to the global processes in economy, a need has emerged for the operation of this sector, even outside the borders and national legislations, which imposes the need for norms in certain aspects of the activities in this area, such as harmonization of the legislations on the level of a common market (EU member states and EU candidate countries).

Legal regulation of the private security sector provides a broader platform for development of relations and activities in this sector in a certain order. However, there are number of reasons why certain states avoid making this step.

The case analysis in our country showed that the reasons for stipulating this activity are classified in the following manner: defining the legal framework in order to regulate the private security operation, framework for the authorizations which would mean, in specific cases, suspension of human rights and freedoms, regulation of the tasks and duties, protection of privacy of persons communicating with this sector, protection of the legal entities intended to perform private security activities, prevention of the use of private security agencies for political purposes, suppression of protests etc, organization of the issues regarding the roles and the scope of cooperation; enabling the public to clearly and transparently identify the members of the police from the private security agencies employees; providing oversight over the use of authorizations by the security employees; exclusion of criminal and convicted persons from this sector by establishing license criteria, enabling equal standards in the procedures of the security agencies; organizing the method of control for possession of fire arms in the firms providing security services; oversight of the work of security agencies, establishing minimal working conditions, etc.

²⁰ Bakreski, O., *Kontrola na bezbednosniot sektor*, Filozofski fakultet, Skopje, 2012.

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HYBRID WARFARE: MASS MIGRATION AS A FACTOR FOR DESTABILIZATION OF EUROPE

Nenad TANESKI¹

Abstract: *In the recent months, hundreds of thousands of migrants and refugees are trying to escape violence and political instability in North Africa and the Middle East, seeking salvation in Europe. This influx of refugees in European countries has raised concerns, particularly about the possible infiltration of militant Islamic extremists, members of terrorist groups in crisis regions. These extremist structures can easily use the directions of movement of migrants, especially because of the associated risks and costs arising from legal or legitimate opportunities to move across borders. An additional risk to national security of European countries is the return of veterans from the crisis regions of the Middle East and their impact on the Muslim population. The fate of the displaced Muslims does not represent only a moral dilemma for Europe, but a security problem that will reach an unpredictable large scale in the near future. On the other hand, migrants are a good base for Religious extremist recruitment with enormous potential to support the anti-European extremism. The worrying number of several thousand Muslims from Europe in recent years who travelled to join Sunni Islamist groups in Syria has a huge negative impact on the development of events. While many Syrian Muslims are fleeing from jihadist militants and desperately begging to be received in Europe, many Muslims who were born in Europe do not feel fully accepted in their societies move in the opposite direction and want to join the conflict in Syria. Migrants represent a solid base for re-Islamization of Muslim population, its radicalization and recruitment on European soil and jihadist fronts worldwide. For these reasons the thesis which will be proved in this paper is that the impact of the refugee crisis as asymmetric tool in this new kind of hybrid warfare represents a key factor for the expansion of religious extremism in Europe.*

Keywords: *refugee crisis, religious extremism, asymmetric threats, hybrid warfare, terrorism.*

INTRODUCTION

In 2011 we witnessed the Arab Spring regarded by Europe as a positive development which would lead to democratization in the Arab world and would reduce conflicts. However, today we observe reversal of this positive trend. The escalation of violence and insecurity in the

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Arab world has caused a huge refugee wave which has paralyzed Europe, with approximately 500,000 refugees in the first nine months of 2015. An additional shock also caused a series of negative events such as the terrorist attacks in January and November 2015 in Paris.

At the same time, several thousand Europeans mostly young men and women part of the European Muslim community, some of them second-generation young migrants of Muslim origin, as well as young converted Muslims joined the forces of the terrorist organization "Islamic State" in Syria and Iraq to fight on the side of the jihadists. Religious extremism is increasingly accepted by young Muslims in the European countries, especially where they represent a minority. Extremist groups and organizations are constantly recruiting in Muslim communities, using various non-violent means, using the weaknesses of European policies for integration of minorities as well as tactics of violence. They are extremely well-funded and receive overt or covert political support from states and private entities from the Arab world.

REFUGEE CRISIS - A NEW SECURITY CHALLENGE FOR EUROPE

Europe today is facing the greatest migration and refugee crisis since World War II. Part of the refugees come from the Middle East and Africa, while others come from Ukraine, Kosovo and elsewhere from the Western Balkans. Many experts characterize the refugee crisis as a mixed migration, defined as a flow of different groups of people, such as economic migrants, refugees, asylum seekers, stateless persons, persons who are victims of trafficking as well as unaccompanied children, who are traveling in the same direction and use the same means of transport. Sometimes they are called illegal migrants because they do not have the necessary documentation (passports and visas) and travel through illegal border crossings to reach their final destination.

Refugees or migrants, is the question that has plagued Europe after waves of several thousands "attack" its borders on a daily basis. If previously the Syrians were the most numerous group among the refugees, who fled the cruel war with their families collectively leaving homes and migrating to Europe, recently there has been a decrease of Syrian citizens transiting through the "Balkan route". According to the analysis of the security services, it is a symbolic drop on account of individuals from Pakistan or Iran; however, the data are in favor of claims that the "refugee crisis" includes a large number of citizens of countries that provide safe life. In these mixed migrant groups generally we can identify:

- *Economic migrants, who are trying to escape poverty and seek a better life, legally or illegally, temporarily or permanently.* In theory, when they receive protection from their government, they should be returned home. (Dalton, 2008)

- *Refugees, who are forced to leave their country of origin due to well-founded fear from persecution because of their race, religion, nationality or because of membership in a particular social or political group or political persuasion.* After they obtain the refugee status, they have certain legal rights and protection in accordance with international law. (Zutsi, Satpute, Tahir, 2011) They are different from economic migrants because refugees are forced to leave their country, and economic migrants are leaving voluntarily for economic reasons.

- *Asylum seekers, people who are fleeing their home country and seek a refuge in another country where they apply for asylum, demanding the right to be recognized as refugees.* They can receive legal protection and assistance until their status is formally resolved. (Whittaker, 2006)

- People without citizenship, persons who are not considered citizens of any state under national law.

There are several migratory routes to Europe, by land and by sea, Western, Central and Eastern Mediterranean route. Greece and Italy are the main points of arrival and transit. Ground routes to Europe are mainly through Turkey and the Balkans, and along the borders to the east with Belarus, Moldova, Ukraine and Russia. Many migrants and refugees are eager to reach European countries which belong to the Schengen area of free movement, which allows them to travel without passport control. Some are hoping to reach northern European countries such as Germany and Sweden, believing they would receive asylum and social benefits. Other travel to Northern France in order to reach the United Kingdom through the English Channel, an attractive destination for those who speak English. However, as the crisis progresses, it is much harder for EU to deal with maintaining internal security, protection of human rights and sharing the burden of the refugee crisis.

In 2015, several European intelligence services officially expressed concern that the crisis in Europe represents a potential threat to the security and stability in the region, especially militant Islamic terrorists entering Europe along with the migrants and refugees.

SPILOVER OF THREAT FROM THE MIDDLE EAST TO EUROPE

In the past few years we have witnessed the rise of foreign fighters in Syria and Iraq who join militant Islamic movements and groups. They come from all over the world, representing a range of ethnic groups of different ages. While some individuals initially travel to the region for humanitarian purposes, the vast majority of them are joining the jihadist ideology and live in the so-called "Islamic state". Migration to the conflict zone has not reduced, and it continues to attract additional foreign fighters.

The phenomenon of an influx of foreign fighters in Syria and Iraq originates from the civil war in Syria. In March 2011, protests in Syria began after a group of teenagers were arrested and tortured by the Syrian authorities for revolutionary slogans written on school walls. Security forces used firearms against the demonstrators, causing hundreds of thousands of protesters to go out on the streets until July 2011, seeking to overthrow the regime of Bashar al-Assad. The government unsuccessfully attempted to quell the uprising, in which the opposition had immediately taken measures to expel the security forces of Assad from their territories. (Rodgers, Gritten, Ofer, Asare, 2015)

Since 2012, the country has descended into civil war, rebel forces fought to take control of cities across Syria. Several senior officers who deserted from the Syrian army

formed the Free Syrian Army, attracting thousands of recruits. However, the actors in the conflict who fought against the Assad government were divided in nationalist, sectarian and religious fractions, most of whom were Sunni. In the meanwhile, volunteer fighters had arrived in the country from abroad. Some arrived to support the insurgents who fought against Assad, while others had more radical goals. Jihadist groups took advantage of the chaos in the country and thus gained advantage and a huge impact on the ground.

In 2013, the number of foreign fighters on the ground was continuously growing. Prominent Sunni clerics called on Muslims around the world to travel to Syria to overthrow Assad. By the end of 2013, analysts estimated more than 8,500 foreign fighters from 60 countries had arrived in Syria to join the opposition or Sunni jihadist groups. About 70% were from the Middle East and North Africa, but 2,000 of them were Westerners. (Zelin, 2013)

The militant Islamist organization “Islamic State of Iraq” (ISI), the successor of Al Qaeda in Iraq (AQI), called for a sectarian war and the creation of a regional Islamic state. AQI was a terrorist organization whose leadership was under the control of Osama bin Laden, and in 2004 instigated insurgency against US forces. After the group’s leader Abu Musab al-Zarqawi was killed in a US airstrike in 2006, the group was renamed into Islamic State of Iraq (ISI). The presence of US troops in Iraq, an alliance of 30 tribes in Anbar province who fought against militants of ISI and death of key leaders of ISI in 2010, weakened the terrorist activities of the militants on the ground. However, with the withdrawal of the American forces in 2011, ISI exploited the security vacuum, as well as the Sunni deprivation of rights by the central government, to intensify the attacks, whereas their new leader, Abu Bakr al-Baghdadi managed the escalation of violence.

In April 2013, al-Baghdadi declared the establishment of the Islamic State of Iraq and the Levant, later called the Islamic State of Iraq and Syria (ISIS). He tried to join forces with those of the Syrian branch of Al Qaeda, but Al Qaeda leader Ayman al-Zawahiri did not allow the merger. However, ISIS expanded its operations in northern and eastern Syria, conquering new territory. This was the moment when ISIS attracted additional foreign fighters. In June 2014, ISIS launched a major offensive in which they occupied the second largest city in Iraq - Mosul and later that month declared the re-establishment of “caliphate” or Islamic State (IS) on the territory controlled in Syria and Iraq. Baghdadi was named the leader - the Caliph, and in the eyes of his followers, he represents a successor of the Prophet Muhammad. At the end of 2014, IS militants stormed and won the Iraqi cities Fallujah and Ramadi. The Iraqi army was defeated and was unable to respond to heavy weapons wielded by IS. Al-Baghdadi called on Muslims from around the world to swear allegiance to the caliphate, or they would be considered “apostates” in Islam. IS launched a new campaign to recruit through social networks, where they promoted the territory as a place not only for their fighters but also for their families. They called on their followers to bring their parents and children

with them in a new Islamic state, promising them religious education and lessons for the children, dress codes and households.

Airstrikes executed by US with its allies, however, did not prevent foreign fighters to continue arriving in the ranks of IS. By the end of 2015, the number of foreign fighters in the ranks of IS reached more than 25,000 members. (Spark, Martel, 2015)

Foreign fighters pose a threat to the Western allies and the international community from several aspects. First of all, they provide human resources for terrorist groups like IS, who are necessary for them to function, preparation and execution of terrorist attacks against the West. Another aspect is “the returnees”. They are returning from jihadist ranks, combat-experienced, trained to conduct attacks and establish religious extremist terrorist connections and networks. And finally, even if the fighters do not return home to their native countries, these social networks can inspire Muslims globally, to radicalize or indoctrinate them to commit acts of violence, without ever returning home.

The greatest threat to the Western allies by the foreign fighters, who fight in terrorist organizations in crisis regions, is their return to their native countries and their ability for organizing terrorist attacks and recruitment of new people in their religious extremist networks. One of nine jihadists who return to their home countries are perpetrators of terrorist attacks. Furthermore, more attacks are carried out by the returnees compared to those carried out by domestic religious extremists. (Hegghammer, 2013) According to estimates by European security services, 20 to 30 percent of the foreign fighters left the crisis regions in Syria and Iraq and returned to their home countries. (Kerchove, 2015)

Since the beginning of 2014, there is a global increase in terrorist activities in Europe in which the perpetrators are returnees from crisis regions. Some of them are listed below:

- March 2016 (Belgium): terrorist suicide attack near the European Parliament, the suspects are members of the IS,

- November 2015 (France): a terrorist attack using firearms, hostage taking and suicide bombings, the suspects are members of the IS,

- August 2015 (France): conspiracy to attack a concert, the suspect returned from a stronghold of IS in Raqqa, Syria with instructions for conducting the attack,

- August 2015 (Belgium): attempt of shooting on a train travelling from Amsterdam to Paris, the suspect fought in Syria on the side of the jihadists,

- July 2015 (Kosovo): attempt to contaminate the water supply of the capital, two suspects fought in Syria on the side of the jihadists,

- March 2015 (UK): attempt of mass shooting, the suspect was British who arrived from Syria,

- January 2015 (Turkey): plot to attack US, French and Belgian consulate in Istanbul, 17 suspects are Syrian militants, who infiltrated into Turkey,

- January 2015 (Belgium): plotting a major attack against the police, the two suspects, returnees from Syria, were killed during the police action,
- January 2015 (France): a terrorist attack in Paris, revenge for publishing a cartoon of the Prophet Muhammad in a satirical newspaper, at least one of the suspects is a returnee from Yemen, a member of Al Qaeda,
- May 2014 (Belgium): terrorist attack with automatic weapons in the Jewish Museum in Brussels, the suspect was a militant Islamist member of IS in Syria,
- February 2014 (France): a plot to bomb a carnival at the French Riviera, the suspect came from Syria, and previously fought on the side of ISIS.

When they return to their home countries, foreign fighters represent a long-term threat; by either organizing or directly engaging in terrorist attacks. According to Peter Newman, a British expert, it cannot be assumed that they will act today or tomorrow, but what is known is that in five, ten, fifteen years, not only in the coming months, they will pose a serious danger. They have established military training and religious extremist networks. These are the same fighters from Afghanistan who fought against the Soviets in 1980. Many of them were later involved in the conflicts in the 1990s: Bosnia, Kosovo, Chechnya. After these conflicts some of them had left home to Libya, Pakistan, and Afghanistan, to represent elite: the leadership of the new jihad.

THE EFFECT OF ISLAMIST DOCTRINE OF IMMIGRATION

There are two methods for achieving global Islamic supremacy. One way is through militant jihad, which we are daily confronted by, the violence taking place in the world and in our country. Another method is through Al Hijra (al-hijra), or the Islamist doctrine of immigration. It is very peaceful, long-term process, but acting under the guise of “humanitarianism” is very efficient.

Over the last few decades, more mega mosques often overshadow ancient churches in the predominantly Christian regions. Islamic schools or academies and national Muslim organizations have become ubiquitous across the West. Meanwhile, the Western allies have made numerous concessions in order to respect the Muslim religious beliefs and customs. Few of them realize that this strategic model for fulfilling their requirements is part of a seemingly passive, 1,400 years old recipe, originating from the Quran and Sunnah, from the works of Muhammad. It's Al Hijra or doctrine of immigration, which is abused by the Islamist militant structures for Islamist expansionism and ethnic separatism, while receiving special status and privileges from the host country. Hijra immigration is misused and designed by militant Islamist organizations to subvert and subdue non-Muslim societies and pave the way for full Islamization in their measure. Under cover of taqiya which means fraud, the methodology of step-by-step migration process is designed to overcome and subdue the culture of the host country, to finally culminate in the implementation of the Sharia law.

