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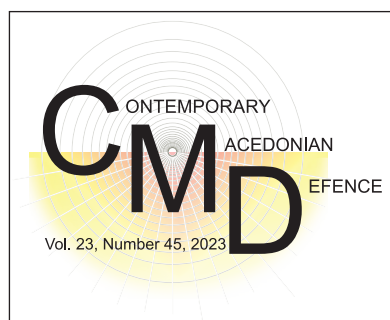
# СОВРЕМЕНА МАКЕДОНСКА ОДБРАНА

45

СОВРЕМЕНА МАКЕДОНСКА ОДБРАНА



MINISTRY OF DEFENCE  
REPUBLIC OF NORTH MACEDONIA



45

VOL. XXIII  
SKOPJE  
DECEMBER 2023

СОВРЕМЕНА МАКЕДОНСКА ОДБРАНА	Год.	Број	Стр.	Скопје
CONTEMPORARY MACEDONIAN DEFENCE	23	45	1-150	2023
	Vol.	No	pp	Skopje





MINISTRY OF DEFENCE  
REPUBLIC OF NORTH MACEDONIA

**СОВРЕМЕНА ОДБРАНА** **CONTEMPORARY**  
**МАКЕДОНСКА** **MACEDONIAN**  
**ОДБРАНА** **DEFENCE**

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ISSN 1409-8199  
e-ISSN 1857-887X

Година 23, бр. 45, Декември 2023 / Vol. 23, No. 45, December 2023

Skopje  
December 2023



# **СОВРЕМЕНА МАКЕДОНСКА ОДБРАНА**

Издавач:

**МИНИСТЕРСТВО ЗА ОДБРАНА НА РЕПУБЛИКА СЕВЕРНА МАКЕДОНИЈА**

Министерство за одбрана

„СОВРЕМЕНА МАКЕДОНСКА ОДБРАНА“

„Орце Николов“ 116 1000 Скопје

Телефони: 02 3128 276, 02 3113 527

Интернет адреса:

WEB на Министерство за одбрана:

<https://www.mod.gov.mk/современа-македонска-одбрана/>

Списанието излегува два пати годишно.

ISSN 1409-8199

Скопје, декември 2023 година

# **CONTEMPORARY MACEDONIAN DEFENCE**

Publisher:

**MINISTRY OF DEFENCE OF THE REPUBLIC OF NORTH MACEDONIA**

Ministry of Defence

„CONTEMPORARY MACEDONIAN DEFENCE“

„Orce Nikolov“ 116 1000 Skopje

Tel.: 02 3128 276, 02 3113 527

Internet address:

WEB of the Ministry of Defence:

<https://www.mod.gov.mk/contemporary-macedonian-defense/>

The magazine is published twice a year

ISSN 1409-8199

Skopje, December 2023

# СОВРЕМЕНА МАКЕДОНСКА ОДБРАНА

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THE MINISTRY OF DEFENCE OF THE REPUBLIC OF NORTH MACEDONIA

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**CONTENTS:**

Mirza SMAJIĆ  
Zlatan BAJRAMOVIĆ  
RISKS AND VULNERABILITY OF CRITICAL INFRASTRUCTURE IN BOSNIA AND HERZEGOVINA- ASSESSMENT AND PROTECTION .....9

Julija BRSAKOSKA BAZERKOSKA  
THE EU MIGRATION AND ASYLUM POLICY REFORMS AND THEIR IMPLICATIONS FOR THE COUNTRIES ON THE WESTERN BALKAN ROUTE .....19

Ljupcho SHOSHOLOVSKI  
Nadica TODOROVSKA  
AIR POLLUTION MONITORING AND ALERT SYSTEM BASED ON THE ARDUINO MICROCONTROLLER .....29

Ankica TOMIC  
WHY WOMEN, PEACE AND SECURITY?!  
What is UNSCR 1325? .....39

Milorad M. PETRESKI  
NORTH ATLANTIC TREATY ORGANIZATION  
IN CONTEMPORARY INTERNATIONAL RELATIONS.....53

Marjan VELKOVSKI  
EU STATEBUILDING IN MACEDONIA – PRZINO AGREEMENT.....63

Ana CHUPESKA  
Anja DIZDAREVIC  
DEMOCRATIC RESILIENCE AND ITS RELATED CHALLENGES .....77

Nikolcho JOVANOV  
UNMANNED AIRCRAFT SYSTEMS IN SUPPORT OF WARFIGHTING FUNCTIONS ON CONTEMPORARY BATTLEFIELDS .....87

Igor GJOESKI	
	<b>NATO SUMMIT VILNUS 2023, CHALLENGES AND PERSPECTIVES IN THE IMPLEMENTATION OF NATO 2022 STRATEGIC CONCEPT .....99</b>
Katerina KLIMOSKA	
	<b>OVERVIEW ON THE 2015 MIGRANT CRISIS: MACEDONIAN CASE ..... 111</b>
Qazime SHERIFI	
Bekim BISLIMI	
	<b>THE ROLE OF THE EUROPEAN UNION IN COMBATING TERRORISM.....121</b>
Snezhana TRAJANOVSKA	
	<b>REGIONAL COOPERATION AS A KEY FACTOR FOR EFFICIENT MIGRATION MANAGEMENT .....131</b>
Goran ILIC	
	<b>"INTERNATIONAL LEGAL ASPECTS OF THE CRITICAL INFRASTRUCTURE PROTECTION AGAINST CONTEMPORARY SECURITY THREATS" – VESNA POPOSKA.....143</b>

Original scientific article  
UDK 351.78:005.334(497.6)  
UDK 351.86:005.334(497.6)

## RISKS AND VULNERABILITY OF CRITICAL INFRASTRUCTURE IN BOSNIA AND HERZEGOVINA- ASSESSMENT AND PROTECTION

Mirza SMAJIĆ<sup>1</sup>

Zlatan BAJRAMOVIĆ<sup>2</sup>

**Abstract:** *Risk is the probability of harmful consequences, or expected losses (death, injuries, loss of property and other material goods, interruption of economic activities or environmental degradation), which result from the interaction of natural or anthropologically caused hazards and conditions of vulnerability. Vulnerability is a condition determined by physical, social, economic and ecological factors or processes that increase the community's resistance or susceptibility to hazardous effects. Critical infrastructure represents infrastructure of vital importance to every country and social community in the world. In Bosnia and Herzegovina, there is still no law at the state level that regulates this area which is why there is no single approach to defining, assessing and protecting critical infrastructure. This paper deals with defining and evaluating the possibility of protecting critical infrastructure in Bosnia and Herzegovina through description, comparison and analysis of document content. The complexity of the security system, the division of powers and responsibilities in the political system and the slow adoption of new trends in the field of protection and rescue are obstacles to establishing a unique concept of critical infrastructure in Bosnia and Herzegovina.*

**Keywords:** *risk, critical infrastructure, Bosnia and Herzegovina*

### Introduction

The concept of modern security is experiencing a kind of transformation in which the traditional understanding of national security is intertwined with the concept of human (humane) security, which is still under development. The state and its threat by other states was a central issue in the traditional understanding of national security. It was dominated by force and the influence of force on states, societies and individuals. In the modern understanding of security, national and human security play an equally important role. Human security is mainly oriented towards endangering individuals and social groups, and society as a whole, from various threats, dangers and challenges which are called sources of risk. They can produce a wide range of social, economic, environmental and other negative impact on individuals, social groups, and society as a whole. In accordance with these trends, the view on the sources of endangerment is changing.

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Instead of a dominant national security commitment to opposing security threats in theory and practice, the terms risk and security risk, which better explain the nature of endangerment in contemporary globalizing relations, is increasingly used even in terminology. Modern security risks occur in the social environment which are characterized by continuous, frequent and uncertain changes, which is difficult to control from a security point of view. Security risks are multiple, sometimes in hard-to-predict directions, acting retroactively on themselves and other security risks. In the mutual interaction of security, new risks are produced or old risks are intensified, which creates an unfavorable situation environment in the security sector. Risk is defined as the frequency and intensity of adverse or expected consequences, i.e., losses to health, life and social status of people, property and other goods, and life conditions and the environment, which are the result of the interaction between hazards and threats caused by natural phenomena, unintentional or intentional human action, in conditions of vulnerability of the objects of threat. Security risks are specific types of risks that have been assessed and incorporated into security and defense plans, defense strategies and national security strategies, and the country's security policy. Their source is in the danger and threats arising from human activity, whose bearers possess the ability to, intentionally or unintentionally, cause damage that endangers people, property, information, and society as a whole, to the extent that it represents a security challenge. Considered as a combination of the probability of an adverse event and the severity of its consequences, risks represent the prediction of events that will occur within a certain time deviation and with a certain probability in the near future or the more distant future. Also, risks can be viewed as a combination of sources of risk (danger, threat and challenge) and the impact of risk. Although they are sources of risk for future events, their social, economic, environmental and other impact can manifest in the past, present and future.<sup>3</sup>

Critical infrastructure consists of the appropriate national capacities, services and information systems that are of such vital value that damage to them, or the impossibility of their operation, could have an impact on national security, the economy, the health and safety of the population, and the efficient operation of the government. There is no functioning and progress of a modern state without having the necessary infrastructure and the necessary efficient protection of critical infrastructure, which is a prerequisite for the existence and functioning of a modern state and its independence in every way. Safe and adequately protected critical infrastructure is a prerequisite for the security, economy, development and stability of every country in the world. It is precisely the importance of critical infrastructure in the normal and planned functioning of states and societies that mostly determined the existence of threats from endangering factors. If one wants to destabilize a certain state or society, negative actions are directed at the damage or destruction of critical infrastructure, disruption in its functioning, and the infrastructure itself represents an unbreakable chain of mutual relations between elements of critical infrastructure, the national security system, on the one hand, and the population, i.e., people, on the other.<sup>4</sup>

### **Security system of Bosnia and Herzegovina**

In most countries, the main elements of the national security system are: defense (external) security, internal security and the civil protection system. We find in the security systems of the

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<sup>3</sup> Lisica, Darvin and Bajramović, Zlatan (2021) *Planiranje u sektoru sigurnosti*, Sarajevo: Fakultet političkih nauka, pp. 64-67

<sup>4</sup> Cikotić, Selmo; Smajić, Mirza; Delić, Haria and Subašić, Nihad (2018) *Nacionalna sigurnost i privatna zaštita*, Sarajevo: Fakultet političkih nauka, p. 141

modern states: Legal regulations, Security structure, State participation in international security and defense structures, Critical infrastructure protection, Human (personal) security, Private protection, Security self-organization of society.<sup>5</sup>

Bosnia and Herzegovina is located in Southeast Europe and the shortest communication routes connecting the Danube area with the central Adriatic is across its territory. By size, level of social product, position, communicative significance, and by the basis for disposing of strategic raw materials and resources Bosnia and Herzegovina has limited influence in the modern world. However, it is still a factor influencing stability in Southeast Europe, and Europe as a whole, which is why its internal and external dynamics development will be the subject of European and wider international attention in the coming period.<sup>6</sup>