The initial phase of Islamization or rather re- Islamization of the population usually includes activities which prove their physical presence. It consists of a public call

to prayer, the establishment of schools, libraries and research centres and the teaching of Arabic - reasonable and respectable requirements to build the infrastructure necessary to support the presence of faith. At this point in the Hijra, Muslims are allowed to engage in haram - sin, or other prohibited activities, because of the need to establish and encourage the Umma - the Muslim community. At first, the Western democracies consider the migration to be mainly economic, for a better life. At the beginning they establish a Muslim community; a mosque becomes a source of energy, strategic foundation and the centre of all activities. In this initial phase, the top priority is to recruit newcomers, expanding and encouraging existing Muslim community. Certain people from local mosques constantly register new immigrants and potential converts, including a subtle form of indoctrination. This first step in the establishment of the mosque as a centre of local Islamic life and activities is misunderstood by non-Muslims who see it only as a place of worship. Its real purpose is to firmly establish a mechanism for non-integrated Muslims, and they will find their identity in the process of re- Islamization. Visible changes begin to become apparent when the Muslim population reaches more than one critical mass. In time, the changes begin by changing the dress code, and it often starts with hijab - head cover in separate enclaves and full coverage in the public sphere, thereby separating Muslim men from women and non-Muslim women. Finally, natives became acquainted with this requirement as part of religious piety, and requests are made for division and separation in public buildings, workplaces, schools and universities. Requirements for halal food, financial transactions in accordance with Sharia and adding Muslim holidays in the shared calendars, additionally elevates the Muslim community with a special status that makes them special and different. All requests in the beginning are presented as a naive attempt to fulfil the religious requirements of devout Muslims. Any actions to suppress their demands are considered a religious discrimination. The goal is the society/host nation to get used to the Muslim buildings, customs, holidays, clothes and food. Newcomers are encouraged by Islamist leaders to become citizens, to vote and to run for political office in order to increase the influence of the Muslim community. As Islamization slides into the advanced level, preparations begin for learning the skills needed for jihad. Young jihadists may travel to their countries of origin for further indoctrination and terrorist training. (Nahid A., K., 2013)

As residents of Muslim communities become more established and beginning to have a significant powerful impact on the political arena, the pressure on politicians to introduce Sharia is growing in exchange for Muslim votes in the election. This is very evident in England, where parallel systems of legal jurisprudence currently coexist. Muslim residents of the host country are under pressure to follow the Sharia law in replacement of the existing legal system. Several new legislations by non-Muslim judges in Europe referenced the Sharia law as a standard for judgments concerning Muslims.

The advancement of Al Hijra results in the emergence of ghettos or pure Muslim regions. These are areas forbidden for non-Muslims, and if they come, they may actually be physically attacked. Such prohibited areas now exist throughout Europe,

but what is interesting is that the movement of Muslims is not limited and is allowed throughout the host country.

Islamist doctrine of immigration represents a comprehensive and direct political attempt to undermine the culture and values of the host country in exchange for Islamist values and ideals. This is forced, aggressive migration agenda that requires transformation of culture, behaviour, customs, rules and laws of the host country in order to spread Islamic doctrine and establish an Islamic state in accordance with the Sharia law and rules.

The terrorist organization IS, intends to expand its Caliphate and eventually empower global apocalyptic war. For this purpose, it creates a strategy that will extend across three geographic rings: internal, in the nearby surroundings and globally. The internal ring includes Iraq and Syria - the centre of the IS campaign. Other countries in al-Sham, including Jordan, Lebanon, Israel and Palestine, are also part of this ring. The rest of the Middle East and North Africa that extends east from Afghanistan and Pakistan, including the countries of the former Caliphates, represent a ring of nearby surrounding. The rest of the world, Europe, USA and Asia represent a final global ring of IS action. Out of these three, IS is mostly focused on Europe because it contains a large percentage of Muslim population and is physically close to the main effort compared with Asia or America. IS intends to polarize Muslim communities, recruit supporters abroad while causing their opponents in a global war. In organizing its defence and its expanding territories, IS is focused on the internal ring and the states of the nearby surroundings. Execution of terrorist activities is focused on the global ring of action.

Europe is currently awash with Muslim refugees, mostly from Syria. According to the analysis 90% of migrants who come to Europe are men. This information is important, especially if we know that refugees come from a country where the traditional family must not be left behind. Confirmation of the threat came from top US officials of intelligence. According to them, potential terrorists can hide among refugees who try to penetrate to the Western democracies. (Fishel, Levine, 2015) In October 2015, the Norwegian Security Service informed that religious extremists and supporters of the IS were seen trying to make contacts and recruit refugees from an asylum centre in Oslo. In 2015 the Muslim population in Germany soared for more than 850,000, and for the first time the total number of Muslims in the country reached almost six million. Out of one million migrants and refugees, who came to Germany in 2015, at least 80% (800,000) are Muslims, according to the estimates of the Central Council of Muslims in Germany with headquarters in Cologne. According to the projections of the Pew Research Center, the Muslim population in Germany had reached 5,068,000 by the end of 2014, 800,000 Muslim immigrants arrived in Germany in 2015, calculating the natural growth of 77,000 on annual level, results with 877,000 increase of the Muslim population in Germany, reaching about 5.945 million by the end of 2015. Hereby, Germany is approaching France which has the largest Muslim population in Western Europe. Muslim mass migration currently represents a key factor in the rise

of Islam in Germany. It is also the reason for social problems, including mass rape, public health crisis and the panic and buying weapons by German citizens intended for self-defence.

According to the commander of the Swiss Armed Forces, Lieutenant General André Blatmann, Western European society is on the verge of destruction caused by chaotic violence as a result of economic dislocation, mass immigration and terrorism. He warned that Swiss society is dangerously close to collapse, the threat of terrorism is rising, hybrid wars are being fought around the globe; the economic outlook is gloomy and the resulting migration flows of displaced persons and refugees have assumed unforeseen dimensions.

The terrorist attacks on the airport and the metro in Brussels showed once again that Belgium represents European heaven for jihadists. Several distinct but interrelated factors help to explain why Brussels is a jihadist city in Europe. Muslim population in Belgium in 2016 is expected to reach 700,000, or about 6.2% of the total population. Belgium is one of the countries with the highest percentage of Muslim population in Western Europe. Around half of the Muslims in Belgium currently live in Brussels; the Muslim population reaches 300,000, or about 25%. This makes Brussels one of the most Islamic cities in Europe. About 100,000 Muslims live in Molenbek, the centre of the Belgian jihadists. (Frank, Rafael, 2014, 318)

The problem with religious extremism in Belgium originated in 1960, when Belgian authorities encouraged mass migration from Turkey, Morocco, Egypt and Libya as a source of cheap labour. Migrants settled and formed family roots. Today, most Muslims in Belgium are third and fourth generation descendants of the original immigrants. While many Belgian Muslims are integrated into the Belgian society, some of them are not. The number of Belgian Muslims, who live in the peripheral areas, isolated ghettos, where they face poverty, unemployment, and crime, is steadily growing. In Molenbek, the unemployment rate is around 40%. Extreme imams through their aggressive agenda are looking for young people who can be indoctrinated to wage jihad against the West.

As in other European countries, many Muslims in Belgium are followers of Salafism - a radical form of Islam - and its call for Jihad against all non-believers in the name of Allah. Salafism is named after the Arabic term Salaf, which means ancestor or predecessor - for the purposes of Muhammad. Salafists are searching for their roots in Saudi Arabia, the birthplace of Muhammad. They celebrate an idealized vision of what they claim is genuine, original Islam, practiced by the first generations of Muslims, including Muhammad and his companions and followers in the 7th and 8th century. The purpose of Salafism is to create a pure form of Islam in today's modern era.

This objective of Salafism is a serious problem for modern secular and pluralistic countries. According to the German intelligence service, Salafism is defined as "political ideology, whose followers see Islam not only as a religion but also as a legal framework regulating all areas of life: from the role of the state in organizing

the relationships between people, to private life of the individual“. Salafism rejects democratic principles of separation of state and religion, national sovereignty, religious and sexual self-determination, gender equality and the fundamental right to physical integrity.

Before the emergence of the IS, the most famous Salafist group in Belgium was “Sharia for Belgium” (Sharia4Belgium), which plays an important role in the radicalization of Belgian Muslims. It was banned in February 2015, and its leader, Fouad Belkacem, was sentenced to 12 years of prison. One of the smallest countries in Western Europe per capita, Belgium, has become the largest source of jihadists fighting in Syria and Iraq. According to data published on February 22, 2016, by Jan Jambon, Minister of Interior, 451 Belgian citizens were identified as jihadists. 269 are on the battlefields in Syria and Iraq; 6 are believed to be on their way to the war zone; 117 returned to Belgium and 59 tried to leave, but were stopped at the border. Belgium is a leading supplier of jihadists for the IS per capita in the EU: approximately 40 jihadists per million, compared with Denmark (27), Sweden (19), France (18) Austria (17), Finland (13) Norway (12), UK (9.5), Germany (7.5) and Spain (2). In the past 24 months, at least five jihadist attacks were associated with Belgium. In May 2014, jihadists attacked the Jewish Museum in Brussels. In August 2015, jihadists with a link to Molenbek attacked a train travelling from Amsterdam - Paris. In January 2015, the Belgian police made anti-jihadist raid in Verviers, Belgium. In November 2015, it was confirmed that two of the eight jihadists who carried out the attacks in Paris were residents of Brussels. On March 18, 2016, Salah Abdeslam was arrested for his participation in the attacks in Paris; he was born in Belgium, French nationality, Moroccan origin. On March 22, 2016, jihadists once again conducted terrorist attack in Brussels. After this attack it is obvious that the Belgian authorities have not yet brought the problem with jihadists under control. The Schengen agreement, which allows passport-free travel in most of the European Union, allowed jihadists posing as migrants to enter Europe through Greece, and to pass their way to Northern Europe almost unnoticed. The organizer of the attacks in Paris, Salah Abdeslam last year, has repeatedly travelled freely from Belgium to the Netherlands.

It is obvious that Europe today, has no proper solution of how to respond to these new challenges posed by the influx of refugees. The countries that were attacked, do not agree with the attitude for cohesive foreign policy platform, but rather oppose the ideology of Islamism. The Islamic ideology, which seeks to conquer the world and to implement the sharia rule within a theocratic Islamic caliphate to people, who are willing to commit acts of violence as an expression of their dissatisfaction, provides an opportunity to justify their crimes.

CONCLUSION

Today, EU deals with a very serious security threat: destabilization due to a massive migration. Through the wars raging across the Middle East and North Africa, the world has

become insensitive to tragedies that occur - terrorism generates death and human exodus. Countries, which have fallen into the hands of non-state barbarian armies, were unable to reform their institutions.

In terms of mass migration, a phenomenon that is a by-product of the war in Syria, in addition to IS and its allies it also represents a new weapon of mass destabilization. Mass immigration is an asymmetrical tool exploited by deviant persons, as a stage of hybrid warfare. We can define it as a tactics in the framework of “coercive designed migration”, noting that these cross-border movements are deliberately created or manipulated to cause political, military or economic concessions to a particular state or group of states. Forced migration, often is strategically constructed for leaving a certain territory and populating another. The significance of this phenomenon is often underestimated by ordinary observers of the situation. These findings shed light on the refugee crisis in Europe. By analyzing the phase of the Islamist doctrine of immigration - Al Hijra, it becomes evident that today it is present in all western societies at different stages of their development. Ironically, Western open, democratic societies, which constitutionally guarantee the freedom of speech, cannot resist this asymmetric threat threatening to break all democratic values of modern life. Mass migration represents a “Trojan horse” that should be very carefully monitored and analyzed to correctly understand the threat it represents. Now, it requires serious threat assessment, which looks innocent and minor, but has evil motives to transform Western societies forever.

It is obvious that EU members have unfriendly reception for Muslim migrants. This is an explicit case in countries with far-right parties and central European countries with Christian nationalist governments. However, the liberal political elites of Western Europe stay away from the recognition that the biggest barrier to a coherent policy on asylum and immigration is public anxiety about Islam. Far-right parties support these fears, encouraging xenophobia.

After the terrorist attacks in Paris in 2015 and Brussels in 2016, reports of sexual assaults and robberies, the rules of the game for asylum seekers in Europe have changed. Syrian refugees were immediately identified as responsible for the crime. This was followed by a rapid response, and public opinion, even in relatively friendly countries like Germany, it was detrimental to the refugees. Some countries have gone so far that they announced they would only accept Christian refugees, which is evident fear of Islam in management and policy making in Europe. Overall, the EU has failed to create a vision of how people should think about Islam in Europe, or to differentiate the terms such as “refugees” and “settlers” from “terrorists” and “criminals”. Basically, Europe is based on a shared belief in individual freedom. Most Europeans believe in historical European values such as commitment to human rights, democracy, gender equality, freedom of speech, freedom of religion, as the right of asylum, but obviously, they are applied poorly. As an example, we will consider the tendency of EU for collective punishment. In Bornhem, Germany, after reports of sexual assaults, the public pools were banned for all adult male refugees. This kind of policy is unacceptable. Of course, people who migrate to Europe must abide by the laws and social norms of the host country, but people should be judged and punished as individuals. Moreover, EU should not waver in its commitment to freedom of religion. In the liberal community, people must be allowed to believe in what they have chosen. However, in Cardiff, UK, the policy of discrimination is obvious: the asylum seekers are forced to constantly wear red marks on the hands, which reminds us of a past policy with horrific historical parallels.

Finally, EU must protect the right of asylum. European politicians must clearly express their views, why the refugees are distinctive and privileged category of migrants. Germany proposed to deport immigrants convicted of crimes, which might be appropriate, but with one

exception: refugees should not be deported back to countries where they are faced with persecution. The debate about deportation of refugees has already been opened and the European countries have adopted stricter policies to prevent asylum seekers.

Contemporary asymmetric threats are tools in this new kind of a hybrid war which Europe is facing. IS and other terrorist groups are a threat to life values. Many of the refugees, who arrived in Europe, are fleeing the violence of IS. One of the ways to deal with modern security challenges is through improved intelligence and criminal law, and not by limitations on the right to asylum. Certain countries in the past, escaped terrorist attacks because of their superior intelligence, not because of their immigration policy. The strengthening of the intelligence services and information exchange, not the undermining of liberal values, is the best response to this new type of hybrid terrorism.

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WAHHABISM AS A SECURITY CHALLENGE FOR THE BALKANS

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Abstract: *Wahhabism has expanded among Balkan countries as a religious doctrine, which opposes the traditional practice of Islam. It occurred by the end of the twentieth and continued to expand in the course of the twenty-first century. Balkan countries which have a population of Islamic faith have been characterized with clashes between the Islamic religious communities and the followers of Wahhabism. However, what concerns is the fact that many members of this religious practice maintain relationships and are involved in the ranks of known terrorist organizations. In addition, some have participated in several terrorist activities in the region and there is a large number of them who went to the battle-fields in Syria and joined the ranks of ISIS.*

The aim of this article is to present certain phenomena and problems associated with the spread of Wahhabism in several countries in the region and indicate the need for consistent monitoring and study of the relationship of the members of this religious movement with terrorist organizations and activities in order to recognize and timely respond to it as to maintain a solid quantum of national and regional safety.

Keywords: *Wahhabism, Islam, security threats, terrorism*

Introduction

Wahhabism is a religious movement within Sunni preaching of Islam which requires Muslims to return to the original Islamic principles from the time of Prophet Muhammad and the first generation of Muslims. The increase in the number of followers of the Wahhabi teaching and the practice of their principles for the dissemination and interpretation of Islam in the Balkans, where it traditionally does not belong or where by tradition moderate Sunni Islam is practiced as a religion, indicates the need to pay adequate attention to this phenomenon. This is primarily due to the connection of a number of members of this sect with known terrorist organizations, and the more frequent departure of members of this religious sect to the battle-fields in Syria and among ISIS ranks. Such cases have mostly been observed in Bosnia and Herzegovina, but also in parts of Serbia, Kosovo, Montenegro, Albania, Macedonia and some parts of Bulgaria. It suggests that this religious sect is no longer confined to certain areas of

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Bosnia and Herzegovina, where it has been firstly related to terrorist activities. Hence, proliferation of Wahhabism in neighboring countries poses a serious challenge to existing interethnic relations. Moreover, it is violating intra Muslim relations in the region and the emergence of terrorist acts by their followers.

Roots of Wahhabism

Wahhabism was established as an Islamic concept within the Islam by the end of the 17th and early 18th century. Muhammad Abdul Wahhab from Saudi Arabia is considered as its conceptual creator. The relationship between the Wahhabi followers and Saud family lasts for more than two and a half centuries. Its foundations have been laid by Sheikh Mohammed ibn Abdul Wahab and the father of the Saudi dynasty Muhammad ibn Saud, Emir of Derry in the desert area Nedzad, in the central part of the Arabian Peninsula. Saud family belonged to the large Arab tribe Bani Anajza. The religious and political union of Emir Sheikh was confirmed by the marriage of the son of Muhammad ibn Saud and the daughter of Mohammed Abdul Wahab, whose descendants would later become masters of the entire Arabian Peninsula.³ However, Wahhabism would not have had a greater religious significance in the Islamic religion without the support from the family Saud. Neither Saud family would have gained so much power and primacy of the Arabian Peninsula if it had not been supported by the persistent religious and fanatical preachers of Wahhabism and their warriors.

During the decline of the Ottoman Empire in the early twentieth century and with the Saud's family support, warrior Wahhabites won Nedzad area again and announced Riyadh as its capital. From then until today, Wahhabism has been declared the official religion of Saudi Arabia. Related to these events and the recognition of the Wahhabism as a religion within the state of Saudi Arabia, it is important to mention the role of the great powers or more precisely the notable support from the UK, in Saud's conquests of territories of the Arabian Peninsula. The aim of the great powers was to weaken and minimize the power of the Ottoman Empire, so, the warrior Wahhabites had proved as a successful instrument for achieving geopolitical goals. Even more, there are politically active representatives today of the Islamic world who believe that the Wahhabis have never freed from the influence of Western powers and their political guidelines. Western media stereotypes qualify terrorists as radical Islamists, Islamic fundamentalists and so on. Western terminology rarely uses the expression extreme Wahhabi, although from the nineteen terrorists who participated in the conspiracy about September 11, fifteen had passports from Saudi Arabia, where Wahhabism is the official religion. This fact should not be underestimated given that Saudi Arabia is not listed among the exporting countries and supporters of terrorism, but rather it is a strategic partner of the US⁴. Moreover, the

³ Hajrudin Somun, Wahabism in the Balkans: a threat to regional stability, *Today's Zaman*, mart, 2010

⁴ For a more complete insight into the analysis on September 11 and US-Saudi Arabia relations see: Nafeez Mosaddeq Ahmed, *The war on Truth- 9/11, Disinformation, and the anatomy of terrorism*, Arries Book, 2005

number of members of ISIS who follow exactly this religious teaching and are connected with terrorist activities in Western Europe should also not be underestimated.

In its essence, the purpose of Wahhabism is to restore, or to adhere to the original tenets of Islam, denying the theoretical development and new updates of Islam as a religion. Wahhabism is a radical and rigid form of preaching Islam which requires the return of desert lifestyle and strict adherence to Sharia law. Religious norms are preaching in the most severe form of adherence and relate to the way of dressing, the status of women, and the ban on the use of modern technological benefits. Wahhabism has no strict literature, but their interpretation of the Koran is considered a base for recruiting radical Islamist groups. Wahhabis often do not want to be labelled by that term. They usually call themselves selefiti or within the community in which they belong are called by a special name, such as “true believers” and the like. Members of this teaching are quite aggressive and fanatical in their goals and behavior, with striking intolerance towards other religions. Their purpose is primarily to convert or to deal with members of the Islamic faith. Members of this religious teaching in the past have often been associated with terrorist acts on the territory of the Middle East. However, particular attention to this relationship has begun to be paid in the nineties of the 20th century. It is evident that there are several international terrorist structures from that period which are tied exclusively to religion. Faith is the sole basis of their mission and they massively attract like minded to its ranks from several regions in the world.⁵

Wahhabism on the Balkans

The spread of radical Islam in the world has not avoided even the Balkan Peninsula. It is quite difficult to accurately define the period when Wahhabism occurred as a religious teaching on the Balkans. Certain political scientists dealing with religious issues indicated the presence of members of this religious sect even in the eighties of the last century in the area of southwestern Serbia and northern Montenegro, or more precisely in the area Sandzak, in Plav and Gusinje. Even then, religious intolerance between members of this sect of Islam and moderate Muslims from the area had been observed. They advocated for non-compliance with Islamic principles and rejecting the status of Muslims within the state they belonged to. Moreover, they often indirectly advocated and incited armed conflicts and actions.

In 1991, the Islamic religious community, within the former Yugoslavia, in its newspaper “Resurgence” (Препород) published an article titled “It’s Wahhabism”, which points out that “... *religious, social and political principle of Wahhabism is reduced to the message: you will either be ours (Wahhabi) or we will kill you, deprive you of your property and enslave your family*”.⁶

⁵ Dzonatan R. Vajt, Terorizam, Alexandria Press, Beograd, 2004, str 185

⁶ Hajrudin Somun, Wahabism in the Balkans: a threat to regional stability/, Today's Zaman, March, 2010

However, it is certain that the greatest impact of this religious teaching happens on the line of contact between two worlds. One is expanding and the other is a vanishing world, i.e. the world of Muslims and the world of the former socialist countries, such as Dagestan, Chechnya, and some areas of the North Caucasus, where the holy warriors of Wahhabism, daily and with arms prove their loyalty to the original Islam. Wahhabis in other Islamic countries such as Pakistan, Sudan, United Arab Emirates, Afghanistan, and Bosnia, Serbia, Albania, Macedonia, Kosovo, Serbia, and Bulgaria are also increasing in number.

Proliferation of militant Islamists in the area of the Balkans is a result of the extremists' long-term efforts for radicalization of the local population in this region. In the past few decades, militant Islamist movements on the Balkans have been creating a sophisticated infrastructure within the isolated and controlled villages and mosques under the control of radical preachers of Islam, by using propaganda news from various jihadist battlegrounds, following the orders of the leaders of "Al Qaeda" and similar organizations to attract young people to join them in their activities and goals. It is all sponsored by donations from various organizations from the Middle East and supported by small groups of local militants infiltrated into influential political, religious and social institutions⁷.

In recent decades there have been more incidents in which Wahhabis tried to expand their influence and take control of the religious buildings of the Islamic community, by using violent methods to seize more religious buildings in almost all Balkan countries inhabited with members of the Islamic faith. They have also tried to cause tensions and disagreements within the Islamic community. During the meeting of the representatives of the Islamic Union of the Balkan countries, held in Skopje in March 2011, a declaration with a particular reference to Wahhabi groups existing in the region, but supported and funded from abroad as to spread radical Islam on the Balkans was adopted. The declaration emphasizes that members of these Islamic groups tend to infiltrate into state institutions in the region and warns politicians not to cooperate with them as the term Wahhabi is increasingly becoming synonymous with terrorists on the Balkans. The Balkan region becomes a base for recruitment of terrorists that can easily act both at home and on the area of Western Europe.

"Wahhabism in the Balkans and Europe is becoming increasingly aggressive - says Jakup Selimovski, late chief of Macedonia's Islamic community. He confirms that the Wahhabis have already established their permanent presence in Macedonia where they were not present before, but also in Bosnia and Kosovo, Serbia, Croatia, and eventually appeared even in Bulgaria. This is the first time a senior official in the Islamic community of the former Yugoslavia to agree to speak openly about the presence of radical Islam on the Balkans", wrote Stephen Schwartz, executive director

⁷ Gordon N. Bardos, Jihad in the Balkans: The Next Generation, World Affairs, September-October 2014

of the Center for Islamic Pluralism and The International Network of Moderate Islamic Scientists, Priests, Academics and Journalists in more than 20 states.⁸

Radical Islam is growing on the Balkans, due to the presence of Wahhabi groups and it is a threat to security not only for the Balkan region but also for Europe. In the last decade, militant Islamists originating from the Balkans had been involved in a number of terrorist activities: the October 2002 attack on the US Embassy in Vienna, in May 2007 bomb blast at Fort Dix, in July 2009 plot to attack the subway in New York, October 2011 attack on the US Embassy in Sarajevo, January 2012 bomb blast at a nightclub in Tampa, February 2012 killing of two members of the US Army at Frankfurt airport as well as the case of the first suicide bomber, originating from Kosovo, whose blast killed fifty people in Baghdad in March 2014.⁹

Many fear that radicalization of European Muslims is the greatest threat to Europe as witnessed by events in France and Belgium. In the course of December 2014, German intelligence services warned of the possibility of major terrorist activities because of the participation of Germany in the fight against ISIS. Among the other things in their reports, they highlighted that Balkans have become the center for the organization of these activities and recruitment of radical Islamist activity in Europe or the jihadist struggle in the Middle East. Due to increased concentration of radical Islamists and the inability to control these activities on the Balkans, German authorities warned that the “Balkan powder keg” can explode again¹⁰.

Wahhabism in Bosnia and Herzegovina

Bosnia and Herzegovina is a country in which different national and religious identities lived and had their own separate identity. The war on the territory of Bosnia and Herzegovina (1992-1995), when Bosnia and Herzegovina was part of Yugoslavia proved that the failure to rein ghosts of the past can at any time provoke reappearance of the cruelest methods to solve specific problems based on different religious and national identity.

Islamic Community in Bosnia and Herzegovina has always rested on the foundations of modern moderate interpretation of Islam, following the Qur'an and Hatip. Even the war of 1992 and the cruel massacres and ethnic cleansing on the Muslim population in Bosnia failed to convert mass Muslims from Bosnia to extreme interpretations of Islam.¹¹

⁸ Stephen Schwartz, The Front Line Against Wahhabism in the Muslim Balkans, *News-Gram [India]*, June 6, 2011

⁹ Gordon N. Bardos, Jihad in the Balkans: The Next Generation, *World Affairs*, September-October 2014

¹⁰ Vladislav B. Sotirovic, *Making Balkan Caliphate -The Wahabists- A new Danger for the Balkan and European Security*, *Oriental Review*, Dec., 2014

¹¹ Iztok Prezelj, *The fight against terrorism and crisis management in the Western Balkans*, Washington, DC : IOS Press, ©2008.

There are many estimates of how many mujahedins were in Bosnia during the war, and the numbers vary from 500 to 3000. The mujahedin came to Bosnia during the war despite the fact that late Alija Izetbegovic, the then President of Bosnia and Herzegovina, made it clear to the Islamic world that Bosnia does not need fighters but arms¹²

Regarding Bosnia and Herzegovina and its experience with Wahhabism, it can be said that most of the members of this sect came during the 1992-1995 war, when much of the mujahideen fighters remained on the territory of Bosnia and Herzegovina, forming families, spreading Wahhabi teaching and recruiting new followers daily. In addition, Wahhabism in these areas was imported through large donations and financial assistance, mostly from Saudi Arabia. These funds were used to build mosques, schools and camps as to convert moderate Bosnian Muslims into Wahhabis.

Intellectual environment in Bosnia and Herzegovina kept the eyes close for a long time to this phenomenon which posed daily latent security threat, not only to Bosnia and Herzegovina but to the whole Balkan region. Regarding this phenomenon Serbian politicians in Bosnia usually conclude that Islamist terrorism is ever-present threat in Bosnia and Herzegovina. The academic community in Bosnia and Herzegovina is cautious regarding the analysis of Wahhabism and its relation to terrorism, because according to them it is not possible simply to determine where the dividing line between freedom of religion and guaranteed human rights and freedoms is and in which case religious freedom can become a security threat.¹³ Professor Rashid Hafizovic, who teaches at the Theological Faculty in Sarajevo believes that it is not yet an alarming situation in this regard, and that many of the followers of the Wahhabi teaching live by their rules but in good relations with members of other religions and do not intend to hurt anyone. Then, a distinction should be made among Wahhabi communities in the Balkans and attention to be paid to individual extremists who might have contacts and guidance from certain major terrorist organizations. It should be emphasized that the comments like fundamentals of this religious teaching encourage members to carry out terrorist actions are totally wrong.¹⁴ However, contrary to this claim we have noticed that over the past years a number of incidents classified as terrorist acts performed by members of the Wahhabi movement in Bosnia have occurred on the territory of Bosnia and Herzegovina. Several such cases were completely elucidated within the completed trials in which the members of the Wahhabis sect were convicted of involvement in the conspiracy and association for undertaking terrorist acts. The first terrorism trial in Bosnia and Herzegovina was in January 2007 and is called "Case Bektasevic," and was also the first successfully followed case of charged with terrorism in the region.¹⁵ In

¹² ibid

¹³ ibid

¹⁴ *Radical Islam on rise in Balkans, raising fears of security threat to Europe*, Associated Press Published September 18, 2010

¹⁵ Iztok Prezlj, *The fight against terrorism and crisis management in the Western Balkans*, Washington, DC : IOS Press, ©2008.

the case Bektasevic the links to militant Wahhabi structures were very indicative, such as with the imam Abdul Basud from Denmark, and indeed all convicted were members of this religious teaching. Although it was very difficult to get into the structures of this much closed religious community, still, with international cooperation, primarily with the police of Denmark, evidence on the key parts (arms, videotapes, explosives, pistols with silencers, etc.) was provided.¹⁶ We should mention that in 2014 investigation against Bilal Bosnic, the informal leader of the Wahhabi community in Bosnia and Herzegovina was completed. Previously, several of his followers were arrested in the police operation "Damascus" and accused of forcing young members to get involved in the Islamic State operations, but also recruiting among local Muslims to join the Middle East fights¹⁷.

All this shows that the situation in Bosnia and Herzegovina is alarming and that radical Islamist groups have developed tools and networks to act on this, and from this area.

Situation in parts of Serbia

Serbian intelligence services warn of the presence of many followers of this radical Islamic teaching over the territory of certain regions in Serbia. The presence of radical Islamists (Wahhabis) on the territory of Sandzak is linked to the advent of mujahedeen fighters who joined the Bosnian army during the wars in former Yugoslavia (1992-1995). Also, analyses confirm the connection of these members with certain terrorist organizations. These people mostly act in Raska polimsko and the Sandzak area. The director of the Military Security Agency warns about the presence of followers of the violent Islamic stream, or Wahhabis or terrorists close to the "Al Qaeda". They are a threat to the Balkan region and are acting primarily in the area of Raska-polimska area and the northern part of Montenegro¹⁸.

An example of security breach by the followers of Wahhabism is the case when a concert of the group "Balkanika" in Novi Pazar was interrupted because of shooting outside the Arabi (Wahhabi) mosque. The intelligence services of Serbia followed all events in that period. Hence, it resulted in timely action on the mountain Ninaj near Novi Pazar on March 17, 2007, when four members of the Wahhabi were arrested and large quantity of weapons and explosives planned to be used in terrorist activities was seized¹⁹. In addition, in 2009, 12 members of the Wahhabi Sandzak area were sentenced in the Republic of Serbia to 13 years of prison for planning terrorist attacks, including the US Embassy in Belgrade. In October 2011, Mevlid Jasarevic from Novi Pazar, Serbia, opened fire with automatic weapons on the US Embassy in Sarajevo. During the shooting he was shouting "Allah Akbar" (God is great). The assailant was closely

¹⁶ ibid

¹⁷ Vladislav B. Sotirovic, *Making Balkan Caliphate -The Wahabists- A new Danger for the Balkan and European Security*, Oriental Review, Dec.,2014

¹⁸ Taken from „Продор радикалног ислама на Балкан“, Глас јавности, 11 јануар 2005.

¹⁹ Драган Бојанић, Вахабизам-радикални исламистички покрет, Војно дело, Министарство одбране РС, Војна академија, 2010, стр. 371

related to the terrorist group running a training base in Gornja Maocha in Bosnia and Herzegovina.²⁰ He was quickly overpowered and arrested, but the simple act shows fanaticism and transnationalism of the terrorist activities performed by the Wahhabis in the Balkans.

Kosovo's links with "Al Qaeda"

A significant role in the occurrence of Wahhabism in Kosovo and the indoctrination of Albanian Muslims is played by the support given by Saudi Arabia. It includes the financing of the construction of many mosques modeled on Wahhabism (white mosque without a minaret), and the opening of religious schools based on Wahhabism postulates. All this helped to create a whole new generation of Albanians from Kosovo who will resort to the postulates of Wahhabism, not recognizing religious tolerance and striving mightily to impose their way of preaching²¹. The Director of the Institute for International and Strategic Studies from George Washington Copley says that regarding this phenomenon there is evidence for existence of a number of terrorist groups in Kosovo and most of them are associated with "Al Qaeda".²² According to Jefikj M. "The head of the Albanian intelligence service, Fatos Qosi confirmed that Osama bin Laden participated in the preparation of the Kosovo events working closely with Bashkim Gazi Deda, then head of the Albanian intelligence service" Shick ". He organized a visit for Osama bin Laden in Albania and organized fighters of "Al Qaeda" to come in Albania and Kosovo. In addition, he was involved in the construction and logistics for the training camps under the control of al-Qaeda "²³.