The organizational structure and elements of Bosnia and Herzegovina's security system emerged as a result of the political and legal structure of Bosnia and Herzegovina produced by the signing of the General Framework Agreement for Peace in Bosnia and Herzegovina, in Paris on 14 December 1995. With this agreement, security issues were left in the competence of the two entities, the Federation of Bosnia and Herzegovina and Republika Srpska, as lower administrative units in relation to the State of Bosnia and Herzegovina of which they are a constituting part. Further complication occurred in 1999 when the Brčko District of BiH was established as the final arbitral award. Initially, the dual and later the triple structure indicates a non-unified and fragmented security sector that needs to be integrated to enable effective security tasks, primarily in BiH and then in the Western Balkans and Southeast Europe.<sup>7</sup>

The level of functioning of the state dimensions of defense and security of Bosnia and Herzegovina, i.e., its security and defense system depend on the level of agreement of national policies (expressed by three national political elites), but also on the policies of international organizations with competencies in Bosnia and Herzegovina and the neighboring countries.<sup>8</sup>

We generally divide the security structure in Bosnia and Herzegovina into external and internal. We integrate the Armed Forces of Bosnia and Herzegovina (with supporting elements of civilian government and democratic control) into the external security. Law enforcement agencies, police agencies, intelligence agencies, courts and the prosecutor's office, and civil protection fall into the internal security. The external security system is fully integrated at the level of the State of Bosnia and Herzegovina and includes the Presidency of BiH, the Council of Ministers of BiH, the Parliamentary Assembly of BiH and other state bodies. One special feature of the Armed Forces of Bosnia and Herzegovina (AF BiH) is the national key according to which the staffing must be maintained according to the shares provided by the 1991 census for the three constituent peoples - Bosniaks, Serbs and Croats and the so-called others. Internal security is decentralized and at the state level we have the Intelligence Security Agency, Ministry of Security of Bosnia and Herzegovina and the Border Police of BiH as part of the afore-stated, the State Investigation and Protection Agency (SIPA), the Directorate for Coordination of Police Bodies, the Service for Foreigner Affairs and the Police Support Agencies (for education and training, for forensic examinations and expertise and for support of police agencies at the state level).<sup>9</sup>

<sup>5</sup> Cikotić, Selmo; Smajić, Mirza; Delić, Haria and Subašić, Nihad (2018) *Nacionalna sigurnost i privatna zaštita*, Sarajevo: Fakultet političkih nauka, p. 47

<sup>6</sup> *Security Policy of Bosnia and Herzegovina/Sigurnosna politika Bosne i Hercegovine*, 08.02.2006., Sarajevo: Presidency of Bosnia and Herzegovina, p. 3

<sup>7</sup> Bajramović, Zlatan (2016) *Upravljanje ljudskim resursima sigurnosnog sektora Bosne i Hercegovine*, Sarajevo: Fakultet političkih nauka, pp. 9-11

<sup>8</sup> Beridan, Izet (2008) *Politika i sigurnost*, Sarajevo: Fakultet političkih nauka, p. 199

<sup>9</sup> Bajramović, Zlatan (2023) *Security Cooperation of Bosnia and Herzegovina and Montenegro*,

### Critical infrastructure in Bosnia and Herzegovina

Bosnia and Herzegovina has not yet built a complete and coherent system to regulate separately the critical infrastructure protection. The peculiarity of the organization of Bosnia and Herzegovina is reflected in the area of the critical infrastructure protection as well. The fundamental document that regulates the issues and standpoints on the security of the state was adopted in 2006 under the title “Security Policy of Bosnia and Herzegovina” (Presidency of Bosnia and Herzegovina, 2006). This document did not define the area of the critical infrastructure protection. It did, however, certainly create the preconditions for the development of other institutional and normative capacities that may be correlated to the critical infrastructure protection. In that context, while bearing in mind the foreign policy orientation of the State of BiH, one of the fundamental security interests of the State of Bosnia and Herzegovina is the “approximation and institutionalization of relations with important international structures, including joining the European Union and the NATO Alliance”.<sup>10</sup>

The first visible progress that may be associated with certain elements of the system of critical infrastructure protection is contained in the Methodology for the preparation of Risk assessment of Bosnia and Herzegovina regarding natural and other disasters, i.e., the principal objectives of the preparation of the risk assessment include the “assessment of exposure of people, property, critical infrastructure to all major hazards”.<sup>11</sup> On the basis of the mentioned document, the preparation of the “Risk assessment for Bosnia and Herzegovina regarding natural and other disasters” was commenced and it was finalized in 2011. This document offers an overview and analysis of all possible hazards and risks that are a threat to Bosnia and Herzegovina, as well as the assessed needs and possibilities to prevent, reduce and eliminate the consequences of accidents and (or) disasters. Although the mentioned document comprises certain parts of critical infrastructure, or hazards that may be a threat (hazards in transport and communication; Industrial hazards and the like), still, a complete definition to include all parameters for the designation of critical infrastructure has not been defined. Along these lines, the State of Bosnia and Herzegovina has not started the process of building the critical infrastructure system. Here, the particular emphasis is placed on the necessity for the state structures to start building the system of critical infrastructure protection. That process should take place, considering in particular the European aspirations, in accordance with the Council Directive 2008/114/EC, which sees the implementation of the critical infrastructure protection in three stages: (1) the identification of potential critical infrastructure; (2) the designation of critical infrastructure and (3) the critical infrastructure protection.<sup>12</sup>

The adoption of strategic documents in the area of prevention and fight against terrorism proved that the relevant political actors should create an adequate system of critical infrastructure protection in Bosnia and Herzegovina. Along these lines, the Strategy of Bosnia and Herzegovina for prevention and fight against terrorism 2010- 2013 clearly identified the necessity to define the critical infrastructure and the plan of protection in the form of a law, and to establish the “early warning system”.<sup>13</sup> In addition, as far back as 2009, within the Ministry of Security of

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*in: Security*

<sup>10</sup> *Security Policy of Bosnia and Herzegovina/Sigurnosna politika Bosne i Hercegovine, 08.02.2006, Sarajevo: Presidency of Bosnia and Herzegovina, pp. 17-18*

<sup>11</sup> *Methodology for the preparation of Risk assessment of Bosnia and Herzegovina regarding natural and other disasters (2009) Sarajevo: Council of Ministers of Bosnia and Herzegovina*

<sup>12</sup> *Council Directive 2008/114/EC, Council of the European Union*

<sup>13</sup> *Strategy of Bosnia and Herzegovina for prevention and fight against terrorism 2010- 2013*

BiH, the State of Bosnia and Herzegovina opened a modern operative-communication center (112) with a view to collecting, analyzing and distributing data, as well as coordinating activities during civil protection. However, due to certain internal political relations on the one hand, and the lack of normative and legal regulations on the other, the center has not received and served its full purpose and function in the civil protection system of Bosnia and Herzegovina. Furthermore, the Strategy for prevention and fight against terrorism 2015-2020 shows that the issues with the establishment of fundamental elements of the system of critical infrastructure protection in Bosnia and Herzegovina are still not in the focus of the political and social public. One of the fundamental sub-objectives of that document pertains to the critical infrastructure protection, namely with the aim of ensuring efficient implementation of the set measures, the emphasis is placed on the obligation to adopt “minimum standards for the critical infrastructure protection” in Bosnia and Herzegovina.<sup>14</sup>

For the purpose of providing a more complete picture, it is necessary to emphasize that the security structure of Bosnia and Herzegovina is reflected through three levels, as follows: the State, the Entities, namely cantonal (Federation of Bosnia and Herzegovina) and local (Republika Srpska), and the Brčko District of Bosnia and Herzegovina. From the aspect of the critical infrastructure protection, the situation at the Entities’ and other levels is not at a satisfactory level, due to inadequate, non-integrated and non-systemic organization of sectors that may be part of the critical infrastructure. The majority of administrative territorial units in Bosnia and Herzegovina started preparing documents on the Assessment of risk from natural and other disasters, and on strengthening the capacities of resilience to disasters. Through analysis we established that certain documents carry analysis of certain risks that may jeopardize critical infrastructure; however, there are no comprehensive analyses relating to the critical infrastructure protection. Nevertheless, in 2019, the Entity of Republika Srpska regulated the critical infrastructure protection by passing the *Law on the Security of Critical Infrastructures*.<sup>15</sup> That Law regards the following as critical infrastructure: “systems, networks and facilities of special importance, the destruction or jeopardizing of which may cause serious disturbance to the free movement of people, transportation of goods and provision of services; it may also have an adverse effect on the internal security, health and lives of people, property, the environment, external security, economic stability and continuous functioning of the authorities of the Republic”. Moreover, the same Law defined the sectors, within which critical infrastructure is designated (industry, energy industry, mining, information-communication infrastructure, traffic, healthcare, utility services, water management, finances, education, food and drink, production, storage and transport of dangerous goods, public services, cultural and natural assets).<sup>16</sup> Still, the Law pertains solely to the territory of the Entity and left out the principle of a possible connectivity of the components of the system with other sectors in Bosnia and Herzegovina. Therefore, it is possible to positively assess the passing of the Law dealing directly with the critical infrastructure protection; however, without adequate future cooperation and compatibility with other elements and levels in Bosnia and Herzegovina, we cannot speak

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(2010) Ministry of Security of Bosnia and Herzegovina, pp. 11-27

<sup>14</sup> Strategy for prevention and fight against terrorism 2015-2020 (2015) Ministry of Security of Bosnia and Herzegovina, pp. 7-9

<sup>15</sup> Law on the Security of Critical Infrastructures (2019) National Assembly of the Republic of Srpska

<sup>16</sup> Law on the Security of Critical Infrastructures (2019) National Assembly of the Republic of Srpska, pp. 157

about the harmonized system that meets the prerequisites for its functioning. Along these lines, the available study “Disasters Response Capacities Assessment and the Roadmap for Bosnia and Herzegovina” clearly identified the lack of cooperation, that is to say that “in a context of exposure to severe disasters that are characterized by rather limited resources the civil protection system also faces challenges related to the complex institutional governance architecture and systematic coordination between the various levels”.<sup>17</sup>

As to the current progress of Bosnia and Herzegovina towards membership, based on the Progress Report, there has been no recorded progress in the area of the critical infrastructure protection. Also, in its Country Progress Reports the European Union did not specifically address or highlight the system of critical infrastructure protection or of civil protection in general. Furthermore, it was noted that the European Union would provide continuous financial and other assistance for the implementation of the necessary reforms. However, Bosnia and Herzegovina actively participates in international civil protection exercises (EU CAMPEX), and uses the EU pre-accession funds (IPA; TAIEX) to strengthen the capacities in the area of civil protection, i.e., protection and rescue. Despite that, Bosnia and Herzegovina still has no comprehensive strategic approach to building and protecting critical infrastructure.<sup>18</sup>

In the security sector of modern countries public-private partnership is one of the key processes of building and protecting the critical infrastructure. Particularly so if one takes into account that the critical infrastructure is determined on the basis of sectoral and intersectoral criteria.<sup>19</sup> When it comes to the area of public-private partnership in Bosnia and Herzegovina in the function of the critical infrastructure protection, there is no uniform normative and legal framework. However, despite the non-existence of a uniform state framework, the cooperation among potential critical infrastructure subjects and private security companies is present in Bosnia and Herzegovina. Yet, the critical infrastructure managers continue to rely primarily on their own resources in all segments of protection.<sup>20</sup>

Nevertheless, the aggravating factor in achieving a public-private partnership and better cooperation in the function of the critical infrastructure protection stems from the lack of normative and legal regulations on the one hand, as well as from the dialogue among (private) partners on the other hand. Similar challenges in the implementation of a public-private partnership in the critical infrastructure protection show up in other states in the form of “... vaguely established framework, distrust and weak institutional power of the competent institutions”.<sup>21</sup>

The aspiration for membership in the European Union is the principal and fundamental political and social orientation of the State of Bosnia and Herzegovina. In that sense, in 2008 Bosnia and Herzegovina had already entered into the first contractual relationship with the European Union by signing the Stabilization and Association Agreement. Upon entry into

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<sup>17</sup> Italian Agency for Development Cooperation; United Nations Development Programme (2018), *Disasters Response Capacities Assessment and the Roadmap for Bosnia and Herzegovina*, p. 29

<sup>18</sup> Smajić, Mirza (2022) *Bosnia and Herzegovina*, in: Lazari, A., & Mikac, R. (Eds.). (2022). *The External Dimension of the European Union's Critical Infrastructure Protection Programme: From Neighbouring Frameworks to Transatlantic Cooperation* (1st ed.). CRC Press, p. 69.

<sup>19</sup> Mikac, Robert; Cesarec, Ivana; Larkin, Richard (2018), *Critical Infrastructure Systems: The platforms for a successful development of nations security*, Zagreb: Jesenski and Turk, p. 27

<sup>20</sup> Cikotić, Selmo; Smajić, Mirza; Delić, Haria and Subašić Nihad (2018) *Nacionalna sigurnost i privatna zaštita*, Sarajevo: Fakultet političkih nauka

<sup>21</sup> Mikac, Robert; Cesarec, Ivana; Larkin, Richard (2018), *Critical Infrastructure Systems: The platforms for a successful development of nations security*, Zagreb: Jesenski and Turk, p. 32



force of the Stabilization Association Agreement, in 2016 the State of Bosnia and Herzegovina applied for membership and currently has a status of a “potential candidate country”.<sup>22</sup> As to the current progress of Bosnia and Herzegovina towards membership, based on the Progress Report, there has been no recorded progress in the area of the critical infrastructure protection. Also, in its Country Progress Reports the European Union did not specifically address or highlight the system of critical infrastructure protection or of civil protection in general. Further, it was noted that the European Union would provide continuous financial and other assistance for the implementation of the necessary reforms.<sup>23</sup>

Although Bosnia and Herzegovina does not have the developed system of critical infrastructure protection, over the recent years the public and academic sectors have increasingly identified the need for the development of a platform for the critical infrastructure protection. In that context, certain universities in Bosnia and Herzegovina have already incorporated, or are about to do so, in their curricula the modules for the study of critical infrastructure and have implemented a significant cooperation with the state institutions (Ministry of the Interior, civil protection administrations, private agencies and the like). Furthermore, the need for education on the critical infrastructure protection was recognized by private agencies as well, which organize professional trainings, lectures on the need for critical infrastructure protection. On the other hand, with the help of international organizations, such as the OSCE Mission to BiH, Bosnia and Herzegovina organized an exercise on the critical infrastructure protection from terrorist attacks in cyber space in 2018, with the participation of experts from public institutions and the private energy sector companies and agencies.<sup>24</sup>

Finally, it is certain that Bosnia and Herzegovina is just in its infancy when it comes to the development of the system of critical infrastructure protection, including the area of education and training. However, the experiences of partner countries from the EU and NATO may certainly serve as a good example and help in building capacities and the ability to build an effective system of critical infrastructure protection, particularly in the area of training and education of experts. At the end, this certainly “resulted in the identification of potential weak spots and the necessity to strengthen the identified shortcomings of certain procedures”.<sup>25</sup>

Bosnia and Herzegovina does not have the adopted “lex specialis”, a law that defines all critical infrastructure, instead the significance of this infrastructure is derived from certain laws and by-laws, according to individual branches of critical infrastructure, or infrastructure of vital relevance for the functioning of different levels of state organization and communities in Bosnia and Herzegovina. Among the first measures to be undertaken, is the necessity to pass a law that defines the critical infrastructure in Bosnia and Herzegovina. Furthermore, with the aim of establishing an efficient system of critical infrastructure protection it is necessary to adopt a by-law to define a uniform approach to risk analysis and make an optimum definition of the critical infrastructure protection. Also, it is necessary to prepare a state register of risk and connect all

<sup>22</sup> European Parliament (2020), *The Western Balkans, Fact Sheets*, [www.europarl.europa.eu/factsheets/en/sheet/168/the-western-balkans](http://www.europarl.europa.eu/factsheets/en/sheet/168/the-western-balkans)

<sup>23</sup> Smajić, Mirza (2022) *Bosnia and Herzegovina*, in: Lazari, A., & Mikac, R. (Eds.). (2022). *The External Dimension of the European Union's Critical Infrastructure Protection Programme: From Neighbouring Frameworks to Transatlantic Cooperation* (1st ed.). CRC Press, pp.70-71.

<sup>24</sup> OSCE in BiH (2018), *National table top exercise in Bosnia and Herzegovina on protecting critical energy infrastructure from cyber-related terrorist attacks*, <https://polis.osce.org/national-tabletop-exercise-bosnia-and-herzegovina-protecting-critical-energy-infrastructure>

<sup>25</sup> Mikac, Robert; Cesarec, Ivana; Larkin, Richard (2018), *Critical Infrastructure Systems: The platforms for a successful development of nations security*, Zagreb: Jesenski and Turk, p. 236

relevant institutions for the purpose of enabling an easier operative functioning in the event of disasters or the like. On the other hand, it is necessary to design internal cooperation protocols in the critical infrastructure protection by different security segment holders within the security system in Bosnia and Herzegovina (bearing in mind the peculiarity of the internal organization of BiH), as well as protocols on cross-border cooperation of BiH with the countries in the region and the world in the protection of its own critical infrastructure. Finally, it is necessary to strengthen the inclusion of the private sector as a partner to public security structures, not only in the critical infrastructure protection, but of other infrastructures as well.<sup>26</sup>

Bosnia and Herzegovina needs concrete action in establishing and developing a legal framework for critical infrastructure protection. The experience of its neighboring Republic of Croatia, an EU and NATO member state, clearly shows that the process of creation of a legal framework and the ability of its practical use takes time. Bosnia and Herzegovina's Government has to name a lead body for critical infrastructure protection. The Government of the entity Republika Srpska named the Ministry of Internal Affairs as the lead body for critical infrastructure, and this is a step towards adopting a decentralized approach in critical infrastructure protection.<sup>27</sup>

Since Bosnia and Herzegovina doesn't have a Ministry of Internal Affairs, the lead body on the state level should be the Ministry of Security of Bosnia and Herzegovina.

## Conclusion

The concept of critical infrastructure in Bosnia and Herzegovina at the state level is significantly behind compared to its neighboring countries, especially compared to the members of the European Union. The Republika Srpska entity has already passed a law on the protection of critical infrastructure at a level lower than the national one, which enabled it to independently designate bodies and forces for the implementation of critical infrastructure protection on the territory of the entity. Considering the situation and experience of other countries, this situation shows that the slowness and sluggishness of the administration at the state level has led to a difficult situation. The Entity of the Federation of Bosnia and Herzegovina and the Brčko District do not yet have laws on the protection of critical infrastructure, which is much needed for the appointment of bodies and the organization of forces for the implementation of the protection of critical infrastructure.

Natural and other disasters in Bosnia and Herzegovina take human lives and cause great material damage. The risks of such events are certain and dangerous, and they are additionally increased due to the great vulnerability of communities in certain areas in Bosnia and Herzegovina. The possibility of terrorist attacks in cyberspace is a reality that is recognized in other countries, including Bosnia and Herzegovina. The need to develop specialists for protection against cyber-attacks and protection of critical infrastructure management systems is inevitable.

The existing security system is not sufficient in ensuring the response to the risks of threats and challenges that are present in Bosnia and Herzegovina. In the part related to internal

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<sup>26</sup> Smajić, Mirza (2022) *Bosnia and Herzegovina*, in: Lazari, A., & Mikac, R. (Eds.). (2022). *The External Dimension of the European Union's Critical Infrastructure Protection Programme: From Neighbouring Frameworks to Transatlantic Cooperation* (1st ed.). CRC Press, p.71.

<sup>27</sup> Bajramović, Zlatan (2019) The Role of the Protection and Rescue System in Protection of Critical infrastructure in Bosnia and Herzegovina, in: *Security Dialogues*, vol. 10, No 1-2, pp. 365

security, it is necessary to make changes, both in the organizational and functional sense. The introduction of the law on critical infrastructure would greatly facilitate these changes and provide an opportunity for the introduction of new technologies, as well as the employment of specialists with specific knowledge and skills.

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Original scientific article

UDK 314.15(4-672EY):314.151.3-054.73(497)

UDK 341.43(4-672EY):314.151.3-054.73(497)

## THE EU MIGRATION AND ASYLUM POLICY REFORMS AND THEIR IMPLICATIONS FOR THE COUNTRIES ON THE WESTERN BALKAN ROUTE

**Julija BRSAKOSKA BAZERKOSKA<sup>1</sup>**

**Abstract:** *The Union's response during the worst contemporary refugee crisis of 2015 was unreliable, fragmented, and it largely affected the Western Balkan countries that are now aspiring to become EU Member States. The crisis has emphasized the urgent need for a consistent approach, both from the individual Member States and the EU as a whole. This paper analyses how the EU's response to the refugee crisis has affected its migration and asylum policy and how it contributed towards the reforms presented in the New Pact on Migration and Asylum. The paper presents an overview of the Common European Asylum System, its adjustments throughout the years and the need for a broader and comprehensive reform. It also analyses the impact of the 2015 refugee crisis on the countries on the Western Balkan route and argues that the EU reforms of its migration and asylum policy will contribute towards strengthening the partnership between the EU and the Western Balkan countries in the area of migration and asylum.*

**Keywords:** *Migration and asylum, Refugee crisis, Western Balkan, European Union, Security.*

### Introduction

The refugee crisis of 2015 challenged the basic values of the European Union. During the summer of 2015, when the EU was facing the worst contemporary refugee crisis, there was an urgent need for a common European response to refugee arrivals; a response which was needed to meet the EU's collective obligations in international law, as reaffirmed in the EU legal order, in the EU Charter of Fundamental Rights, the EU Treaties, and legislation. Furthermore, the EU's response to the refugees' influx largely affected the countries on the EU borders that are currently aspiring to become EU Member States. The paper explores how the EU's response to the refugee crisis has affected the EU migration and asylum policy and how it contributed towards defining its reforms. It also examines the effects the refugee crisis had on the Western Balkan countries and how those countries can be positively affected by the reform of the EU migration and asylum policy.