Situation in Albania

A similar story seems to be playing out next door, in Albania. The issue of the spread of Wahhabism and its impact on the security of the country and the region also comes into the focus. The former Head of the Department of Government for Religious Affairs Ilir Kulla claimed that Wahhabis do not represent a threat and are not a problem in Albania. Kulla acknowledges that hundreds of ethnic Albanians educated in religious universities in the Middle East and Saudi Arabia became religious leaders in many mosques in Albania, but there is no real danger of Wahhabi domination over the Muslim Community of Albania.

However, media warn about the dangers of radicalization of young Albanians educated in religious schools and universities in the Arab world. They return and spread radical Islam among young people in the country. An attempt by supporters

²⁰ Vladislav B. Sotirovic, *Making Balkan Caliphate -The Wahabists- A new Danger for the Balkan and European Security*, Oriental Review, Dec.,2014

²¹ Драган Бојаниќ,Вахабизам-радикални исламистички покрет,Војно дело, Министарство одбране РС, Војна академија стр. 370

²² *ibid*,str.370

²³ М. Јефтиќ,Бела Ал Кауда, 5.мај 2007, www.serbian.com

of Wahhabism to change the statute of the Islamic Community of Albania to make it official on their religious beliefs has been pointed. Fortunately, it failed and they were sanctioned by the Albanian authorities. In addition to being active within the Islamic community, these radical Islamists create their own parallel structures - such as the Muslim Forum of Albania. Despite these actions of attracting the general population to their religious orders, the majority of Albanians of Muslim faith adhere to the peaceful principles of moderate Islam. However, Western politicians and political scientists ask questions concerning the relationship of these people with terrorist organizations and the existence of terrorist cells and structures in the country.²⁴

Wahhabis in Bulgaria

Almost one-sixth of the population in Bulgaria is Muslims who practice moderate Sunni Islam. Ethnic coexistence on the territory of Bulgaria is a feature of the last twenty years. However, as in most Balkan countries Wahhabism slowly spreads in the area, through the struggle for control over the ownership of the Muslim community. There is a large influx of money, especially from abroad, from the period of the mid-nineties of the twentieth century to have built more than 150 new mosques and the so called "school centers" to spread Wahhabi teaching in Bulgaria. According to the statements of the former Mufti of the Bulgarian Muslim community Nedin Gendzhev, some Islamic organizations act with a goal to create the so-called "Fundamentalist triangle" formed in the areas of Bosnia, Macedonia and Western Rhodopes in Bulgaria. Local media have reported that radical Islam has begun to expand even in some towns and villages in southern and northeastern Bulgaria. In 2003, Bulgarian authorities shut down a number of Islamic centers in the country. According to the findings they were often financed by Saudi Arabia and as from the judgment of the services they were associated with radical Islamic organizations, such as the "Muslim Brotherhood" from Egypt.²⁵ Official statements about the closure of these centers were that it prevents the opportunities for terrorism on the territory of Bulgaria. However, according to the analyst Dimitar Avramov even after official authorities' actions the entrance and spread of Wahhabism on Bulgarian territory was not stopped. In addition to the three official Islamic religious schools there are seven other schools which are not officially registered and controlled by the state, claims Avramov. More than 3,000 young people have completed their education in these religious schools in the last 20 years.²⁶

²⁴ Risto Karajkov, *The Young and the Old: Radical Islam Takes Root in the Balkans*, Florence, Italy, May 3, 2006, www.worldpress.org/Europe

²⁵ Radical Islam on rise in Balkans, raising fears of security threat to Europe, Associated Press, Published September 18, 2010

²⁶ *ibid*

Wahhabism in Macedonia

Regarding the rise of Wahhabism in Macedonia it can be pointed that it is continuously growing in number of followers who are recruited within the Islamic religious community. The largest percentage is of Albanian national provenance, but a high percentage goes to Bosniaks and Turks too. Determinations of features of Wahhabism as preaching of Islam which spreads intolerance and hostility towards other members of the Macedonian society can be analyzed through a number of events taking place within the official representatives of the Islamic community and the leaders of this sect in Macedonia. In addition, there are several cases of criminal prosecution of persons associated with criminal acts, possession of weapons and murder confirmed to be from the ranks of the Wahhabi community in Macedonia. According to the analyses presented in some studies, in the region and in the Republic of Macedonia there are several groups. The most distinctive ones are the three famous extremist groups “Tarikat“, “Crna Ruzha” and “Vahabi”. The Republic of Macedonia and the region are most affected by the growing penetration of Wahhabis who continually conquer new areas for their actions. Wahhabi movement is mostly concentrated in Skopje region, in rural parts of North-West Macedonia (featured with poor illiterate population, with obvious religious attachment) in the northern parts of Macedonia bordering Kosovo - Kumanovo, Tetovo and Gostivar. Their networking continues in Struga region, in Debar and Kicevo. However, their presence is a feature of Radovis, Prilep, and partly in Resen and Ohrid. Their leaders are Albanians from Skopje region that foster strong ties with Kosovo, and beyond with certain countries in the Arab world. The tendency, as in other countries from the region is to take control of Islamic religious buildings in the country and the entire religious community. It also implies activities for radicalization of members and recruitment of young people for the wars in the Middle East.²⁷

Members of the Wahhabi movement in Macedonia organized protests in Skopje and Tetovo in the course of 2006, as their condemnation of published cartoons of the Prophet Muhammad.

Increasing number of members of radical Islam in Macedonia had major implications for the Islamic Religious Community in the country. There was a struggle between the proponents of moderate Islam and the Wahhabi branch. Regarding these events the Imam of the IRC Selimovski expresses *“fears that destructive and radical extremists have occurred within the community with the sole purpose to take dominance and the leadership in the Islamic religious community in Macedonia”* With their support and by urging young imams to acquire their education in the Middle East, Saudi Arabia, Syria, and in Istanbul, the Wahhabi symbolically at one point accomplished their “supremacy” in the main mosque in Skopje “Yaya Pasha”, later to control the five largest mosques in Skopje.

²⁷ Митко Котовчевски, Конфликтите, тероризмот и пенетрацијата на вахабизмот на Балканот, Зборник на трудови, Балканот безбедносен предизвик за Европа и меѓународната заедница, Бомат Графикс, Скопје, 2010

Among their major activities of religious term the violent occupation of Tetovo Shrine in 2002 is pointed out. Then, they collided with the Bektashi-Islamists who are an official sect of moderate Islam and a long tradition in Tetovo. Regarding this event, the renowned analyst Stephen Suleyman Schwartz in an interview with "Republic" (in Macedonian Republika) dated October 4, 2013 said that by the exodus of Bektash in Tetovo and the hospitality for the brothers Ramadan and the European Muslim network, Islamic Religious Community in Macedonia showed to be under control of radical structures from abroad. He emphasized that the Balkan Muslims are already targeted by radical structures in the "Muslim Brotherhood" and the Wahhabi movement. He further points to the most violent case of terrorists attack over Bektash in Arabati baba tekke in Tetovo carried out by Wahhabi radicals but supported by the Islamic Religious Community (IRC) in Macedonia. The situation has been recognized and criticized over the past 10 years by the US State Department. Other indicators for the bad situation with the Macedonian Muslim Communities are also the local activities of the Islamic Youth Forum, recognized by the Initials FRI, who hosted the lecture on European Islam in 2011, says Schwarz.²⁸

In relation to these unfortunate events and confrontations between the two groups, the authorities in Macedonia say the situation is closely monitored and will not be allowed to inflame passions and the leadership of the official Islamic Religious Community and its headquarters to be undertaken by Wahhabi groups.

Conclusion

It seems that the global events in recent years have re-actualized the theory of the clash of civilizations by Samuel Huntington. The new image of the Balkan states is recognized in Huntington descriptions of events that will take place at the boundaries of separation of two worlds or two different civilizations. Although by tradition, the Balkans have not been an area where violent Islamists have their roots, today's events and developments indicate that for decades radical members of Islam have persisted and acted. Hence, they pose a serious security threat embodied in militant Islam in this area.

The fact is that militant Islamists (Wahhabis) in the Balkans have developed a wide network of activities and connections. Their actions and propaganda are present in all countries in the region. They publish their own books, brochures and have their own websites. They constantly broadcast You Tube videos by spreading religious intolerance and call for holy war. Islamist publishers distribute their releases to all places in the region where Muslims are present.

The fact is that the Wahhabi movement is becoming a serious problem in the Balkans and that radicalization in the ranks of the members of this sect is increasing on a daily basis.

In order to provide consistent monitoring and to manage this problem, it is necessary to increase the cooperation among security forces in the region. It is also necessary to raise the level of cooperation among the intelligence services of the Balkan states, but also with international organizations such as Interpol and Europol.

²⁸ Interview with US analyst Stephen Suleyman Schwartz, *Republika*, October 4, 2013)

The establishing of a regional center to monitor the situation within the region would be beneficial in terms of timeliness and appropriateness of the measures and activities, analysis on which have been made by the academics in the country.

Institutions should work on and implement every possible aspect of the fight against this bitter Balkan and world problem.

On the other hand, we must stress that supporting Islamophobia is in no way a response to the many issues raised about the spread of Wahhabism on the Balkan and the relationship of the members of this religious teaching with terrorist organizations and recruitment of fighters to fight in the ranks of ISIS. Although there are real security threats in the form of terrorism, murders and attacks on institutions in the countries by members of the Wahhabi movement, the fact that Islam in the Balkans has been present for a long time and the members of Islamic faith have always had ample opportunities for peaceful coexistence and development within the Balkan countries should be considered.

Our mission is to study, the institutions should monitor and analyze the situation and find appropriate and timely measures as well as to take action for preventing and eliminating security breaches of any kind within the national states as well as within the region.

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CONNECTION BETWEEN ORGANIZED CRIME AND TERRORISM AS A NEW SECURITY THREAT

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Abstract: *In the era of globalization, crime is a worldwide problem and threat. There is no country in the world which could be privileged and protected against the problems initiated by terrorism and organized crime. These two evils could endanger the country's security from the outside or inside.*

Organized crime, as a form of danger to the internal security of a country, spreads around as an octopus and reaches the neighbouring countries. It spreads wider and becomes a threat for all the countries, which are part of the contemporary international community. Terrorism as an extended hand of organized crime, being politically motivated, is a reality we all live in and it is a worldwide threat. Its main pattern is to create a feeling of instability and insecurity within the individual as well as within the country.

The aim of this paper is to describe the main characteristics of these modern evils, to stress their connection and networking and at the same time to point out the correlation between them.

Key word: *organized crime, terrorism, threat, security, correlation.*

INTRODUCTION

The history of mankind more or less had always been marked with violence³. Crime has existed since people were first organized in a form of state. It first appeared as a group of activities and behaviours, which attacked and endangered the fundamental human values (life and personal integrity) freedom and rights, property and security. It also affects fundamental social values such as the constitution and security of the country and its significant institutions.⁴ Crime developed with the development of the society. Significant changes have happened in terms of organizing crime.

Crime has expanded with the development of the benefits of globalization and liberalization of economy, with greater mobility of people, and with the intensified flow of goods and services. Crime developed into a new form of internationalism and acquired a form of transnational organized crime. This form of crime has the ability of adjustment. It could not

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³ Petrovik, D. Organizing evil groups, Belgrade, 1996, pg. 2.

⁴ Petrovik, D. Meshko G. Criminology, Faculty of Law, Sarajevo, 2008, pg20.

only adjust to the circumstances within the country, but within the global international changes with the primary aim to conquer new territories, markets, partners and roads.⁵

The connection between organized crime and terrorism is a threat for the security of any country. It is very important to stress that the connection between these two types of crime is based on a strong financial bond.

Terrorist actions are financed by: criminal activities, supporting countries directly financing terrorism, individuals who are supporters due to various reasons and motives, assistance from other terrorist organizations, and a combination of all mentioned sources. The most profitable financial resources are: human trafficking, drugs trafficking, weapons trafficking, human organs trafficking, organized form of prostitution, trafficking hazardous materials, nuclear materials, radioactive waste, chemical and biological agents, money laundry, financial frauds, etc.⁶

The connection between organized crime and terrorism cannot be separately observed, in the same manner as isolated crime activities. Both types follow certain patterns of interaction, both phenomena have international (transnational) character of being very highly organized and corrupted, as well as planned, well thought of and operate permanently with an obvious synergy.⁷

Characteristics of Organized Crime

The term organized crime was used for the first time at the beginning of the XVII century in Great Britain to characterize the illegal action of a crime gang, keeping the same characteristics up to the present day. Namely, organized crime gives individuals, united in a crime gang, a chance to gain a long-term profit through illegal acts and to gain support from their organization or even from the government.⁸ Organized crime is the strongest non-military threat to humanity. The countries which are in transition and have very weak legislation system and poor economy are the most fertile ground for organized crime.

The United Nations definition of transnational crime, adopted in Palermo in 2000, refers to serious criminal acts as: corruption, money laundry, and suppression of the judiciary operation, and gives organized crime the following characteristics⁹:

a) Organized crime is an organized group with a long-term operation and consists of at least three members who work together towards achieving a mutual goal, i.e. committing serious criminal acts in order to gain material profit.

b) Serious form of a criminal act is the one committed by the organization, for which the most severe sentence could be four or more years of imprisonment.

c) Organized group does not refer to an accidentally formed group to commit crime and whose members do not have precise and defined roles.¹⁰

⁵ Shkulik, M. Organized Crime – Definition and legal aspects, File, Belgrade, 2003, pg. 13.

⁶ Shikman, M. Terrorism, High School of Internal Affairs, Banja Luka, 2009, pg. 50.

⁷ Passas, N. Transnational Crime, Ashgate Pub Co, 1999, p 400

⁸ Mijalkovski, M. Terrorism and Organized Crime, Faculty of Security, Belgrade, 2010, pg. 115.

⁹ Labovik, M. Nikolovski, M. Organized Crime and Corruption, Skopje, 2010, pg. 59.

¹⁰ United Nation Convention against Transnational Organized Crime, Palermo, Italy, 12-15 December 2000

The European Union defines organized crime through the following four criteria:

- ✓ Cooperation of at least three individuals,
- ✓ Long-term operation of the group,
- ✓ The group commits serious criminal acts,
- ✓ The aim of the group is gaining profit and power.

The organized form of a criminal group could be also viewed through the internal discipline of the members of the group. They act through engaging force and other forms of extortion, blackmailing and other forms of threat. The aim of their activities is to influence politics, mass media, public administration and legislative authorities.

The Council of Europe defines crime in the recommendations of principles for fighting organized crime in the following manner: illegal activity executed by a structured group of three or more individuals, who operate on a long-term basis and whose aim is through organized crime, with carefully planned acts, to apply extortion, violence, corruption and other forms of action directly or indirectly, to gain financial or other forms of profit.¹¹

Organized crime can be defined as an organized criminal activity of a group of three or more individuals with a long-term operation of committing serious criminal acts. These acts could be organized on different levels through illegal businesses, investing criminally incurred profits in legal businesses, or through other forms of legal transactions, which influence the state administration, police, judiciary and politics, which in certain circumstances may be under full control of organized crime, which implies direct involvement of the governmental–political structures, leading to a total control of certain media and nongovernmental organizations. The methods of violence are applied in case the perfidy methods of suppression and corruption do not lead to the expected outcome.¹²

It is evident that there is no single definition, which defines organized crime or in other words there are as many definitions as there are authors doing research on crime. There is a consensus, however, that this form of crime is a serious security problem and refers to an organized group, which commits serious crime, for profit and power, and in order to survive it uses violence and other forms of extortion, and it is tightly connected with the government through corruption, blackmailing, and extortion. Organized crime is easily adjustable to socio economic and political conditions, and uses its power to take full advantage of the legislative ambiguities, as well as all beneficial circumstances of economic and administrative actions in all other areas of society.