The second part of the paper analyses the minimum standards for the asylum seekers set within the EU Common European Asylum System (CEAS). It also focuses on the modifications made to the CEAS due to the enormous refugee influx in 2015. Finally, the second part focuses on the New Pact on Migration and Asylum and the reforms provided with it. The third part

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focuses on the Western Balkan countries during and after the 2015 refugee crisis, examining the implications this crisis had on these countries, with special emphasis on the way forward for the future under the EU reforms of its migration and asylum policy. In conclusion, the fourth part closes the paper with the elaboration of the essential need for reforms of the EU migration and asylum policy for better managing potential future refugee crises.

### **The Common European Asylum System**

The minimum standards for the asylum seekers in the European Union are set within the Common European Asylum System (CEAS). The Common European Asylum System consists of a legal framework covering all aspects of the asylum process and a supporting agency - the European Union Agency for Asylum (EUAA). EUAA supports the implementation of the legal framework and facilitates the practical cooperation between Member States (Thym, 2022; Andrade, 2022; Maiani, 2022; E. Tsourdi and P.De Bruycker, 2022). The Member States cooperation is especially important because the asylum seekers are not treated uniformly across the Union and the number and proportion of positive asylum decisions in different countries vary greatly. For that reason, the asylum seekers apply for asylum in the countries where they believe they will have a higher chance of receiving international protection.

As Maiani concisely observes: “in spite of its name, the ‘Common’ European Asylum System is a collection of national systems, each with its budget, administration and judiciary. In the perspective of national governments, each protection seeker shipped off to another Member State is a liability avoided. The absence of EU solidarity measures offsetting reception and protection costs sustains this zero sum game” (Maiani, 2022).

In this context, the measures that would have minor importance or would have not occurred in a truly ‘common’ system end up absorbing considerable resources. Therefore, the uncontrolled and large number of migrants and asylum seekers arriving in Europe during the 2015 has put a strain not only on many Member States’ asylum systems, but also on the Common European Asylum System as a whole. Issues connected with the criteria to apportion protection responsibilities, transfers of protection seekers, measures to counter secondary movements became contested. The refugee crisis has exposed the weaknesses in the way the system was designed and implemented (Brsakoska Bazerkoska, 2017).

The currently applicable Dublin system establishes the criteria and mechanisms for determining which Member State is responsible for examining an application for the international protection. This system was first established in 1990 and was further updated in 2003 and 2013. It provides that those who seek, or have been granted protection do not have the right to choose in which Member State they want to settle. If the Member State in which the asylum seekers apply is not the one responsible for dealing with the application, they should be transferred to the responsible Member State (Regulation (EU) No 604/2013). This system was not designed to ensure a sustainable sharing of responsibility for asylum applicants across the EU. The main criterion for allocating responsibility for asylum claims is irregular entry through one Member State’s territory. This criterion relied on the assumption that the allocation of responsibility in the field of asylum and the respect by Member States of their obligations in terms of protection of the external border will be linked. However, the ability to effectively control irregular inflows at the external border is to some extent dependent on cooperation with third countries (COM(2016) 197 final). In the case of 2015 crisis, those were mainly the Western Balkan countries. Additionally, in situations of mass influx along specific migratory routes, the system

places responsibility, for the vast majority of asylum seekers on a limited number of individual Member States. This situation creates major pressure on the capacities of any Member State that is affected (Brsakoska Bazerkoska, 2017).

The 2015 refugee crisis led to an increase of secondary movements - meaning the migrants often refused to make asylum applications or comply with the identification obligations in the Member State of first arrival, and then move on to the Member State where they wish to settle and apply for asylum there. These secondary movements have resulted in many asylum applications being made in Member States which are not those of the first point of entry, a situation which has in turn led several Member States to reintroduce internal border controls to manage the influx (COM (2016) 197 final). The greatest issue with these secondary movements was the fact it was difficult to obtain and agree on evidence proving one Member State is responsible for examining the asylum application, which led to an increase in the number of rejections of requests to accept the transfer of applicants (COM (2016) 197 final).

The Common European Asylum System has different treatment of asylum seekers, including in terms of the length of asylum procedures or reception conditions across Member States. Those divergences are arising in part from the discretionary provisions contained in the Asylum Procedures Directive (Council Directive 2005/85/EC) and Reception Conditions Directive (Council Directive 2003/9/EC). Moreover, while the Qualification Directive (Directive 2011/95/EU) sets out the standards for the recognition and protection to be offered at EU level, in practice recognition rates vary between Member States.

### ***The temporary relocation scheme***

As a response to the weaknesses which were detected by the EU institutions with the Common European Asylum System, in 2015 the Commission proposed temporary crisis relocation schemes. On 22nd of September, an Extraordinary Justice and Home Affairs Council Meeting adopted a controversial Decision establishing provisional measures for the relocation of 120,000 asylum seekers from Italy and Greece to other EU Member States (Council Decision, 12098/15). The Council Decision introduced a temporary relocation system in the EU which consists of the transfer of applicants for international protection from two EU Member States – Greece and Italy to the territory of other Member States. The Decision constitutes a provisional emergency led scheme envisaged to run for two years. It is legally founded on Article 78.3 TFEU which provides that in an event that one or more Member States are being confronted by an emergency situation characterized by a sudden inflow of nationals of third countries it aims at supporting them in better coping with an emergency situation characterized by a sudden inflow of nationals of third countries in those Member States (De Witte and Tsourdi, 2018).

Under the EU relocation scheme, the Member States authorities should take into account the potential of the applicants to fit into daily life of the relocation state – to consider their language skills and family, cultural or social ties when taking the decision. However, as Carrera and Guild argued, the key weakness of this model was the fact it was still anchored in the much criticized Dublin system, meaning that it does address the symptoms, but not the actual causes behind the crisis – an unfair system of attribution of state responsibility for determining asylum applications, which results in human rights and protection failures and gives very little consideration to the preferences of the asylum seekers when assessing their family, private and economic link with a certain state (Carrera and Guild, 2015). When the 2015 refugee crisis started, it was imminent that the Dublin system needs substantial reform (Brsakoska Bazerkoska, 2017).

The refugee deal with Turkey, from March 2016, was an attempt to provide a temporary solution to the problem. The deal provided for Turkey to take back all refugees and migrants

making their way to Greece in the future, based on the EU designating Turkey as a safe, third country for asylum seekers (Weber, 2017).<sup>2</sup> According to the deal, for each Syrian returned from the Greek islands, the EU would resettle another one from Turkey to the Union. In addition, once the number of refugees and migrants passing through the Aegean had been lowered substantially, EU Member States would voluntarily resettle a larger number of the 3 million Syrian refugees from Turkey (EU-Turkey Statement, 2016). With the EU-Turkey deal, the number of migrants passing through the Western Balkans has been significantly reduced. According to Frontex data, irregular border detections decreased from around 60,000 in January to less than 2,000 detections in September 2016 (Frontex Risk Analysis, 2017). With the deal, transit along the Western Balkan route was no longer permitted (Brsakoska Bazerkoska 2022).

From the present perspective, the fact is that the Balkan route has not been entirely sealed off. The infamous camps on islands such as Moria on Lesbos and Vathy on Samos in Greece are full beyond their capacity (DW, 2023a). Many of the migrants are keen to move on to other EU Member States and they, once again and when able, will use the Western Balkan route. According to Frontex numbers, in the first eight months of 2023, 52.000 illegal crossings were detected along the Western Balkan route (DW, 2023b).

### ***The New Pact on Migration and Asylum***

Faced with all the consequences of the 2015's refugee crisis, the European Commission proposed consequently, in 2016 and again in 2020, a comprehensive common European framework for migration and asylum management, including several legislative proposals. The reform aims to establish a common framework that deals with all aspects of asylum and migration management. It aims at making the system more resistant to migratory pressure, eliminate pull factors as well as secondary movements, fight abuse and support the most affected Member States better. To balance the current system in which a few Member States are responsible for the vast majority of asylum applications, a new solidarity mechanism is proposed. Once it is agreed, the new asylum and migration management regulation (AMMR) should replace the current Dublin regulation.

The reforms have gained pace over the past years, since the EU faced series of events with major repercussions on migration, asylum and border management. The Russia's aggression of Ukraine caused one of the largest forced displacement of people in Europe since the Second World War. The EU activated the Temporary Protection Directive for the first time since its enactment back in 2001. The Temporary Protection Directive, which was adopted following the conflicts in former Yugoslavia, was triggered by the Council in response to the unprecedented Russian invasion of Ukraine on 24 February 2022 to offer quick and effective assistance to people fleeing the war in Ukraine.

Moreover, the continued pressure on the routes across the Mediterranean and the Western Balkans added to the challenge of increased migratory flows. These events contributed towards the need of rethinking and reforming the EU asylum and migration legislation to be better prepared for future major migration crises.

The New Pact on Migration and Asylum is a set of regulations and policies to create a fairer, efficient, and more sustainable migration and asylum process for the European Union. The Pact is designed to manage and normalize migration for the long term, providing certainty, clarity and decent conditions for people arriving in the EU. The EU institutions showed joint

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<sup>2</sup> This was agreed despite the fact that the majority of international human and asylum rights organizations rejected this designation for Turkey.



commitment to take all necessary steps towards the adoption of the legislative proposals related to asylum and migration management before the end of the 2019-2024 legislative period. On 8 June 2023, agreement was reached by the Council on the negotiating position with the European Parliament in the decision making process for the AMMR (Council of EU, 2023).

The Pact is based on several pillars: a) more effective procedures – which should be implemented by introducing new border screening procedures, improving IT systems and adjusting rules for asylum claims; b) well-managed Schengen and external borders – aimed at reforming the Schengen Borders Code and introducing a new strategy on the future of Schengen; c) effective solidarity – the need to improve relocation procedures for vulnerable groups and people rescued at sea; d) legal pathways to the European Union – in order to attract talent and supporting integration in local communities; e) international partnerships – presented in supporting other countries hosting refugees and fighting migrant smuggling; f) flexibility and resilience – by ensuring a common and fast reaction to a migration crisis.

In the context of the main pillars of the Pact, it should be emphasized that the proposal for a new regulation on crisis situations provides for appropriate procedural rules, derogations and a rapid triggering of solidarity mechanisms to respond to crisis situations, such as the 2015 migration crisis. The new instrument is aimed to cover exceptional situations of mass influx of third-country nationals or stateless persons arriving irregularly in an EU country, of such a scale and nature that they would render a Member State's asylum, reception or return system non-functional; or would be likely to have serious consequences for the functioning of the common European asylum system and the EU migration management system; or would make it impossible to apply the common European asylum system and the EU migration management system. In addition, the proposed regulation addresses situations of force majeure, such as the COVID-19 pandemic, arising in the field of asylum and migration management within the EU. It provides for the necessary adaptation of the EU rules on the asylum and return procedures, as well as of the solidarity mechanisms set out in the new asylum and migration management regulation.

The proposed asylum procedure regulation (APR) establishes a common procedure across the EU that Member States need to follow when people seek international protection. It streamlines the procedural arrangements, like the duration of the procedure; and sets standards for the rights of the asylum seeker, as for example - being provided with the service of an interpreter or having the right to legal assistance and representation. The proposed legislation aims to provide standard reception conditions to all asylum seekers. This will ensure that asylum applicants benefit from better and comparable living conditions across the EU. The proposed rules set out a common definition of reception conditions for all asylum seekers; the right to work for asylum seekers no later than 9 months after lodging their application and education rights for minors and the need to appoint guardians for unaccompanied minors. Furthermore, it aims to reduce secondary movements of asylum applicants by setting up geographical limitations.

The reformed legislation is ambitious and aims to offer a more comprehensive approach towards the migrants arriving in the European countries. The main aim is to offer solidarity with the countries that are mostly affected by the vast migrants' arrivals in order to avoid the unbearable situation with which both Italy and Greece were faced during the 2015 refugee crisis. In order for these reforms to be successful, the EU needs a political will to put them in place and to make them operational. What we have seen so far is disagreement between the Member States in the need for shared responsibility for migrants' arrivals. On the informal gathering of the EU leaders in Granada, Spain, on 6th October 2023, Poland and Hungary blocked the joint declaration on the migration policy (DW, 2023c). This reaction came after the New Pact on Migration and Asylum received a strong boost after the EU council reached its long-awaited

position of the last piece of the pact on the regulation addressing situations of crisis and force majeure in the field of migration and asylum. The legislation was approved under the rules of a qualified majority, as foreseen in the EU treaties, which means neither Poland nor Hungary can exercise a veto right.

The European Union needs to have a consistent approach towards migration and asylum, and there is a need for both collective and individual Member State responsibilities to refugees. Moreover, the Union's response needs to meet the EU's collective obligations in international law, as reaffirmed in the EU legal order, in the EU Charter of Fundamental Rights, the EU Treaties and legislation. The human dignity of migrants who come to its borders should not be distinguished from the dignity of those who live within them, subjecting those outside to a treatment which would be considered inhumane and forbidden with respect to those inside.

### **What will the New Pact on Migration and Asylum mean for the countries on the Western Balkan route**

The "Western Balkan route" is relevant because of two categories of migrants. On the one hand, numerous migrants coming from the Western Balkan countries were and still are seeking to move to the EU. These are mainly young people that are often disappointed with the political situation in their countries of origin, disappointed with the lack of opportunities and the economic hardship, and are migrating into the EU in a search for a better life. On the other hand, largely owing to its strategic geopolitical location, the Western Balkans has become an important hotspot on one of the main migration routes to the EU (Brsakoska Bazerkoska, 2022). An increasing number of refugees and migrants from outside the region - mainly from Afghanistan, Pakistan, Palestine, Syria, Somalia, and North Africa - were arriving from Turkey and Greece and were transiting the region using the Western Balkan route (Milan, 2018; Longinović, 2018; Zaragoza-Cristiani, 2017; Cocco, 2017; Šelo Šabić, Borić 2016). The route became a popular passageway into the EU in 2012 when Schengen visa restrictions were relaxed for five Balkan countries – Albania, Bosnia and Herzegovina, Montenegro, Serbia, and the Republic of North Macedonia.

It was during 2015 when the record number of migrants arriving in Greece had a direct, knock-on effect on the Western Balkan route. The migrants who entered the EU via Greece were trying to make their way through to North Macedonia and Serbia, on to Hungary and then further on mainly to Austria, Germany, and Sweden.<sup>3</sup> Many of the refugees that were using this route lodged asylum claims in one or more of the Western Balkans countries, but very often departed even before getting their claims processed. Another large number of migrants and refugees that were crossing the Western Balkan route were using illegal border crossings (Brsakoska Bazerkoska 2022). These irregular movements which were very often connected with trafficking in persons and human smuggling, were additional concerns for the states on the migration route (Taleski, 2016; Brunovskis, Surtees, 2019; Pastore, 2018; Zielonka, 2017). The transnational crime connected with the illegal crossing of migrants during the 2015 crisis has put additional strain on the countries' weak institutional systems, posing a great security threat, and negatively affecting access to protection for those in need of it (European Parliament Briefing, 2016).

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<sup>3</sup> Throughout 2015, the region recorded 764,000 detections of illegal border crossings by migrants, a 16-fold rise from 2014. The top-ranking nationality was Syrian, followed by Iraqis and Afghans. The numbers presented are according to a Frontex estimate. The CoE numbers are 100,000 higher than Frontex estimate for the same period.

During the 2015 refugee crisis, since these Western Balkan countries are not part of the European Common Asylum Policy, they were not able to use any of the EU mechanisms. Nevertheless, they were left to be the external frontier of the Union (Brsakoska Bazerkoska, 2022). Other countries in the region, such as, Albania, Bosnia and Herzegovina, Kosovo, and Montenegro were not directly affected in the sense that refugees crossed the territories of their states. However, all these countries felt vulnerable if the route changed to include them. The governments there took preventive measures in terms of increasing border control, monitoring possible illegal crossings, taking part in meetings at the European level and forming joint border controls with neighbouring states (Šelo Šabić, 2017).

Western Balkan countries had many internal hurdles in the past 25 years. The refugee crisis presented them with new challenges, especially since a huge burden has been put on the countries' infrastructure, the social structure and the health care structure as well. Despite the fact the Western Balkan countries have relevant laws and migration management systems in place and they are all largely harmonized with the EU *acquis*, the high number of crossings have put a strain on their legislative system as well. The main challenges these countries face are how to ensure consistent implementation of the relevant legislation without having sufficient capacity to receive migrants and to comply with the international standards (Brsakoska Bazerkoska, 2017).

The EU asylum and migration reforms as envisioned in the New Pact on Migration and Asylum will have a significant impact on the Western Balkan countries. On the one hand, if the planned solidarity is put in place and is made functional by the reformed EU legislation, it will mean that if a new migration crisis reoccurs, the countries of the Western Balkan route would not feel the same pressure as in 2015 refugee crisis. The intended reduction of the asylum procedures, as well as the more sustainable migration and asylum process for the European Union would lead to normalization of the migration in the long term. By providing certainty, clarity and decent conditions for people arriving in the EU, the pressure on the Western Balkan countries, both in terms of legal and illegal migration, will be reduced.

Moreover, on the other hand, the New Pact on Migration and Asylum consists of legislation that needs to be transposed in the national legislation of the candidate countries. If enacted, it will oblige the Western Balkan states to create easier asylum procedures, create better conditions for the migrants in those countries, which would lead towards reducing the illegal crossings through this countries, creating more secure environment both for the migrants and for the countries on the Western Balkan route.

The Western Balkan countries are EU partners in the area of migration and asylum and the New Pact on Migration and Asylum will contribute towards strengthening this partnership. At the EU-Western Balkans Justice and Home Affairs Ministerial of 3 November 2022 in Tirana, the Western Balkan partners committed to a unified, comprehensive approach which, coupled with determined action by the EU in coordination with Member States, has already started to yield results that now need to be strengthened further. Under the Instrument for pre-accession assistance (IPA III) from 2021 to date, the EU has put in place an overall package worth EUR 201.7 million in the area of migration and border management for the Western Balkans, with a particular focus on anti-smuggling, border management, judicial and police cooperation, strengthening capacities and key infrastructure and equipment. The Commission is ready to further increase the financial support in 2023 and 2024 to respond to the emerging needs across the region. This Action Plan identifies 20 operational measures to build on the progress achieved, strengthening the partnership with the Western Balkans in light of their unique status with the EU accession perspective and their continued efforts to align with the EU *acquis*, as well as key actions to take inside the EU. Priority should be given to strengthening border management,

ensuring swift asylum procedures, taking action against smuggling of migrants, fostering readmission cooperation and return and achieving the alignment of visa policies.

### **Conclusion**

The paper has explored how, as a result of the refugee crisis, the early response to the crisis highlighted an absence of effective channels of communication and coordination within the EU and also between EU and non-EU countries. The domino effect of closed borders in 2015 caused tensions between the EU countries and in the Western Balkan region. Subsequently, these developments and the series of events with major repercussions on migration, asylum and border management, such as the Russia's aggression of Ukraine, have influenced the need for the reform of the EU migration and asylum policy.

In this context, the paper has explored how the European migration and asylum policy has developed throughout time. It also focuses on the reforms of this policy coming through the New Pact on Migration and Asylum, which provides for solidarity mechanism, aimed especially to the need to maintain stability during the refugee crisis. The Pact is designed to manage and normalize migration in the long term, providing certainty, clarity and decent conditions for people arriving in the EU.

Furthermore, the paper has considered how the 2015 refugee crisis influenced the countries on the Western Balkan route and argues that the EU reforms of its migration and asylum policy will contribute towards strengthening the partnership between EU and the Western Balkan countries in the area of migration and asylum. The EU needs to keep cooperating with the Western Balkan countries, merging them with a new approach towards migration and security, and working further on the coordination mechanisms that can be swiftly triggered in order to synchronize responses and exchange information should they be needed in the future.

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## AIR POLLUTION MONITORING AND ALERT SYSTEM BASED ON THE ARDUINO MICROCONTROLLER

Ljupcho SHOSHOLOVSKI<sup>1</sup>

Nadica TODOROVSKA<sup>2</sup>

**Abstract:** *In today's world, air pollution stands out as a paramount global concern. Air pollution can originate from either human-made (anthropogenic) or natural sources. Atmospheric pollutants such as carbon monoxide (CO), carbon dioxide (CO<sub>2</sub>), sulphur dioxide (SO<sub>2</sub>), nitrogen dioxide (NO<sub>2</sub>), ozone (O<sub>3</sub>), suspended particulate matter (SPM), respirable suspended particulate matter (RSPM), and volatile organic compounds (VOCs) have a profound impact on human health. This issue is pervasive, affecting most major cities in both developing and developed countries.*

*Given the urgency of the situation, the development of a real-time air quality and pollution monitoring system is imperative. We have engineered an Arduino-based air pollution detector that pairs a compact, cost-effective sensor with an Arduino microcontroller unit. This detector offers several advantages, including reliable stability, swift response and recovery times, and has a long operational lifespan. Furthermore, it is a budget-friendly, user-friendly, low-power hardware solution suitable for mobile measurement and straightforward data collection. The accompanying processing software can meticulously analyze the collected data with exceptional precision, making it an essential tool for understanding and addressing the critical issue of air pollution.*

**Keywords:** *Air Quality, Microcontroller, Sensors, IoT*

### Introduction

Air pollution is a pressing global issue that has led governments and citizens worldwide to invest billions in policies and solutions. It arises from various sources like industries, vehicles, and household activities, emitting harmful pollutants such as heavy metals, carbon monoxide, ozone, carbon dioxide, and more. The World Health Organization (WHO) estimated that outdoor air pollution alone is responsible for 4.2 million premature deaths each year [1].