The programme platform of organized criminal groups is making profit, acquiring power, and establishing a monopoly at a minimum risk. The monopoly could be intended for a certain territory (region, country, city, or part of a city) where the “group” is the absolute owner and potentate. The organized group applies different methods when

¹¹ Recommendation Rec (2001) 11 of the Committee of Ministers to Member States Concerning Guiding Principles on the Fight Against Organised Crime, Council of Europe, 19 September 2001, p.6.

¹² Labovik, M., Nikolovski, M. Organized Crime and Corruption, Skopje, 2010, pg. 59.

influencing authorities and individuals, who are responsible for law enforcement – they start with corruptive offers, and continue with threats, incriminations, etc.

As soon as the organized group gets financially strong, it connects to the higher layers of authority and comes closer to political structures aiming at influencing the legislation and making other significant decisions. The group usually speaks its own language, it operates according to its own laws, it has its own tradition, it applies its own methods and techniques, or in other words it establishes its own highly specialized machinery to attack people. It also has its own property and it practices unique defence methods.¹³

Organized crime can be differentiated from classical crime according to the following characteristics:

- increase of recidivism,
- increase of professionalism,
- specialization in delinquency,
- misuse of technical achievements,
- emergence of new criminal actions (money laundry, racketeering, paedophilia, human organs trafficking, porn industry),
- secrecy of the organization and its actions,
- internationalization,
- low efficiency of the judiciary,
- increase of the expenses of the judiciary,
- aspiration for economic and political power,
- permanent connection of a larger network of individuals,
- planned activities based on labour division,
- use of different forms of intimidation (threats, blackmailing, racketeering, and terrorizing)
- sharing profit,
- corruption of business structures,
- influence on public media,
- influence on the administration of justice and court,
- huge expansion (profit is the driving force of economy investments, so they expand in new regions),
- big “dark number”.¹⁴

Types of organized crime

Typology of organized crime is a very complex issue. The structure of different criminal groups is a crucial criterion for categorization. According to the results gained from the project conducted by The Centre for International Crime Prevention within the

¹³ Boskovik, M. Organized Crime and Corruption, High School of Internal Affairs, Banja Luka, 2004, pg. 32-35.

¹⁴ Labovik, M., Nikolovski, M. Organized Crime and Corruption”, Skopje, 2010, pg. 60-61.

United Nations the term transnational organized crime is introduced. This type of crime could be classified in five groups.¹⁵

Standard hierarchy— is a type of organized crime which features independence, hierarchical placement of the members, and activities according to a firm internal discipline. The group is led by a leader with a clear hierarchical placement. The internal discipline is strict, with a precise labour division, and internal code of behaviour. The number of the members could vary from a few to hundreds. Representatives of the standard hierarchy are: Chinese, Russian, Bulgarian, Ukrainian groups, and other similar groups.

Regional hierarchy- has strong levels of control and discipline, but it is autonomous in terms of the regional component. This type of organization is characterized by a big number of members and associates. This type of groups is engaged in multistage criminal activities. The leader of the organization is anonymous to the members because of the utmost conspiracy of the organization. Representatives of this type of organization are: Asian criminal groups (Jamaguchi – Gumi), Australian (Japanese Jacuzzi), and groups from India.

Group hierarchy—led by a managerial supervising body. This group organizes itself according to a standard type of hierarchy. Group hierarchy is formed as a result of division of the market in which the criminal group operates and the members of the separated groups are members of the big organization.

Core hierarchy— consists of a limited number of members bonded in a firm structure of action. This type of organization could be joined by a temporary member who is assigned for special tasks. Core hierarchy type of organization is usually small with around 20 members. Internal discipline is very strong. This is the most common type of organized forms.

Criminal network— gathers around a series of criminal projects. It consists of the actions of key individuals, specialists in their fields, and when it comes to higher level targets they make alliances with other organizations.¹⁶

Adjustability to all kinds of circumstances is the fundament of the existence and development of organized crime. It is anticipated that new forms of criminal groups will occur in the future.

Forms of organized crime

The form of organized crime refers to the criminal area of action of criminal groups, i.e. which criminal acts are the focus of the organized criminal group.

¹⁵ Stojik, Lj.Mijalkovik, S. Security Aspects of Organized Crime, Anthology of papers, Civil Defense Faculty, Belgrade, 2004, pg. 52.

¹⁶ Stojik, Lj.Mijalkovik, S. Security Aspects of Organized Crime, Anthology of papers, Civil Defense Faculty, Belgrade, 2004, pg. 57.

The most common forms of actions are: human trafficking, drugs trafficking, money laundry, corruption, and other business areas with valuable goods which can bring profit undertaking minimal risk. When accomplishing their goals, criminals take the maximum advantage of poorly controlled territories, weak legislative administration, and use a high level of corruption. They use violence and life threats, against anybody and everybody who may be an obstacle in achieving their goals.

Human trafficking

This “modern form of slavery” is driven by the extra profit and minimal risk factor. Human trafficking takes place in many countries and it is an international security problem which requires professional cooperation of all subjects of the international community.¹⁷

Human trafficking is a very complex process which operates in a few phases: recruiting, transportation and exploitation. The perpetrators may be one or more criminal groups, and the operation can take place in one or more countries.¹⁸

The perpetrators have a well-developed recruiting strategy using public, semi-covered and covered methods. The Recruitment policy functions through suspicious commercials advertising attractive offers about employment opportunities abroad. The victim finds out that it is a hoax when it is too late. At the beginning the victim accepts the conditions of work and the agreement is based on a mutual interest. In the advanced phases, the situation drastically changes harming the victim. Cases of violent kidnappings and ransom claim from the parents are not excluded. In case of smuggling emigrants there is a partnership interest of both parties.

After accomplishing the transport of people, criminal groups deliver the victims or accept them and enslave them, control and later on exploit them. The enslaving of the victims begins with persuading them that they are in a subordinate and deadlock situation and it proceeds by applying physical and mental violence methods. Exploitation could have different forms: selling the victims to other groups, sexual and labour exploitation, illegal children adoption, forced marriages and human organs trafficking.¹⁹

This kind of trafficking brings huge profits and is a serious global threat. Therefore, it is necessary to introduce incrimination of national legislation, as well as of international conventions and protocols for fighting transnational organized crime.

Narcotics-crime

Smuggling narcotics is the most profitable organized crime business. It has been estimated to be 4/5 of the total profit of criminal organizations²⁰. There is a growth of drugs smuggling activities regarding the expansion of the territory and the type of drug which is being smuggled.²¹

¹⁷ Developing Strategies on Human Trafficking, Views – 2, Belgrade Police Academy, 2003, pg. 46-47.

¹⁸ Banovik, B. Human Trafficking and Human Rights Protection, Belgrade Police Academy, 2003, pg. 73-83.

¹⁹ Mijalkovik, S. Human Trafficking, BeoSing, Belgrade, 2005, pg. 194-242.

²⁰ KotovchevkiMitko, Security as state function –part 1, Skopje, pg. 369.

²¹ Boskovik, M. Organized Crime and Corruption, High School of Internal Affairs, Banja Luka, 2004, pg.99- 100

According to the World report on drugs of 2000, drugs are a “global phenomenon”, because this action is committed on international, national and local level.

The activities performed on international level are numerous, large and risky. There are a number of organized groups who operate by delegating tasks. Some of them deal with the production, other with transport, and third ones that deal with the distribution, using the worldwide networking channels. The following table provides data on the Macedonian Customs annual drugs confiscation.²²

Year	Type of drug	Amount	Total
2014	Heroin	22 kilograms	149 kilograms
	Marihuana	126 kilograms	
	Methamentaphine	96 pieces	
	Amphetamine	1 kilogram	
2013	Heroin	13,834 kilograms	946,021 kilograms
	Marihuana	933,187 kilograms	
	Amphetamine	4 pills	
2012	Heroin	62,6 kilograms	821 kilograms
	Marihuana	630,5 kilograms	
	Methadone	1278 pills	
	Acetone	50 kilograms	
	Psilocin	70 kilograms	
	Chlorine hydrogen acid	8 kilograms	
2011	Heroin	800 kilograms	809 kilograms
	Hashish	1 kilogram	
	Marihuana	6 kilograms	
2010	Heroin	2 kilograms	2 kilograms
	Ecstasy	64 pills	

Narcotics crime includes delegation of tasks and roles of organization, financiers, producers, distributors, transporters and dealers. Big mafia cartels are on the top of the ladder of international wholesale stores, and then come the medium dealers, who are in charge of certain regions or cities and on the last step are the street dealers in direct contact with drug addicts. A large number of middlemen are involved in drug trafficking,

²² The situation is more than obvious and this is only the confiscated amount of drugs. One question is, whether the Macedonian customs manages to impound the total amount of drugs which transits Macedonia, as well as at what price was the drugs that transited Macedonia sold. According to some estimates, 10% of the total amount of drugs transiting Macedonia stays in Macedonia. Taking into consideration that the cost of one gram of heroin equals the cost of one gram of gold, it becomes clear what amount of money criminals, who run this kind of business, earn, as well as their impact on the population in the country and the society as a whole.

and they are closely connected with other illegal activities. Each middleman raises the price, causing a big difference between the initial and final market price.

Drugs trafficking operates under the same economy market rules. Price varies depending on the supply and demand, and most importantly it is determined by the quality of the goods.²³

Narcotics criminals are very well organized, equipped, resourceful and professional. The chief organizer of a drugs channel is in charge of the budget, quantity and the group of dealers. The mafia owns funds that well exceed the national annual income of a smaller country. The funds of narcotics crime are relocated to terrorist organizations or rebellious movements, within which dealers of narcotics are again in pursuit of new “zones of influence.”

Money laundry

Each type of organized crime operates illegally and its main goal is making profit. Money made in this way gets the real value when it is introduced into the legal economic flows. This is the reason why criminals undertake different operations known as money laundry.²⁴ The core of the criminal act known as money laundry is transforming the illegal money into legal. The process of transformation could be divided in three phases:

- ✓ *Phase one – investment and distribution.* This phase includes the selection of a country and a bank which will conduct the transaction so that the connection between the money and the illegal acts is interrupted. This could be performed in different ways: often by opening an individual bank account for legal banking. It could be also done by registering fictive business entities, who do not have any business activities. The last is by presenting profit by winning lottery or via betting.
- ✓ *Phase two – stratifying or camouflaging.* Criminal money is usually imported in countries with no strict monetary control, and they are invested in order to conceal the source and further complicate the transfer, and prevent the investigation procedure. This is called financial terrorism, because if “dirty” money is abruptly transferred, the bank, and the country’s economy collapses.
- ✓ *Third phase – integration.* When “dirty” money is integrated into legal businesses and their origin is entirely covered up²⁵.

Money laundry is well organized, professional and intellectual action, which affects all countries in the world. The most important issue for those committing the “operations” is not to reveal the origin and the owner of the money. Cash money has to change its form into something valuable and part of the money could be used for financing terrorist actions. The fight against money laundry includes: bankers, computer and financial experts, who have great experience in this sophisticated banking – financial sphere²⁶.

²³ Simovik, B., Pena, U. Criminology, Faculty of Law, Sarajevo, 2010, pg. 661-662.

²⁴ Mijalkovski, M. Terrorism and Organized Crime, Belgrade, 2010, pg. 155-159.

²⁵ Kotovchevski, M. Ibid, pg. 378-380.

²⁶ Kotovchevski, M. Transnational Organized Crime, Globalization, Peace and Security, Skopje, 2008, pg. 83 - 98.

Corruption

Corruption is a form of a negative socio-economic occurrence in all the countries in the world, easily adaptable to all political and economic aspects²⁷. If corruption is the most suitable way of operation for organized crime, then organized crime is extended hand of corruption. Corruption is not the only form of organized crime, but it is its best developed phase, followed by “state in a state” phase. This means a complete criminalization of the political and economic system of a country and the country transforms into a criminal organization²⁸.

In order to operate on long terms, organized crime should establish a correlation with a certain corrupted authority structure. Both types of crime rely on each other because there is no organized crime without corruption, and the authorities could not be corrupted without organized crime. The actors of corruption are the authority representatives, “white collar” officials, and in case they are highly productive in corruptive operations they become a “shadow government” closely bonded with the system of operations crime.

There is no generally accepted definition of corruption on a global level, although there have been attempts of unified definition. According to the Civil Law Convention of the Council of Europe, corruption is defined as: seeking, offering, giving bribe or other illegal benefit or opportunity, which disrupts the execution of duty. In essence, it refers to breach of official duty, position or authority in order to gain illegal profit²⁹.

³⁰The thesis on the relation between organized crime and corruption is commonly accepted – wherever there is organized crime there is corruption, but it is not necessarily the case that there is organized crime wherever there is corruption. None of the forms of organized crime can operate for a longer period of time if they are not connected to the government. The relation between the two is sharing profit. The higher the position of the government officials, the more secure the criminal actions are.

There are various methods of recruiting government officials in corruptive deals: by active bribing with material and non-material favours. If the first “offer” is rejected, blackmailing is used by publishing incriminating materials. If this fails, the following steps are extortion and life threats to their lives and the lives of their family members so that the government officials would voluntarily give in and agree with the criminals’ intentions.³¹

²⁷ Kotovchevski, M. Transnational Organized Crime, Globalization, Peace and Security, Skopje, 2008, pg. 647.

²⁸ Labovik, M. Nikolovski, M. Organized Crime and Corruption, Skopje, 2001, pg.111.

²⁹ Boshkovik, M. Transnational Organized Crime, Belgrade, 2003, pg. 49.

³⁰ Labovik, M. Nikolovski, M. Organized Crime and Corruption, Skopje, 2001, pg.112 – 115.

³¹ Labovik, M. Nikolovski, M. Organized Crime and Corruption, Skopje, 2001, pg.115

TERRORISM AS A SECURITY THREAT

There are various opinions and attitudes when it comes to terrorism; that is why there is no unified definition. The origin of the word terrorism is from the Latin word *terror*, which means nightmare, fear, tremble, or ruling by intimidation. Speaking about the historical origin of terrorism, there is a great number of authors who believe that it started with the beginning of class society, the establishing of the state as an institution, the purpose of which was to protect the interests of the ruling class. Other authors connect the origin of terrorism with religious-political sects zeloti (shikara) in antic Jerusalem, i.e. the beginning of the Muslim sects (assassin) in early feudalism. A big number of authors connect terrorism with the France's bourgeoisie revolution, or more precisely to Jacobin dictatorship. The definition we use today originates from 1794, after the fall of Robespierre³².

After the Second World War, terrorism remained a complex form of political violence which became a dominant power in the last decades on the territories of the Middle East and the Near East, Europe and America. There have been several attempts to declare terrorism as an extremely dangerous social threat, i.e. international criminal act, in order to provide extradition, prosecution and punishment of perpetrators, as early as the League of Nations 1937. The Convention on Prevention and Suppression of Terrorism was passed following the efforts invested by USA in the period from 1972 to 1977, as the sole world agreement for fighting terrorism; however, these efforts did not yield the expected results. The analysis of the origin of terrorism should rely on the following aspects: political, ideological, socio-economic, social, religious, geopolitical and geostrategic problems.³³

Modern science puts a lot of effort in unifying the definition of terrorism. The problem is related to various aspects taken into consideration when defining terrorism. According to these aspects those who commit a terrorist attack are terrorists, freedom fighters or human rights fighters. UN does not have a unified definition of terrorism; however, it signifies certain acts and behaviours of groups and individuals as terrorist acts in numerous conventions, declarations and protocols.

According to the 2002 European Union framework for fight against terrorism, terrorism is defined as a deliberate violent act, which could damage a country or an international organization. According to law, these acts are illegal and their purpose is intimidation of the population and forcing the government or international organization not to act against the goals of the terrorist organization.

The USA federal collection of regulations defines terrorism as illegal use of power or extortion against people and property aiming at threatening and forcing the government, population, civilian population or part of the population for attaining certain political or social objectives.