Air pollution not only affects human health, but also impacts animals, food crops, and the environment. Long-term exposure to these pollutants can lead to respiratory infections and even cancer. For instance, carbon monoxide can be fatal through prolonged exposure. In 2014, WHO reported that 7 million deaths globally were attributed to air pollution, a statistic echoed by the International Energy Agency.

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Air pollution also contributes to environmental disasters such as acid rain and ozone layer depletion [2], underscoring the urgency of establishing control. Fortunately, advancements in technology have led to the development of compact and affordable air quality sensors, capable of detecting common pollutants like nitrous oxide, carbon monoxide, ozone, sulphur dioxide, and particulate matter. These sensors are versatile, usable indoors and outdoors, making them essential for monitoring the air quality impact on human health.

Air quality sensors play a vital role in assessing and enhancing indoor air quality, making them particularly valuable for home use. They can identify indoor pollutants, alerting residents to the need for proper ventilation. This is especially important because indoor air quality can sometimes be worse than outdoor air due to activities like cooking and the use of household products.

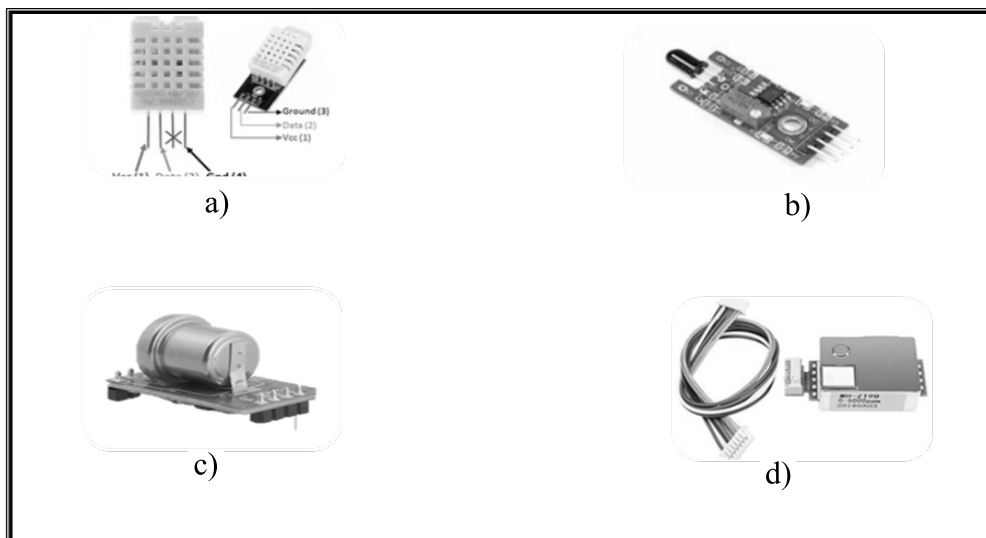
By continuously monitoring indoor air quality, these sensors empower residents to take action, like opening windows or using air purifiers. This proactive approach not only improves the well-being, but also reduces the risk of respiratory problems and allergies associated with poor indoor air quality. These sensors, thus, serve as indispensable tools for creating safer and healthier living environments, ensuring that people can enjoy clean, fresh air in their homes.

In summary, air pollution is a global challenge with severe consequences for both human health and the environment. The development of affordable and portable air quality sensors is a critical step in addressing this issue, allowing individuals to monitor and take action to improve the air they breathe, both indoors and outdoors. This proactive approach to air quality management is essential for safeguarding public health and the planet.

### **Material and methods**

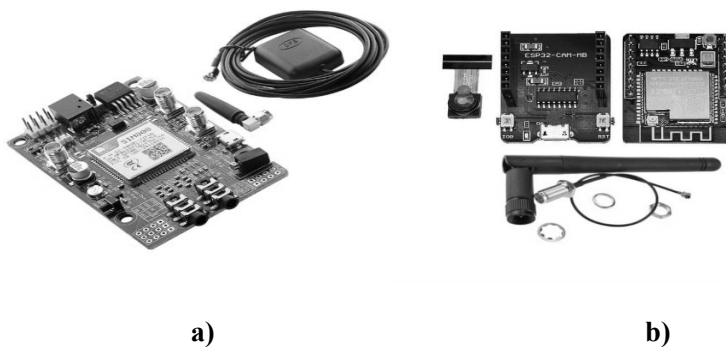
We have used the Arduino Mega 2560, digital sensor for temperature and humidity (DHT22, Fig 1a), flame sensor module (KY-026, Fig 1b), CO sensor for carbon monoxide (ZE16B-CO, Fig 1c), sensor for carbon dioxide (MH-Z19B, Fig. 1d), breadboard, jumper wires, and Arduino shields (Fig.2) to develop an arduino based air pollution detector which combined a small-sized, minimum-cost sensor to an arduino microcontroller unit. The device is linked to a computer through a serial connection. The Arduino microcontroller is used to collect data from the sensor. It will then be transmitted to the computer software, where it becomes documented and plotted in real-time. It is very small in size, and can be a hand-held measurement system that can detect numerous gases in real-time.





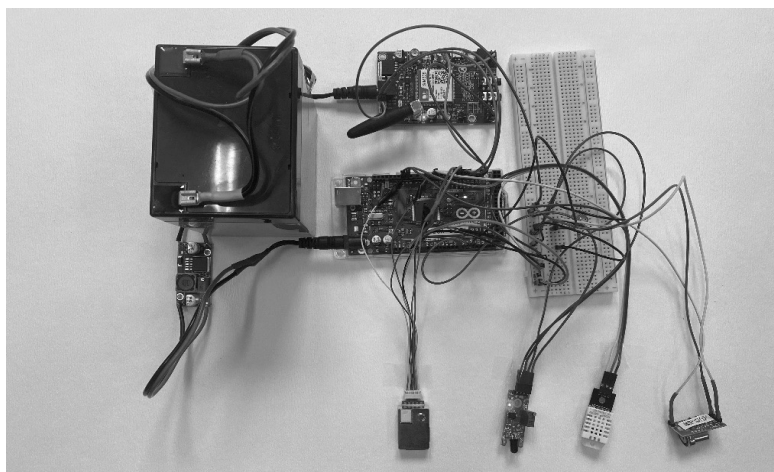
**Figure 1: Sensors used in research**

- a) Digital moisture and temperature sensor DHT 22 [3];
- b) Flame sensor module KY-026 [4];
- c) Carbon monoxide sensor ZE16B-CO [5];
- d) Carbon dioxide sensor MH-Z19B Infrared CO2 Sensor Module [6];



**Figure 2: Shields used in the model**

- a) SIM 808 GPRS/GSM shield with GSM antenna [7];
- b) ESP 32 CAM-MB module [8];



**Figure 3. Display of a connected system**

The purpose of sensors for the Arduino Mega 2560 is to enable interaction with physical signals from the environment and convert those signals into an electrical signal suitable for electronic circuits. Sensors are electronic devices that measure physical quantities such as light, temperature, humidity, and convert them into voltage-based measurement units (Figure 3).

### **Software**

The software implementation of this project was conducted using the Arduino IDE and Thingspeak IoT analytics platform [9]. The former provides an enabling environment for the microprocessor configuration, whereas the latter is responsible for the real-time implementation of the IoT of the project.<sup>3</sup>

### **Conditions and design of the research**

Before commencing measurements with the equipment described in the system model (Arduino Mega 2560 board, sensors, camera, platforms), it was necessary to define the circumstances under which the measurements would be performed and to interpret the obtained results to determine the thresholds for activating the camera. The conditions under which the measurements were conducted are as follows:

**Step 1:** Preparation of the measuring instruments. The controller with sensors for temperature, humidity, flame, CO, and CO<sub>2</sub> is placed in an open space, connected to the SIM 808 GPRS/GSM module and a camera, positioned at a height of 1 meter.

**Step 2:** The channel (interface) from the Thingspeak platform is located in the control center and is connected to the Internet to monitor the data.

**Step 3:** Checking and synchronizing the channel from the Thingspeak platform with the microcontroller and verifying the viewing time.

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<sup>3</sup> The code itself is written in the integrated development environment Arduino IDE, in the C/C++ programming language. The code consists of over 560 lines and it is given in the appendix to the doctoral dissertation of Dr. sc. Ljupco Shosholovski (2022). Defining a system (integrated model) for forest fire prevention, early warning and management. Military academy "General Mihailo Apostolski"-Skopje.

**Step 4:** Verifying the system configuration:

- Online status
- Data transfer (temperature, humidity, CO, and CO<sub>2</sub>) to the platform at 1-minute intervals (an option that can be set during compilation, but not shorter than 2 seconds).

**Step 5:** Obtaining weather forecast data from [www.accuweather.com](http://www.accuweather.com) for the experimental time period and comparing the data.

**Step 6:** Recording data on the microcontroller at different time intervals throughout the day (24 hours) and noting differences in the measured parameters.

### Research and results

After connecting the sensors to the Arduino Mega 2560 single-board computer and creating a dedicated channel on the Thingspeak platform through the ESP32 and GSM modules connected to the board, data transfer to the channel became possible. Following preliminary tests in controlled laboratory conditions (in a closed space) for each sensor individually and in combination, a 24-hour test of the system under real atmospheric conditions was conducted to assess its stability, accuracy, efficiency, resistance to atmospheric influences, and measurement of standard atmospheric parameters.

Upon verifying steps 1 to 5 of the data collection and survey design, we proceeded to the 24-hour system testing, during which atmospheric parameter measurements were taken under changing meteorological conditions over the course of 24 hours.

In Table 1, a portion of the digitally recorded data is presented, with an associated channel ID of 1677242 titled „*PreventForestFire*“. This data is accessible for download in CSV format from the platform and can be processed at any time.

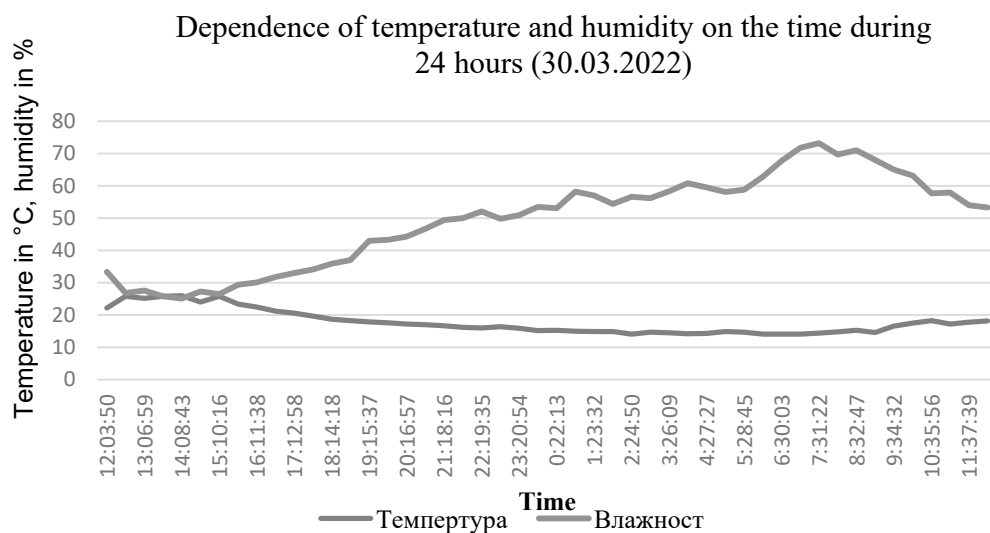
**Table 1: Part of the CSV format exported from the Thingspeak platform channel**

created_at	entry_id	T	H	CO	CO <sub>2</sub>	IR
2022-03-30T16:00:23+02:00	1880	23.3	29.1	0	430	1
2022-03-30T16:01:25+02:00	1881	23	29	0	404	1
2022-03-30T16:02:26+02:00	1882	22.9	29	0	425	1
2022-03-30T16:03:28+02:00	1883	22.8	29.2	0	404	1
2022-03-30T16:04:29+02:00	1884	22.8	30.4	0	404	1
2022-03-30T16:05:30+02:00	1885	23	30	0	485	1
2022-03-30T16:06:32+02:00	1886	23.2	30.4	0	401	1
2022-03-30T16:07:33+02:00	1887	23.2	29.7	0	456	1
2022-03-30T16:08:34+02:00	1888	23.2	29.9	0	459	1
2022-03-30T16:09:36+02:00	1889	23.2	29.5	0	413	1

Throughout the 24-hour monitoring period, we collected 1,415 lines of data for various atmospheric parameters, including temperature, humidity, carbon monoxide, and carbon dioxide. To provide a clearer representation of the data, we displayed every 30th data point in the graphical presentation, resulting in 48 data lines. However, the entire dataset was used for the interpretation of results. As a result, you may notice certain peaks in the diagrams. Notably, the system demonstrated uninterrupted data transmission to the channel at all times, showcasing its stability, reliability, and efficiency when operating in real atmospheric conditions.

Regarding temperature measurements, the highest recorded temperature reached 30.9°C, coinciding with a relative humidity of 22.2%, which also marked the lowest recorded humidity level during the day and night. Conversely, the lowest temperature observed was 13.7°C, accompanied by a measured relative humidity of 70.7%. The highest relative humidity recorded was 77.9%, occurring at a temperature of 13.9°C (as shown in Fig. 4).

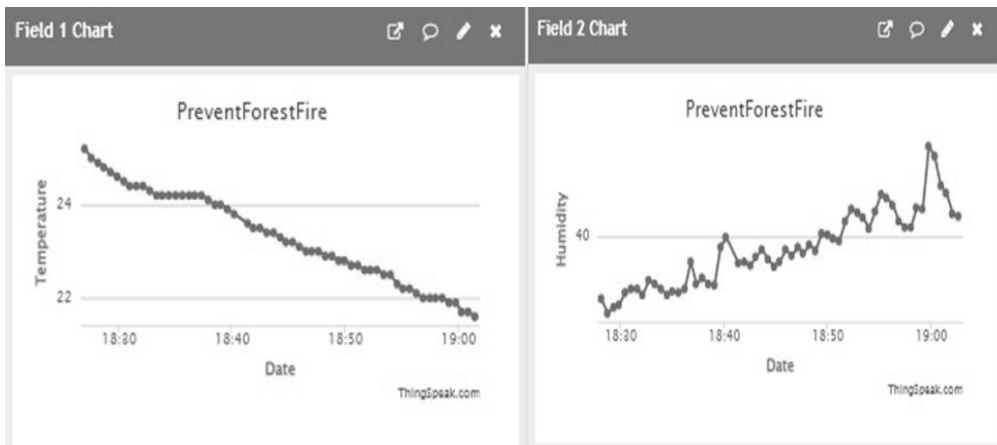
In the course of our experiment in real atmospheric conditions, short-term rain showers occurred when the relative air humidity exceeded 50%. These rain showers intensified in the early morning as relative humidity exceeded 70%. This observation clearly demonstrates that when relative humidity surpasses the 50% threshold, conditions favorable for rain are created, and the risk of fire occurrence is minimal. In the event of a fire, for any reason, the saturated air with moisture would inhibit its spread.



**Figure 4: Temperature and humidity value during 24 hours measured with the DHT 22 sensor**

In Figure 5, the temperature and humidity changes in the air, recorded by the channel on the platform, are displayed for the period between 18:30 and 19:00.

The graphical representation clearly illustrates that as night approaches, the temperature significantly decreases, indicating a cooling of the air, while relative humidity increases. This process results in the moistening of the fuel material, as it absorbs moisture from the air. These conditions create a more favorable environment for extinguishing a fire, if one were to exist. The most effective conditions for fire suppression are typically between 18:00 and 06:00 when temperatures are at their lowest, and air humidity is at its highest during both day and night.



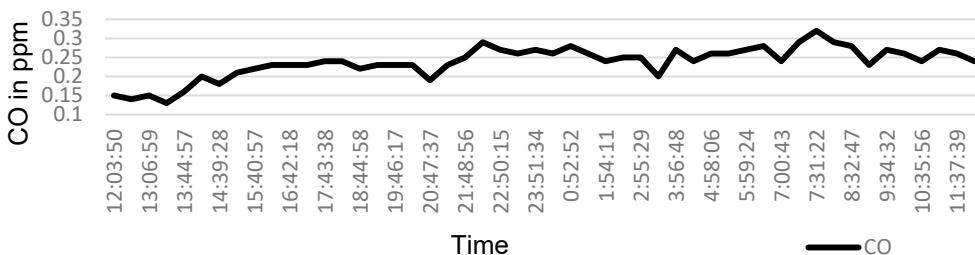
**Figure 5: Graphical representation of the temperature and humidity values of the channel on the Thingspeak platform**

Throughout the day and night measurements, an average temperature of  $17.85^{\circ}\text{C}$  and a relative humidity of  $49.4\%$  were recorded. The most significant temperature change between two consecutive measurements occurred at 12:31:37, dropping from  $29.3^{\circ}\text{C}$  to  $26.4^{\circ}\text{C}$ , a difference of  $2.9^{\circ}\text{C}$ . During this same interval, relative humidity changed from  $23.6\%$  to  $26\%$ , a change of  $2.4\%$ .

The most substantial relative humidity change happened at 10:59:32, shifting from  $56.9\%$  to  $51.9\%$ , representing a  $5\%$  change, while the temperature remained constant. These data are further analyzed to define the phases of the logic controller and establish the conditions for determining the presence of a fire.

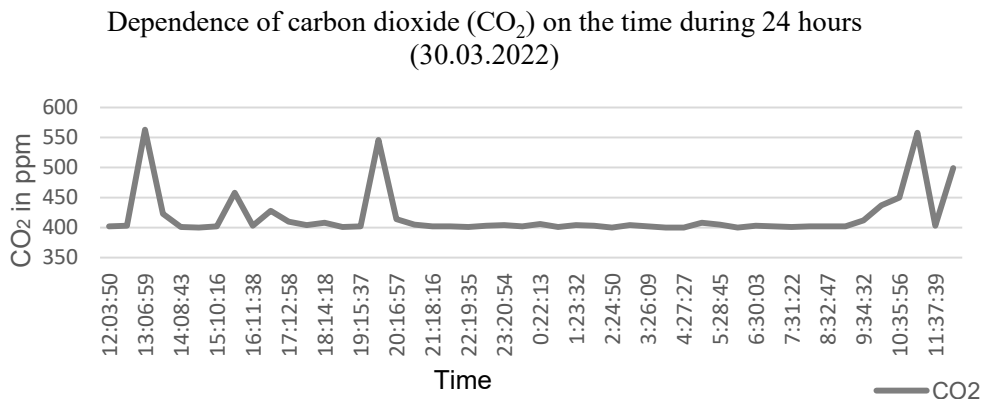
In regard to carbon monoxide measurements, the highest value,  $0.32\text{ ppm}$ , was recorded at 7:31:22 a.m. on the same day, while the lowest value,  $0.13\text{ ppm}$ , was recorded at 1:37:47 p.m. Throughout the day and night, the recorded values never exceeded  $1\text{ ppm}$ , which aligns with the sensor's precision (as shown in Fig. 6).

**Dependence of carbon monoxide (CO) on the time during 24 hours  
(30.03.2022)**



**Figure 6: Carbon monoxide (CO) value measured overnight with the ZE16B-CO sensor**

Carbon dioxide (CO<sub>2</sub>) concentrations observed during the measured day ranged from 400 ppm to 1,518 ppm, with the highest measurement recorded at 12:51:08. The average concentration of CO<sub>2</sub> throughout the day and night was 423.74 ppm, consistent with ambient air quality standards (as shown in Fig. 7).



**Figure 7: Carbon dioxide (CO<sub>2</sub>) value measured overnight with the MH-Z19B sensor**

In Figure 7, certain peaks are noticeable. These peaks are a result of displaying every 30th data point from the 24-hour measurement dataset and are associated with the movement of air masses carrying CO<sub>2</sub> particles. The sensor registers these particles as they move, and their concentrations range from 400 to 560 ppm. It's important to note that these peaks fall within the normal limits for carbon dioxide in the ambient air in Skopje.

Additionally, correlation coefficients were computed for the dataset of registered parameters, using values collected at one-minute intervals. This analysis encompasses a total of 1,415 data points (refer to Table 2).

	T	H	CO	CO <sub>2</sub>
T	1	-0,87681	-0,7789	0,326898
H	-0,87681	1	0,7603	-0,23847
CO	-0,7789	0,7603	1	-0,316
CO <sub>2</sub>	0,326898	-0,23847	-0,316	1

**Table 2: Correlation coefficient between parameters**

From Table 2, according to the results of the Pearson correlation, it can be concluded that there is a significantly strong positive correlation between relative humidity and carbon monoxide, with a value of 0.7603 ( $r(1415) = 0.7603$ ,  $p < 0.001$ ,  $p\text{-value } 0.4794$ ). Additionally, the Pearson correlation shows a significantly strong negative correlation between temperature and carbon monoxide, with a value of -0.7789, and between temperature and relative humidity, with a value of -0.87681. Carbon dioxide does not exhibit a significant correlation with any other parameter.

## Conclusion

The development of an Arduino-based air pollution detector represents a significant advancement in air quality monitoring technology. This system has demonstrated its effectiveness, ease of use, and comparable functionality to expensive existing air pollution detectors. It is a portable, microcontroller-based solution that offers efficiency and user-friendliness. Through a series of tests conducted under atmospheric operating conditions, the system has proven to be reliable, accurate, and precise in line with its technical specifications. Moreover, its ability to provide real-time data access via the Internet adds a layer of convenience and accessibility.

The growing concern over air quality, particularly in densely populated urban areas like Skopje, underscores the importance of such innovative solutions. Harmful gases are pervasive in both indoor and outdoor environments, impacting human health. With the use of an Arduino-based detection system, individuals can gain insight into gas levels in these environments, which is a critical step toward improving public health. The real-time data transmission feature empowers users to take prompt and informed actions based on the readings.