³² Miloshevik, M. Fighting against Terrorism, World of books, Belgrade, 2005, pg.5

³³ Miloshevik, M. Fighting against Terrorism, World of books, Belgrade, 2005, pg.5

Illegal use of violence by groups, who have a lower status in society, creates a feeling of fear when attacking individuals or symbolic targets, turning the public attention for accomplishing their goals, provokes a strong community reaction.³⁴

Major centres of gravity of terrorism are listed below:

- ✓ Enormous economic gap between poor and rich countries,
- ✓ Civilization and cultural gap between nations on both religious and national level,
- ✓ Religious fanaticism and fundamentalism,
- ✓ National – separatist and irredentist tendencies,
- ✓ Ideological – political antagonism,
- ✓ Long-term geopolitical and geostrategic national interests of big world powers,
- ✓ Political and social reasons of smaller social communities, etc.³⁵

Main characteristics of terrorism:

- ✓ Act of violence – any terrorist attack is an act of violence, which includes brutal use of force by different means and ways to cause a psychological effect.
- ✓ Causing fear and other kinds of psychological reactions, such as anxiety and terror.
- ✓ Achieving political goals.
- ✓ Delivering a specific message. The message could be sent to: victims, targets or supporters.
- ✓ Being organized is perceived through the established organization with continual and systematic operation.
- ✓ Brutality, immorality and irrationality when operating, lacking moral, cultural, social and other norms.
- ✓ The selection of victims and targets is directly connected to the message delivered by the terrorist attack.
- ✓ Illegality of the terrorist attack in accordance with international and internal legal norms.
- ✓ Public condemnation is an act that follows the terrorist attack.³⁶

The list above is not a final list of the characteristics of terrorism, because each terrorist attack has its own characteristics and at the same time it creates new ones.

Types of terrorism

The complexity, dynamics and the numerous forms of operation put terrorism in a big number of classifications based on various criteria. According to Milan Mijalkovski, terrorism is classified as: active subjects (executors), passive subjects (victims) and observers.

³⁴ John, Bailey, Steve Smith, Patricia Owens, Globalization of World Politics, Skopje, 2009, pg. 588.

³⁵ Labovik, M. Nikolovski, M. Organized Crime and Corruption, Skopje, 2010. Pg. 120-122.

³⁶ Mijalkovski, M. Terrorism, Faculty for Civil Defense, Belgrade, 2004, pg. 5.

Dragan Simeunovik gives the following classification:³⁷

- According to targets
 - ❖ Ideology motivated terrorism – leftist and right-wing terrorism
 - ❖ Terrorism of ethnic separation
 - ❖ Terrorism based on religion– sects terrorism and terrorism of the dominant religions
- According to the means and methods of operation
 - ❖ Classical conventional type
 - ❖ Biochemical terrorism
 - ❖ Nuclear terrorism
 - ❖ Self-sacrifice terrorism
 - ❖ Cyber terrorism
 - ❖ Narcotics terrorism
- According to perpetrators of terrorist attacks
 - individual terrorism
 - terrorist organization
 - institutional terrorism

CORRELATION BETWEEN ORGANIZED CRIME AND TERRORISM

Reviewing the facts on organized crime and terrorism in order to identify the common features, we arrive at the conclusion that the two are in fact two sides of one medal. Both can endanger security of a country or even the whole international community. A great number of researchers, who study these two modern phenomena, believe that terrorism is one of the forms of organized crime.³⁸ The main characteristics of both terrorism and organized crime are: inconsideration, brutality, organization, professionalism, secrecy, gaining profit with minimum risk, confirm the hypotheses that these two phenomena share the same bases of operation. Namely, both of them operate through organized groups, who are both criminal and terrorist. There is no difference in the way they operate because both entities make alliances very easily. Although motivated by different interests, the initial point of terrorists and organized criminals for making alliances refers to the judgment of how successful the actions of organized criminals are when dealing with the state, as their common enemy. Organized crime aims towards taking over the financial power of the country, whereas terrorists aim at taking over the political power of the country.

Terrorism and organized crime are secret criminal organization of a number of individuals, who voluntarily agree to commit planned and systematic criminal actions against the vital values of the country in accomplishing their objectives. Terrorists announce

³⁷ Simeunovik, D. Terrorism, Faculty of Law, Belgrade, 2009, pg. 82-85.

³⁸ Labovik, M. Nikolovski, M. Organized Crime and Corruption, Skopje, 2010, pg. 115

their political aim, claiming that their operation is extorted. They do so intending to attract the supporters and to show their determination in reaching their goals. Terrorism is based on armed violence on political targets, which they announce publicly. If they consider that their violent operation could positively influence on a certain form of organized crime, they establish business relations with the leaders of these organized crime groups or they directly commit the organized crime act.

Unlike terrorists, organized criminal groups conceal their objectives and political ambitions, although their operation is very tightly related to politics, and if it is not prevented, it could initiate a desire for political power. They extend their power throughout the country, using corrupted politicians aiming at taking over power from the state, and establishing a parallel authorities.

It is a fact that organized crime, the main interest of which is material profit, could turn into terrorist organization seeking political power, and subsequently creating its own ideology. On the other hand, terrorist organizations, seeking financial power, could start operating on the “black market” and become involved in the competence of organized crime.

The cooperation between terrorists and organized criminals is strictly professional.³⁹ This cooperation is shown in the charts below:⁴⁰

Criteria for distinction	Organized crime	Terrorism
Motives	Material benefit	Ideological – political
Operators	Groups, organizations, countries, treaties between countries	Groups, organizations, countries, treaties between countries
Relationship with the country	Corruption, infiltration, selective fights	Clashes, change of constitution, taking over the authority
Timing of operation	Constant existence and operation	Until goals are achieved
Methods of operation	Non-violent and covert non-violent	Violence
Consequences of operation	Aspires towards invisible outcomes of operation	Visible outcomes of operation
Expansion	Present in all countries	Not present in all countries

Conclusion

A conclusion could be drawn from the above that organized crime and terrorism are the dark side of modern living. Our estimate brings us to a conclusion that these two evils nest in weak countries and countries that are about to fall apart. The relation between these great evils is strong and does not only affect individual countries, but it is a global issue; an issue, which requires a

³⁹ Mijalkovski, M. Terrorism and Organized Crime, Faculty of Security, 2010, pg. 223 – 225.

⁴⁰ Mijalkovik, S. Bajagik, M. Organized Crime and Terrorism, Crime-Police Academy, Belgrade, 2012, pg. 521.

lasting and unified regulation, decisive and determined action for its prevention. There is no single country, which could individually protect itself and guarantee the security of its citizens. These are global security issues, which should not be considered in isolation, and all aspects should be taken into consideration.

Terrorism is a multilayered threat to all the countries in the world. For some countries it is only a threat or a risk, whereas for others it is a prospective threat, and for third it is an actual security threat. Modern terrorism could be defined as a special kind of aggression, which requires strong anti-terrorist response, including decisive measures and activities for repressing it in its “roots”.

Terrorism can vividly be portrayed as cancer. If even a single metastasis is left, it starts generating new cells and grows again. Measures such as information gathering, normative regulation of the activities for fighting terrorism, education and physical readiness of those who fight terrorism should be on the highest level. Since terrorism does not accept insinuations, the fight against it on a global level must be decisive and in the spirit of constant improvement and development. Thus, lessons learned should constantly be reviewed and improved.

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ASSESSMENT OF THREAT TO NATIONAL SECURITY FROM CBRN TERRORISM

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Abstract: *The main characteristic of modern day terrorism is the use of indiscriminate violence to accomplish its objectives. However, only recently in the past decades, the terrorist threat increased its level of horror with the increased possibility of terrorist groups and organizations to use chemical, biological, radiological and nuclear weapons (CBRN). Almost all member states of the United Nations agreed on controlling the development of nuclear energy and the prohibition of chemical and biological weapons. The international community has designed many mechanisms for arms control and proliferation of dangerous materials, like radiological waste or biological and chemical agents, which could be used to make weapons of mass destruction. The problem arises when it comes to non-state actors, such as terrorist groups and organizations. Despite the technological development and international laws, it is difficult to control their intentions. The mere perception that non-state actors, such as terrorist groups with unrestricted moral values, could obtain weapons made of chemical, biological, radiological or nuclear origin, keeps the global security makers vigilant and focused on its prevention. It is necessary to monitor their activities and ambitions to acquire such capabilities. There are just enough recorded terrorist attempts to obtain dangerous substances in order to prepare improvised weapons of mass destruction not to dismiss the threat as unrealistic. The purpose of this paper is to consider the facts of the level of threat to national security, acknowledging the technical constraints and opportunities for terrorists to develop and use such weapons. The assessment will take in consideration the existence of several sponsor states of terrorism that could facilitate the proliferation of these weapons to the third party actors.*

Keywords: *national security, chemical, biological, radiological and nuclear weapons, terrorism, non-state actors, sponsor states.*

Introduction

Immediately after the attacks of September 11, 2001, the Western governments increased their vigilance for the possibility of terrorist use of chemical, biological, radiological and nuclear based weapons (CBRN). From today's perspective, knowing the reason for the invasion of Iraq and

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the fact that the coalition forces did not find any weapons of mass destruction, the question arises to what extent the threat is real for the non-state actors to develop, produce and obtain such weapons.

The reason why during the Cold War the superpowers never used unconventional weapons was due to the strategies of deterrence and massive response. Both sides have refrained because they were aware that the response would be overwhelming for either of the sides, or the fear of the so-called Mutual Assured Destruction. But the terrorists today have no home country so they do not fear punishment, meaning the strategy of the Western massive response has no special effect.³

When it comes to threat to national security from CBRN terrorism, it is estimated that the religious terrorist groups are more dangerous in a moral sense compared to the secular terrorist groups. Hence the fear that has emerged in the West in terms of “unstable” and “rogue” states that could develop and provide CBRN weapons to terrorist organizations. The prevention has become a priority for the West and counter-proliferation of weapons of mass destruction is one of the main missions of special operations forces. If there is a slightest doubt about facilities that may be used to develop such weapons, the West would not hesitate to use force once they have exhausted all mechanisms and verify the information.

The question remains - what is the possibility that a terrorist organization manages to produce, acquire, and use CBRN materials as weapons. The views are different and vary from those optimistic that the likelihood of such an attack is very small, to overblown paranoid views that terrorists could obtain such weapons and will not hesitate to use them. Despite the numerous incidents in the past four decades, the only serious terrorist attack using Sarin gas was conducted in the Tokyo subway in 1995, killing 12 and wounding 5000 people.⁴ There are many challenges and scientific technological constraints that the terrorist groups and organizations as non-state actors have to overcome to obtain such weapons. In order to apply the right amount of countermeasures, we need a realistic assessment of the possibility of such a scenario.

While the production of weapons of mass destruction is a complex process, procurement through various channels of transnational crime is a real possibility that should not be excluded. The existence of “unstable” and “rogue” states is part of the equation of the possibility that terrorist organizations may reach some kind of CBRN based weapons. While many authors exclude the production and acquisition of nuclear weapons as impossible, there is still a threat of obtaining chemical, biological and especially radiological weapons. The motive of groups and organizations to use such weapons is sufficient for the international community and security systems to worry that it is a real danger.

Challenges and limitations of CBRN terrorism

Although in the past 15 years, both democratic and republican administrations in the US government identified the possibility of terrorist use of CBRN weapons as the biggest threat to US national security, there are many sceptics that believe that such threat is practically zero.⁵ Most of the authors agree that the non-state actors could not even come close to producing or obtaining CBRN capability, especially nuclear.

³ Derek D. Smith. (2006). *Deterring America: Rogue States and the Proliferation of Weapons of Mass Destruction*. Cambridge University Press, 3.

⁴ Benjamin Cole. (2011). *The changing face of terrorism: How real is the threat from biological, chemical and nuclear weapons?* Tauris. London, 17.

⁵ Graham Allison, forwarding Rolf Mowatt-Larssen. (2010). *Al Qaeda Weapons of Mass Destruction threat: Hype or reality?*. Belfer Center for Science and International Affairs. Harvard Kennedy School

In order to understand the extent of the possibility of a terrorist organization developing CBRN weapons, it is necessary to be acquainted with the complexity and cost of such a process. Experts who are more versed in the process of how to obtain such technology, consider it very difficult even if such a project is state sponsored. There are many examples that even with the necessary state efforts, it takes decades to develop and produce CBRN weapons. Thus, it is a valid assumption that it is a particularly difficult and complex task for the non-state actors, such as terrorist organizations, to achieve this.

Because it is almost impossible to steal CBRN weapons from a state that possesses it, the terrorists will have to develop it themselves. Producing chemical weapons is probably easiest of all, assuming some developed state provides the necessary facilities. Developing usable biological weapons is harder, and the most difficult is the nuclear weapons. This means that the terrorist organizations seeking to develop CBRN weapons must have some developed state sponsor behind them to make it possible.

To develop CBRN weapons, above all it is necessary to have scientific knowledge related to chemistry, physics and biology. Although today, there is raw theoretical information easily accessible online, it is not sufficient to produce CBRN weapons. In developing such technology, there is a complex process of testing and experimentation, and many details needed to get to the final product are simply not found in the books. Even if the terrorists try to make improvised CBRN weapon from commercially available chemicals and insecticides or radiological waste, they will still need a professional scientific help.

It took the Japanese cult Aum Shinriji two years to produce 30 litres of Sarin gas, having 300 engineers in their ranks and lots of money.⁶ The only way to accelerate the process is an expert with a personal experience in the preparation of such agents recruited to help manufacturing. When it comes to development of nuclear weapons, it is far more complicated and impossible for the non-state actors. The North Korean nuclear program due to seclusion dragged for years and still did not achieve the desired results. Those countries that have nuclear weapons spent decades and billions of dollars on research, testing and experimentation to come up with a final product.

Regarding biological weapons, it is easier to develop bacteria and toxins than viruses, but still complicated to turn them into weapons. In 1991, it was determined that Saddam Hussein's engineers spent years working on biological weapons and still failed to make it.⁷ The biggest obstacle for countries that made usable biological weapons was how to make it stable after it is put in the ammunition.

Materials to make nuclear weapons are so delicate and well kept by the states that it is certainly out of the terrorist reach. The process is so complex and requires

⁶ Benjamin Cole. (2011). *The changing face of terrorism: How real is the threat from biological, chemical and nuclear weapons?* Tauris. London, 42.

⁷ Ibid., 46.

so much time, that we can assume that there is not a terrorist organization that would lose so much time on developing a nuclear bomb. The threat of terrorist organizations to self-develop a nuclear device in the near future is unrealistic. However, there are radioactive materials like plutonium and depleted uranium that the terrorists could somehow acquire. Although the effects would be smaller, it is possible to inflict great damage if combined in the form of a “dirty bomb.” Theoretically, a team of a few physicists who do have knowledge and enough material, which can be up to a ton, could make a so-called “crude” nuclear bomb, but still not having nearly the effect of a real nuclear bomb.⁸

The “dirty bombs” are radiological weapons and a lot easier to produce than nuclear weapons. Unlike nuclear weapons, where the damage is inflicted with the explosion, the radiological weapons achieve the effects by contaminating the environment. The “dirty bombs” are actually ordinary bombs which scatter radioactive material into the environment. Some of the isotopes that could be used to make a radiological bomb are commercially used in hospitals. Vulnerability is identified to national security in the possibility of a terrorist organization attacking and stealing radiological materials during transport. Furthermore, any country that possesses nuclear plants has raw nuclear material.

Unstable or rogue states would unlikely voluntarily give CBRN weapons to terrorists, because it would certainly become a target of attack for the West. It is more likely that terrorists could steal CBRN weapons from states with weaker security control. According to the data of the International Atomic Energy Agency, from 1993 to 2006 there were 1080 incidents categorized as attempts to smuggle nuclear materials, and 67% of the missing or stolen materials have never been found.⁹ After the collapse of the Soviet Union, there have been about 700 registered attempts to steal nuclear materials, and in 1998 the Russian intelligence revealed a plan for stealing 18 kilograms of uranium from the nuclear power plant Chelyabinsk that was scheduled to be sold on the black market.¹⁰ Between 2002 and 2004, international experts gathered 105 kilograms of uranium from several countries as Uzbekistan, Bulgaria, Libya, Romania and the Czech Republic.¹¹

The irony for the terrorists is that while the nuclear weapons are the most difficult to produce, if obtained, they would be easiest to use. On the other hand, the chemical weapons are easier to improvise, but not as simple to use because in order to achieve mass casualties, one needs to expose the target to it for a longer time. Perhaps that is why it is unlikely that the terrorists would want to waste time on CBRN weapons,

⁸ Ibid., 38.

⁹ Benjamin Cole. (2011). *The changing face of terrorism: How real is the threat from biological, chemical and nuclear weapons?* Tauris. London, 49.

¹⁰ David Baker. (2006). *Biological, nuclear, and chemical weapons: Fighting terrorism*. Rourke Publishing LLC. USA, 36.

¹¹ Ibid., 37.

there is no guarantee to make it work, and even if they do, it is quite difficult to deploy it on the target.

Because the probability of non-state actors to develop and produce CBRN weapons on their own is very low, terrorist organizations and groups are in constant pursuit of sponsor states that could provide those weapons as a final product. This threat is actually the closest to reality because there are many “unstable” and “rogue” states in the world that used to have or still have programs to develop chemical, biological, and even nuclear weapons.

According to the US government, the states that sponsor terrorism are those for which there is strong evidence they provide assistance or support to terrorist groups and organizations. In the period from 1979 to 1993, countries found on the list of states considered as sponsoring terrorism were Libya, Iraq, Iran, Yemen, Syria, Cuba, North Korea and Sudan. Today, still remaining on the list are Syria, Iran and Sudan. It is obvious that six out of eight countries on the list are also associated with religious extremism. Hence their interest and effort to develop, produce or obtain CBRN weapons. For some, like Syria and Libya it is known that besides production of large quantities of such weapons, they have also used it in practice.

Assessment of the possibility of terrorist use of CBRN weapons

The pressure from the West does not stop due to the fear that some terrorist organizations and groups could obtain CBRN weapons from a state sponsor. Although Libya was removed from the list in 2006, it is worrying that 10 years after the termination of the program and initiating the process of destroying the chemical weapons, the process is still not finished. There is a suspicion that some of these weapons in early 2015 fell in the hands of the opposition rebel groups.

While optimists claim that CBRN weapons can hardly fall into the hands of terrorists, no one goes to the extreme to exclude such a possibility, especially after the terrorists attack with mass casualties on September 11, 2001. Although terrorists are logistically limited, they are not limited by the lack of vision and creativity to use CBRN weapons.¹² The reason why the terrorists would not hesitate to use weapons for mass casualties is the fact that such an attack, even on a tactical level, would complicate the military operations of the Western armies, thus having highly disruptive effects.¹³ That is why these weapons are also referred to as “weapons of mass disruption” or “weapons of terror.”¹⁴

Most of the analysts in the 20th century assumed that the terrorist organizations would not dare to use CBRN weapons. It was believed that if they did, they would lose political support or sympathies from their specific target group. But, with the

¹² David Santoro. (2010). *Treating Weapons Proliferation: An Oncological Approach to the Spread of Nuclear, Biological, and Chemical Technology*. Palgrave Macmillan, 112.

¹³ Ibid., 60.

¹⁴ Ibid., 60.

emergence of Al-Qaeda and the Islamic State today, this is no longer valid. There is a new trend of terrorism today, and although its nature has remained the same, the goals have changed substantially. Today's religious extremists are different from the groups and organizations in the 70s and 80s, who had exclusively ethno-nationalist and ideological motives, as neo-Nazi and racist groups in the United States.¹⁵ Today's religious terrorism is a greater threat in terms of causing mass casualties.

There are three factors that after the end of the Cold War significantly contributed to increased concerns about the possibility of terrorist attacks with CBRN weapons. First, because of the uncertainty of securing such weapons after the collapse of the Soviet Union, second, the emergence of the new kind of terrorism, and third, the United States emerging as a new target for terrorism in the Middle East.¹⁶

With the collapse of the Soviet Union, there was a widespread concern in the West about the nuclear waste and materials which were suspected to be circulating in some former Soviet republics. Such a scenario was closely monitored by the West, demanding from Russia to prove that it has an insight and control of potentially dangerous substances. At the same time, such a Western attitude may have been aimed at discrediting the capacity of the Russian government to manage effectively in the transition period. During the 90s, the West also projected the idea that the former Soviet scientists offered their skills in countries seeking development of nuclear weapons, such as Iran. However, it was never proved that any Soviet scientist was engaged in making any kind of weapons of mass destruction for the nationalist or religious groups.¹⁷

Besides organized groups, the attempts to obtain chemical and biological agents to be used for deadly attacks were perpetrated by individuals who have nothing to do with ideological organizations. This threat is lower because of the lack of organizational capacity, but on the other hand the seriousness to prevent such attacks is greater because there are more such actors in the security environment. Individuals who would obtain such agents tend to have lower moral restriction because they do not answer to anyone. This is due to the scientific and technological development, especially the increased role of the computer technology, and the Internet is making the exchange of information incomparably greater.

The increased use of computers provided the non-state actors and individuals with more detailed insight into the composition and methods of producing substances that could be used as a weapon, i.e. making "dirty bombs". Terrorists with fake bank accounts and profiles are attempting through cyberspace to contact legitimate laboratories and researchers in various scientific institutions. So far such attempts have failed because

¹⁵ Andrew Hubback. (1997). Apocalypse when? The global threat of religious cults. Conflict Studies No. 300. Research Institute for the Study of Conflict and Terrorism, 5.

¹⁶ Andrew O'Heil. (2003). Terrorist use of weapons of mass destruction: how serious is the threat?. Australian Journal of International Affairs, Vol.57, No.1, 100.

¹⁷ Benjamin Cole. (2011). The changing face of terrorism: How real is the threat from biological, chemical and nuclear weapons? Tauris. London, 35.

the security measures are high and the identities of all who are trying to contact the scientific institutions are thoroughly checked.¹⁸

Since one of the indirect methods of terrorism is spreading fear through propaganda, terrorists are constantly projecting information that they intend to attack with CBRN weapons. Because of the numerous traces, and evidence that they have a great interest in possessing devastating weapons, the concern that it is possible is growing in the West. This may be good because it keeps the West vigilant, increasing the safety measures in the past two decades. On the other hand, the West may spend perhaps more resources than they actually need, favouring the terrorist tactics of defocusing the West and causing financial damage similar to cyber terrorism.

Following the statements of politicians in the United States from the 90s, it seems that the CBRN threat for national security is exaggerated. In their rhetoric, they frequently warned that a CBRN attack by terrorists is not only possible, but inevitable, and that such probability is increasing every day. Although such attack has never occurred, perhaps these concerns contributed to increased vigilance and control over the institutions that produce and store chemical and biological agents, and also increased control of goods across the national borders.

There is an argument that the terrorists would not use CBRN weapons as feared. The main reason is the fear of a much larger military response from the West, but also undermining their political agenda to achieve their goal. In fact, causing mass casualties would not be useful to the terrorists.¹⁹ But is this valid for today's kind of terrorism with such terrorist groups like the Islamic State that not only commit mass executions of innocent victims, but they record it and put it online to project terror. The question remains if such terrorists, with unprecedented fanaticism, primarily religiously motivated, will hesitate to use CBRN weapons if they have it?

Since nuclear materials are well controlled and stored in countries that have it, that would be the main source from which the terrorists could try to obtain them.²⁰ There is the danger of unstable or rogue states deliberately or inadvertently facilitating such terrorists' attempt. Monitoring the activities of the countries that are potential sponsors of terrorist organizations is an important mechanism to prevent CBRN weapons falling into the hands of terrorists.

To procure, steal, buy, transport and turn nuclear materials into weapons, is a long and complicated process with multiple stages. There are many procedures that the terrorists must attend to. This is beneficial for the national security of the countries

¹⁸ David Baker. (2006). Biological, nuclear, and chemical weapons: Fighting terrorism. Rourke Publishing LLC. USA, 34.

¹⁹ Benjamin Cole. (2011). The changing face of terrorism: How real is the threat from biological, chemical and nuclear weapons? Tauris. London, 22.

²⁰ Thomas Graham Jr. Keith A. Hansen. (2009) Preventing Catastrophe. The Use and Misuse of Intelligence in Efforts to Halt the Proliferation of Weapons of Mass Destruction. Stanford security studies. Stanford University Press, California, 20.

because the process can be stopped at several points, making it extremely difficult, first to obtain such material, and second to turn it into a weapon. To disrupt the whole attempt it is sufficient to stop the process anywhere, for example, increasing the control of the nuclear waste from the nuclear plant.

The former US Defence Secretary Donald Rumsfeld warned that there are terrorist organizations that have cooperation and understanding with the countries that possess weapons of mass destruction, and that one day it will be inevitable that they will provide it to terrorists, who will not hesitate to use it.²¹ It is especially worrisome that the religiously motivated terrorist organizations like Al Qaeda would not hesitate to use such weapons if they obtain some.²²

However, while the United States spent billions of dollars to protect themselves from terrorists who would use weapons of mass destruction, statistics show that it is more likely that the domestic terrorists conduct such attacks than someone from the outside. So far, more serious threat to the United States in particular are the extreme left and extreme right-wing groups than the terrorist organizations like Al-Qaeda.²³ Scepticism about the possibility that terrorists could use CBRN weapons increased after the invasion of Iraq in 2003 when weapons of mass destruction, which served as a pretext for invasion against Saddam Hussein, were never found.²⁴

The critics go as far as saying that the projection of fear of a terrorist attack using CBRN weapons that the Western countries generated for themselves, actually motivates terrorists to desire such weapons. In any case, it is better to cure and prevent rather than respond, because an armed action against a terrorist attack using CBRN weapons would be very complicated in today's operational environment. Even if the state sponsoring terrorists that conducted CBRN attack is determined, designating military targets to respond would be very complex.

Conclusion

Although the only recorded, organized terrorist attack with CBRN weapons was the attack with Sarin gas in the Tokyo subway, there are still attempts to develop, acquire and ambitions to use it. Religious terrorism as a new trend is a particular threat because it has no moral restrictions. The probability of a terrorist organization to develop or obtain some kind of CBRN weapons depends primarily on the operational environment in which it operates. Due to

²¹ Derek D. Smith. (2006). *Deterring America: Rogue States and the Proliferation of Weapons of Mass Destruction*. Cambridge University Press, 157.

²² Nuclear Black Markets: Pakistan, A. Q. Khan and the Rise of Proliferation Networks: A Net Assessment. (2007). London: Strategic Dossier of the IISS, 107.

²³ Rachel Oswald. (2013 April 17). *Despite WMD Fears, Terrorists Still Focused on Conventional Attacks*. Global Security Newswire, National Journal. <http://www.nti.org/gsn/article/despite-wmd-fears-terrorists-still-focused-conventional-attacks/>

²⁴ Rolf Mowatt-Larssen. (2010). *Al Qaeda Weapons of Mass Destruction threat: Hype or reality?*. Belfer Center for Science and International Affairs. Harvard Kennedy School, 8.

technological limitations, it is necessary to have assistance from a state that sponsors terrorism. Another possibility is through acquiring scientists and engineers who already have experience in making such weapons. There was a strong suspicion that the former Soviet engineers offered their services to countries that were trying to develop weapons of mass destruction. It is quite possible that in the future, discontented, individual actors with scientific knowledge in chemistry, physics and biology, may offer their services in exchange for personal gain.

However, at the moment, the level of threat of a terrorist attack using CBRN based weapons is very low. It is highly unlikely they will get to facilities to create such capacities, primarily because the US and its partners have high awareness of the danger, and thus control the proliferation of such materials. Because of Al Qaeda threats related to CBRN weapons, and the indiscriminate attacks on September 11, 2001, the United States managed to destroy most of the key leadership of Al Qaeda.

Furthermore, from a technological point of view, it is not impossible that terrorist groups might develop some kind of improvised CBRN weapon, with the exception of nuclear, which is beyond the capabilities even for the states. It takes much time and money and for now it contributes to discouragement of such attempts. However, there is overwhelming evidence that terrorist groups and organizations show interest to obtain chemical and biological based weapons. Since their strategy is fear mongering, coercion and applying the highest possible damage, CBRN weapons are a great terrorists' tool and it would be unwise to assume that they will stop acquiring such capabilities.

The prevention would not be complete if the likelihood of CBRN terrorism is completely overruled. Especially making radiological weapons is far more likely because it can be made of nuclear materials that are used in nuclear power plants. On the other hand, the likelihood of obtaining biological or chemical materials is much greater and therefore a lot more serious than the nuclear. In particular, the methods of disseminating biological weapons are different. With today's trend of suicide bombers or terrorists who have no problem sacrificing for the ideology they represent, the possibility of simply using oneself as a bio-weapon should not be overruled. Infected terrorists could quite undetectably infect passengers at an international airport from where the virus could be spread in multiple directions.

The international community has identified the existence of "rogue" and "unstable" countries as a specific type of threat to global security, especially those which used to have or still have programs for development and production of weapons of mass destruction. There is an ongoing process of destroying weapons of mass destruction in Libya and Syria. The international community closely monitors the activities regarding the nuclear power programs in Iran and North Korea. The most realistic scenario is a terrorist organization obtaining CBRN weapons through purchase from undemocratic countries as a finished product.

Finally, one should not exclude the possibility that the terrorists might use the threat of CBRN weapons to justify their consistency in the eyes of their supporters while also holding the opponents tensed, focused and most importantly, to get them spare more financial resources and personnel to increase security at all levels. It can be argued that the very perception of threat from terrorist attacks with CBRN based weapons inflicts damage to the West.

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REVIEW OF THE PROCESS OF MAKING DECISIONS IN THE US NATIONAL SECURITY POLICY

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Abstract: *The process of making political and national decisions regarding security has a distinct meaning concerning the management of this process. In cases when the US President gives statements related to foreign and security policy, he meets with other presidents of states or holds press conferences concerning national security, his words present a detailed product of his administration. The US President is supported by an interagency process of making decisions since the First World War. The current interagency process of making decisions includes a routine of consultations among senior departments in the administration and officials from the agencies, which was not the practice before 1947.*

Key words: *National security, foreign policy, United States National Security Council, National Security Strategy.*

Introduction

The optimism, in relation to world peace, the economic development and the general welfare, which ruled in the world upon the end of the Cold War, has been ruined with the terrorist attacks in the United States on September 11, 2001.² The United States started a general war against terrorism, or more precisely a war with those who replace their religion with radicalism. It could be assumed that this situation shall continue in the future, and the United States shall continue to take the central spot in the world in relation to dealing with global terrorism, especially with the security problems in the Middle East, when talking about the world and homeland security.³ This paper, through a historic retrospective, reviews the policies of several administrations of the United States in order to understand the organization of the government bodies when making the national security policy.

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² Sam C. Sarkesian, John Allen Williams, Stephen J. Cimbala, "US National Security, Policymakers, Processes & Politics", fifth edition, USA, 2012. Pp.1.

³ Jentleson, W. Bruse, "American foreign policy: The dynamics of choices in the 21st centuries – 4th", USA, 2012

Review of the events related to the process of decision making after World War II and during the Cold War

At the end of the Second World War, the Congress started the process of reorganization of the national security agencies, so that the United States would be secured from sudden attacks, as an example is the attack on Pearl Harbor.⁴ The first who supported this reorganization is the US President at that time, Harry S. Truman. In one of his statements, he underlined that *“if we had all the information about the Pearl Harbor attack on December 7, 1941 in one place, maybe we could foresee what would happen”*.⁵ In context to this, the reaction of president Truman at that time is believed to be justified in 2001 after the terrorist attacks in the United States, when the National Commission on Terrorist Attacks⁶ confirmed the need of larger interagency connectivity and information exchange.⁷

During his term of office, Harry S. Truman had supported the Congress on forming a permanent, central agency for intelligence and reforming the Department of Defence. Apart from this, the Congress also supported the idea on forming an agency or executive branch within the Government for the purpose of integration and coordination among the administration's agencies. As a result of the Pearl Harbor attacks, and the reaction of President Theodore Roosevelt during the Second World War, the Congress had adopted the formation of a new structure for national security by the 1947 National Security Act. The Congress believed that a body had been formed for improving the interagency connectivity in relation to coordination and better advising the President during the process of making important decisions.

At that time, President Harry S. Truman agreed regarding the intelligence and defence aspects of reorganization and forming an advisory group, but was against forming any other organizations in the process of making decisions of the administration.⁸ Truman wished the administration to maintain the entire control in relation to the national security issues, whereas the President to have a discreet right to decide in relation to any other decision of the National Security Council or the Congress. At that time, Truman rarely attended the Security Council meetings; the Secretary of State was in charge, which showed to be quite ineffective in the process of making important political decisions.

⁴ The need of reorganization of the national security was a long process. Between 1921 and 1945, more than 50 proposals have been presented at the Congress for reorganization of the army and the navy. None of these proposals was accepted.

⁵ Clark Clifford, “The workings of the national security system: past, present and future”, SAIS Review, Winter-Spring 1988, interview Philip Geyelin, p.19-21.

⁶ More at: <http://www.9-11commission.gov/>

⁷ Group of authors: “The National Security Policy Process”, The National Security Council and Interagency System, Annual Update, August, 2011. Pp.6. Available at: <http://www.virginia.edu/cnsl/pdf/national-security-policy-process-2011.pdf>

⁸ Clark Clifford, “The workings of the national security system: past, present and future”, SAIS Review, Winter-Spring 1988, interview with Philip Geyelin, p.19-21.

In 1950, with the beginning of the war with Korea, Truman recognized the mistake and understood the role of the National Security Council as a valuable body in making decisions. He initiated the practice and the legal obligation to attend the meetings in order to have development, discussion and coordination of policies related to the war. Truman increased the use of the National Security Council as the only body for making decisions and political options regarding specific regional and functional issues for the purpose of assisting and giving proposals to the President.⁹

The importance, the scope and the responsibilities of the National Security Council increased when Dwight D. Eisenhower became the President of the United States. The experience of Eisenhower proved to be quite important by the establishing of the new intelligence military structure, and through the Planning Board and the Operations Coordinating Board, responsible for policy implementation. In 1953, Eisenhower designated a position for a Special Assistant to the President regarding national security issues, nowadays called the National Security Advisor.

President John F. Kennedy was not satisfied with the system of his predecessor Eisenhower and he adapted a new system of direct communication of the President with the agencies' officials responsible for security within the administration. More precisely, at that time there were 12 experts for national security, including the President himself, a system was established for direct communication with all the national security agencies, the US Embassies and the military command posts.¹⁰

Supporting Kennedy's idea, the new President Lyndon B. Johnson continued the same practice, but by adapting a new system of decision making. A system in charge of which was the National Security Advisor, with a small number of members and "trusted friends". Johnson also formed a discussion group called "Thursday Lunch", whose members were the Secretary of State, the Secretary of Defence, the Director of the Central Intelligence Agency (CIA) and the Chief of Staff of the US Army.

The central control of the interagency in the process of national security, and the domination of the development and the execution of the foreign policy, was supported by President Richard Nixon and Gerald Ford as well. Nixon wanted to grant the White House the entire control over the national policy of the United States. The National Security Advisor, Henry Kissinger increased the staff of the National Security Council to up to 80 people, responsible for collecting information in their domain, and as a product they submitted reports to the President.

President Ford generally inherited the same structure in the further evolution of the national security system, with certain changes granting Henry Kissinger a double function, as a National Security Advisor and as a Secretary of State. In the following

⁹ "National Security Council, History", U.S. Government White House Website, Retrieved July 2011:

Available at: <http://whitehouse.gov/administration/eop/nsc/history/>

¹⁰ "National Security Council, History", U.S. Government White House Website, Retrieved July 2011: Available at: <http://whitehouse.gov/administration/eop/nsc/history/>

period, Ford considered the fact that Kissinger had too much authority, therefore appointing General Brent Scowcroft as an Advisor. As Secretary of State, Kissinger continued his role as Senior Political Advisor to the President, and Brent continued the role of a coordination analyst among several governmental bodies.

During his term of office, President Jimmy Carter demanded more diversity in the political options and greater balance in the contribution, as well as the process of making important political decisions. In other words, the interagency process was structured with bigger authorizations of the State Department. Carter was worried that there is only one responsible person for decisions regarding foreign policy (such as Kissinger), and therefore he appointed the independent Zbigniew Brzezinski as a National Security Advisor, thinking he would contribute with alternative interpretations of issues related to the security of the United States.¹¹ As the administration developed, Brzezinski at one point was in a role of a supporter of the wider public for political decisions, instead of a person responsible only for coordination of the agencies. Several times, Brzezinski even created considerable tension in the Government and the agencies, due to his support of the public opinion concerning the foreign political decisions.

The administration of Ronald Reagan practiced more a fellowship approach towards the decision-making process. The National Security Advisor was degraded with decreased function. The fellowship among the powerful chiefs of governmental departments was not always in a positive ambience, therefore resulting in misunderstandings, especially between the government and the Department of Defence. As a result of this chaotic situation, Reagan's administration implemented changes by appointing 6 national security advisors, each with a mandate of up to 2 years.

President George H. W. Bush (Senior) defined new ideas for what should the national security policy be organized like, as well as the decision-making process. First, he appointed the retired General Brent Scowcroft as a National Security Advisor, known for his excellent organizational skills. President Bush reorganized the National Security Council by forming the Principals Committee, Deputies Committee and other eight coordination divisions.

Similar to his predecessors, President Bill Clinton supported the idea of fellowship in the interagency decision-making process. Still, the biggest accent of this administration was the economy as a key element of national policy. In the National Security Council, a Secretary of the Treasury and Assistant to the President regarding economic issues was appointed, who also executed the function of a Chairman of the Economic Council, formed by Clinton. This Economic Council was formed in order to manage the foreign and domestic economic issues, same as the National Security Council, whose main task was coordination of diplomatic and security issues.

George W. Bush (Junior) defined the duties of the National Security Council, as a coordination body of departments and agencies towards effective development

¹¹ Ibid.

and implementation of the national security policies.¹² However, the terrorist attacks of the United States in 2001 resulted with numerous changes in the structure of the administration's departments, which were responsible for security issues. One of the more significant is the formation of a changed Homeland Security Council within the National Security Department. These institutions contributed towards new responsibilities, as well as a new perspective in relation to the issues of national security. The increased concern for the domestic and the foreign terrorist threats became America's triviality, manifesting through the global war against terrorism.

The period after 9/11, brought operational changes in the political process and several structural changes in the National Security Council. Right after the attacks and the military intervention over Afghanistan and Iraq, several of the decisions made for these interventions had close correlation in the process of making decisions between the National Security Council and the President. The organizational changes in the Council, for the first time included the Department for fighting terrorism with an executive director, who also was an Assistant to the President for fighting terrorism. When the military intervention reached its momentum for a longer period, the administration in its second mandate needed a new structure in order to respond to the operational demands of the policy.

One of the larger interventions in the administration of George Bush was also the introduction of a Special Advisor for Strategic Planning and Institutional Reform, as well as a Special Advisor for Policy Implementation in 2005. Other changes in the Council are also the new positions, such as the Advisor to the President for Iraq and Afghanistan.¹³ Usually these new functions, i.e. the people directly under the President who had the authority for coordination of the strategy and the policy of their departments, acted on a daily basis in assisting his executive policies.

Review of the events related to the decision-making process of Barack Obama's Administration

In the administration of Barack Obama, according to the Presidential Policy Directive-1,¹⁴ among the already mentioned members, in the organization of the National Security Council, the following were also included: The Secretary of the Treasury, the Attorney General, the Secretary of Homeland Security, the US representative in the UN and the Assistant to the President for issues in the area of national security or the National Security Advisor.

¹² Presidential Policy Directive-1 (February 13, 2009). Available at: <http://www.fas.org/irp/offdocs/direct.htm>

¹³ The White House, Office of the Press Secretary May 15, 2007 Fact Sheet: Lieutenant General Douglas E. Lute: Experience and Authority.

Available at: <http://whitehouse.gov/news/releases/2007/05/20070515-10.html>

¹⁴ More at: Presidential Policy Directive-1 (February 13, 2009).

Retrieved July 2011. Federation of American Scientists website: <http://www.fas.org/irp/offdocs/direct.htm>

The National Security Advisor is also the President's Personal Advisor, responsible for daily management of all issues in the area of national security, who provides advice for the President, and is also responsible for coordination and development of interagency policies. The President himself decides on issues of national security; however, the Advisor is responsible to provide all the necessary information, possible course of action, eventual risks, legal regulations, recommendations and everything else related to the implementation of a certain policy. President Obama appoints the National Security Advisor to attend and manage the meeting in his absence.

The persons working directly for the President, and under the leadership of the National Security Advisor, form the staff of national security. According to the Presidential Policy Directive - 1, the National Security Council is defined as "a body responsible for developing procedures and assisting the President in relation to issues of national security".¹⁵ According to the same Directive, the staff from the Department of Homeland Security is included and joined within the staff of national security. The work of the Council reflects in a proactive and rigorous process through the Interagency Policy Committee, which is responsible for collecting data from relevant institutions and agencies included in the process of national security. The National Security Staff includes other experts from different areas and high representatives from the executive branch and military officers, as well as staff with vast experience that have worked abroad on foreign policy issues. The entire staff in the administration of Barack Obama implements management of national security issues on a daily basis and currently it counts approximately 320 staff members, with 175 positions in the White House Room and 70 operatives (technicians, communication experts, etc.).

President Barack Obama holds formal meetings on a daily basis through the administration, but at the same time emphasizes the need of calling the former members of the Council with wider experience for discussions in the area of larger political issues.¹⁶

All press releases from the White House are done by Barack Obama usually with the closest members from the national security team. The administration also uses the state-of-the-art technology (protected video conference connection), when some of the members are out of the US, and this case has been confirmed during the arrest action for Osama bin Laden in Pakistan. In many cases, the President and the Vice President do not take part in the regular meetings of the National Security Council. In practice, a Principals Committee has been established, which is presided by the National Security Advisor, and the remaining members are the Secretary of State, the Secretary of Defence, the Secretary of the Treasury, the Secretary of Homeland Security, Secretary of Energy,

¹⁵ Ibid.

¹⁶ Group of authors: "The National Security Policy Process", The National Security Council and Interagency System, Annual Update, August, 2011. Pp. 14

Available at: <http://www.virginia.edu/cnsl/pdf/national-security-policy-process-2011.pdf>

the National Security Advisor, the Attorney General, the Director of the Office of Management and Budget, the US Representative in the United Nations, the Chief of Staff and the Director of the National Intelligence Agency.¹⁷ Obama's administration, through the Principals Committee meets at least once a week and discusses the current and future issues of national security, as well as the development and coordination of policies proposed by the interagency process. The main task of the Principals Committee is giving directions for implementation of a certain policy, often under the leadership of the US Vice President.

The remaining key officials from the executive branch can be called in for the meetings of the Principals Committee, when their areas of responsibility are in question. They regularly call the Chief of Staff, the President Advisor and the Assistant to the Vice President for issues of national security. When discussing homeland security, as well as terrorism, the Assistant to the Vice President for National Security Affairs is regularly called. Under the Principals Committee is the Deputies Committee, the mission of which is to direct and coordinate the work through the interagency working groups by providing reports and analyses from the previously set security issues, before they reach the National Security Council. President Obama codifies this practice for the Deputies Committee through the Presidential Policy Directive for organizing the National Security Council (PPD-1) by showing that the Deputies Committee shall provide that all documents, which will be discussed by the National Security Council, are entirely analyzed with official facts.¹⁸

Historically viewed, the Deputies Committee is the place where the most of the political decisions of the Government have been made in the stage of preparation, before being reviewed by the Principals Committee and delivered to the President for a final decision. The issues in which the Deputies Committee is not involved are from the area of the most sensitive issues of national security. In several circumstances (crisis situations), significant part of the interagency product for developing the policy and the coordination is given to the higher levels within the administration. The Deputies Committee is consisted of the Deputy Advisor to the President for National Security or the Advisor to the President for Homeland Security and Terrorism. Regular members of the Deputies Committee is the Deputy Secretary of State, the Deputy Secretary of the Department of the Treasury (who sometimes can be represented by the Under Secretary of the Department of the Treasury for International Affairs), the Deputy Secretary of Defence (who sometimes can be represented by the Under Secretary of Defence for Policy), Deputy Attorney General, Deputy Secretary of Energy, Deputy Director of the Office for Management and Budget, the Deputy US Representative in the United Nations, Deputy Director of the National Intelligence Agency (or sometimes

¹⁷ Presidential Policy Directive-1 (February 13, 2009). Retrieved July 2011. Federation of American Scientists. Available at: <http://www.fas.org/irp/offdocs/direct.htm>

¹⁸ Presidential Policy Directive-1 (February 13, 2009). Retrieved July 2011. Federation of American Scientists. Available at: <http://www.fas.org/irp/offdocs/direct.htm>

the Director of the National Counterterrorism Center), Deputy Chief of the Joint Staff and Assistant to the Vice President for national security affairs.

The subordinate of the Deputies Committee is the group called the Integration Policy Committee or the Interagency Policy Committee.¹⁹ These interagency committees are consisted of key experts and high officials from the departments and agencies in Washington. The Interagency Policy Committees are groups that implement a day-to-day interagency analysis of the manners of acting, creating policies, coordinating and defining resources for determining and implementing a certain policy.

In Obama's administration, the Interagency Policy Committees are organized in relation to regional or functional issues. The Regional Interagency Policy Committees normally are led by the Assistant Secretary of State, while as head of the functional Interagency Policy Committees are officials from higher departments in the government. Until now, Obama's administration has not published the list of Interagency Policy Committees in the country. However, this division of the administration can be expected to continue to work on political issues in most of the areas as in George Bush's administration.

The regional Interagency Policy Committees that functioned during Bush's administration were in charge of the following regions in the world: Europe and Eurasia, the Western Hemisphere, Mexico and Central America, Eastern Asia, South and Central Asia, Iran, Syria and Lebanon, Africa, Russia, Iraq and Afghanistan. Although the Interagency Policy Committees are divided into regional and functional groups, the participation is not limited and they include experts from all areas. The most active in these groups are the members of the Department of Homeland Security.

The National Security Council, the Principal Committee, the Deputies Committee and the Interagency Policy Committees are groups in which the staff for national security works. The mutual function is making proposals to the President for key security and political issues.²⁰

Conclusion

The historic analysis of forming the national security policy in the United States shows that it is a remarkably complex process. The interagency processes and the cooperation within

¹⁹ These groups were called Interagency Working Groups (IWGs, pronounced "i-wigs") during the Clinton administration, Policy Coordination Committees, or PCCs, during the George W. Bush administration, and Interagency Policy Committees, or IPCs, by the Obama administration. Regardless of the name assigned, these working groups have shared similar responsibilities, functions, and seniority of participants in each administration.

²⁰ More at: Statement by the President on the White House Organization for Homeland Security and Counterterrorism, White House Press Office, May 26, 2009. U.S. Government White House Website. Retrieved July 2011:

Available at: http://www.whitehouse.gov/the_press_office/Statement-by-the-President-on-the-White-House-Organization-for-Homeland-Security-and-Counterterrorism

the US administration have extraordinary importance, especially in the period after September 11th. Historically reviewed, the eternal “rivals”, the Democrats and the Republicans, had different approaches towards foreign policy.

The Republicans in the Congress supported the idea that the US security is defended beyond the state borders. The unilateral policy after September 11th may have showed to be justified, since under the influence of a direct attack, the war against terrorism and the massive usage of military force might have been the only option of the administration back then.

In their agenda, when talking about the national security policy, the Democrats refer to their principle that American security is their most important task. The Democrats focused on strengthening the national security, and with President Obama, on returning the image of the United States in the world, which was ruined during George Bush’s administration, as they say. The Democrats in their agenda have the preservation of world peace only through the coalition partners in NATO and EU, and with the approval by the UN, which did not show as such in several cases, especially with the events in the Middle East and the Arab Spring. The fight against terrorism remains the key element in the domestic and in the foreign plan as well.

It can be concluded that the entire process of adopting the national security policy is complicated additionally by the clusters in the US political system. Several departments in the government, the political influence in the media, the internal affairs, the financial crisis and the military demands, are part of the system responsible for adopting national policies. The only cohesion exists around the war against terrorism; however, many believe that the President must make decisions along with the government and the public in relation to all policies and strategies of the United States.

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