Given the promising performance and practicality of this Arduino-based air pollution detector, it is highly recommended for wider adoption, especially in urban areas facing air quality challenges. Implementing this system can help individuals and authorities make data-driven decisions to mitigate air pollution's adverse effects on health and well-being. Additionally, further development and refinement of the technology could expand its applications and enhance its impact on environmental and public health management.

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## WHY WOMEN, PEACE AND SECURITY?!

### What is UNSCR 1325?

Ankica TOMIC <sup>1</sup>

**Abstract:** *In 2000, the UN Security Council passed Resolution 1325 on Women, Peace, and Security (WPS) which calls for the inclusion of women in all phases of peace processes, protection from Women's human rights violations, and access to justice. The purpose of this article is to analyze and discuss the background reasons that led to the adoption of the first UN Resolution (1325) on WPS. The article also provides a brief overview of the recommended policy framework (National Action Plan) by the Secretary General of the Security Council for the implementation of Resolution 1325 and the key challenges and gaps in the implementation process. Additionally, the approach of regional organizations: the EU, NATO, and the OSCE will be explored in developing and establishing the tools and means for the implementation of WPS at the strategic, operational, and tactical levels.*

**Keywords:** *Women, Peace, Security, National Actions Plans (NAPs), implementation*

### Introduction

Women, Peace and Security (WPS) is about the inclusion of women, and their perspectives in peace and security matters. The WPS was launched in 2000 with the adoption of UN Security Council Resolution 1325.<sup>2</sup> For the first time, the Security Council put the topic 'Women, Peace, and Security' on the agenda of its session. It was the only topic discussed at the most important session of the body of the United Nations that decides on global issues of peace and security. From today's perspective, it seems perhaps redundant or irrelevant to emphasize this fact.

However, the path from the idea to the adoption of this resolution was thorny. Its historical and revolutionary significance is often mentioned in the literature. One of the protagonists, Carol Cohn, points out that 'Resolution 1325' is often considered a "precedent" in the practice of the UN Security Council. In her opinion, the adoption of this resolution

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<sup>2</sup> UNSCR 1325 was adopted by the United Nations Security Council (UNSC) at its 4213th meeting on 31 October 2000.

brought about a series of radical changes that led to a turnaround in the work of the UN Security Council. WPS has been transformed “from the program for women’s issues to the main UN program”.<sup>3</sup>

The UN Security Council discussed the active role of women in the whole process of achieving and maintaining security and peace, for the first time. The adoption of this resolution represents a turning point in the history of relations towards the female population in the context of security and peace. In earlier Security Council resolutions, women have been mentioned only as victims and vulnerable groups. ‘Resolution 1325’ recognizes women’s active role in the prevention and resolution of conflicts, in peace-building processes, and in preserving peace and security. The resolution calls on the member states of the UN to take measures at all levels so as to ensure women’s participation in decision-making, in peace processes, all the way through the comprehensive protection of women, and the implementation of training on gender aspects with respect to peacebuilding and peacekeeping.

In addition, the United Nations Security Council confirms that armed conflicts mostly affect women and children, as well as that after the end of the conflict women and girls are still the major victims of sexual and physical violence known as sexual and gender-based violence (SGBV).<sup>4</sup>

For the first time, the Security Council recognizes that the experience and needs of women in conflict and post-conflict societies differ from the experience and needs of men and demands the necessity of protecting women and girls during conflicts and preventing and punishing sexual and any other violence against women. Experiences around the world have shown that sexual assault and rape of women and girls “became an important weapon in war and one of the methods of extreme torture”, and, at the same time, a very effective method of “weakening the enemy”.<sup>5</sup> It further called for an expanded role and contribution of women in UN field-based operations and for the incorporation of a gender perspective into such operations and missions.

With all the positive sides and emotions associated with the adoption of this document, its real effectiveness is the subject of numerous debates and discussions, especially among feminist security theorists who highlight that “it silences feminist critiques of structural militarism and fails to acknowledge the complex links between peace and gender equality”.<sup>6</sup>

The biggest objection to the resolution is that it does not address the structural aspects of violence against women, which decreases its efficiency and effectiveness. ‘Resolution 1325’ has been ineffective at protecting women in war zones and violence against women has also been perpetrated by UN forces. Women in war zones remain at high risk of experiencing sexual violence and exploitation in the forms of rape, forced pregnancy, prostitution, trafficking,

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<sup>3</sup> Carol Cohn in Mladenović, Branković (2013:12-13), *Međunarodni feministički mirovni pokret koji je doveo do Rezolucije 1325*, Beogradski centar za bezbednosne studije.

<sup>4</sup> Sexual and gender-based violence (SGBV) is a human rights violation and refers to any act perpetrated against a person’s will based on gender norms and unequal power relationships. SGBV can be of a physical, psychological, social, and economic nature. Source: *Sexual and gender-based violence in a migration context*, Le Monde selon les femmes, Brussels, 2019, p.16

<sup>5</sup> Akcijski plan za implementaciju UNSCR 1325 u Bosni i Hercegovini za razdoblje 2014.-2017. godine, p.4.

<sup>6</sup> *The UNSC & Women: On the Effectiveness of Resolution 1325*, online Source: [internationalaffairs.org.au/news-item/the-uns-c-women-on-the-effectiveness-of-resolution-1325/#:~:text=Essentially%2C%20while%20UNSCR1325%20endorses,by%20many%20feminist%20security%20theorists.](http://internationalaffairs.org.au/news-item/the-uns-c-women-on-the-effectiveness-of-resolution-1325/#:~:text=Essentially%2C%20while%20UNSCR1325%20endorses,by%20many%20feminist%20security%20theorists.)

and sexual slavery.<sup>7</sup> In addition, critiques are also directed at the lack of accountability or implementation mechanisms to measure its progress.

In order to address the UN Security Council adopted 9 additional resolutions on WPS and requests from the member states to focus on the implementation of commitments made in 'Resolution 1325' through the development and adoption of National Action Plans (NAPs).

The intention of the rest of the article is to research the background of 'Resolution 1325', the root causes of challenges, and obstacles that impede meaningful effects in the real life of women and girls, as well as its implementation progress on a national level, and within the regional organizations such as the EU, NATO, and the OSCE.

### UNSCR 1325 –Background

The idea of adopting 'Resolution 1325' by the Security Council came from an international coalition of activists and organizations, i.e., numerous women from different parts of the world. 'Resolution 1325' is certainly the only Security Council resolution that was almost entirely created by representatives of non-governmental organizations, starting with the preparations on the ground, through diplomatic activities and lobbying, up to the writing of the draft version and later modified versions.

They applied a very sophisticated, long-term strategy. They studied the documents of the UN, organized lobbying meetings with diplomatic missions, and communicated with representatives of member states of the Security Council. For example, they organized an informal meeting of diplomats from the Security Council, with the women, and activists from countries that were involved in armed conflicts (Sierra Leone, Zambia, Guatemala, Somalia), and spoke about real experiences of women in wars. In the process of adoption of the Resolution, effective cooperation and coordination of women who occupied different positions in local and international organizations, in universities, in national governments, as well as in many institutions of the United Nations was established.

For years, women's organizations have been trying to 'push' issues of women's human rights and violence against women through to the Security Council session, the UN General Assembly and other UN bodies, such as the Commission on the Status of Women or the Commission on Human Rights. This time they have decided to use the "women's community" in order to influence the UN Security Council, "a predominantly male domain in the UN, dealing with the 'hard' issues of military threats to the world peace and security" (Mladenović, Branković, 2013: 13).

For the first time, the focus was shifted from insisting that armed conflicts be included in the "Women's Human Rights Program". They made huge efforts to include the topic "Women and armed conflicts" in the main program of the UN. Female activists decided to focus their attention on the UN Security Council. Carol Cohn testifies that in internal conversations in the "backroom" of the UN she often heard that some committees dealing with social, humanitarian, and cultural issues were called "ladies' committees". She believes that such "trivialization undoubtedly indicates that real power and dealing with real and serious/difficult issues rest somewhere else, outside of those committees" (Ibid).

After the adoption of 'Resolution 1325' the protagonists of the resolution celebrated "victory", hoping that its effective application would contribute to the change of real lives

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<sup>7</sup> *Ibid*

of women in all parts of the world (Ibid:15). ‘Resolution 1325’ instilled great hopes that its implementation will contribute to the reduction of violence against women, as well as that women will be involved in all aspects of the peace processes and together with men make the key decisions related to a peaceful and safe life for themselves, their families and future generations. However, many expectations of female protagonists were not fulfilled. They criticized the governments for reducing the implementation of the resolution only to increase the representation of women in the army and police, or to increase the number of women in other (male) centers of power.

In the period from 2000 to 2020, the United Nations Security Council demonstrated determination and willingness to maintain attention on the topic of ‘Women, Peace, and Security’ through the adoption of 9 subsequent resolutions that became part of the official program and discourse of the United Nations. One additional resolution, Resolution 2538 (2020) covers all aspects of women in peacekeeping.

The first group of resolutions promotes women’s active and effective participation in peacemaking and peacebuilding: SCR 1325 (2000), SCR 1889 (2013), SCR 2122 (2013), SCR 2242 (2015) and SCR 2493 (2019).

The second group, beginning with the adoption of SCR 1820 in 2008, aims to prevent and address conflict-related sexual violence (CRSV): S/RES/1820 (2008), S/RES/1888 (2009), S/RES/1960 (2010), S/RES/2106 (2013), and S/RES/2467 (2019).

SCR 1820 (2008) acknowledges that sexual violence, when used as a tactic of war, can be a threat to international peace and security. Rape and other forms of sexual violence may constitute a war crime, a crime against humanity, or an act of genocide.<sup>8</sup>

Although the resolutions on Women, Peace, and Security do not have a mandatory character, they do recall a large number of documents that are binding for members of the United Nations, such as the Fourth Geneva Convention from 1949 and its Additional Protocol from 1977, the Convention on Refugees from 1951 and the Protocol from 1967, the Convention on Elimination of all Forms of Discrimination against Women (CEDAW) from 1979 and the Optional Protocol from 1999, the Convention on the Rights of the Child from 1989 and the Optional Protocol from 2000, the Rome Statute of the International Criminal Court, etc.

The resolutions on Women, Peace, and Security refer to the other international obligations of states in accordance with humanitarian law and international human rights law related to crimes of genocide, crimes against humanity, and war crimes, including sexual and other forms of violence against women and girls. However, they do not contain mechanisms for monitoring their application in member states, apart from the annual Report of the Secretary General, and the monthly reports on sexual violence which is submitted by the Security Council’s expert group for the protection of civilians, in accordance with Resolution 1820.

In addition, the states as part of their regular reports on the implementation of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) include information on the implementation of ‘Resolution 1325’ and other resolutions. The CEDAW Committee, in its Concluding Recommendations, encourages states to take measures to implement ‘Resolution 1325’, including the adoption of a National Action Plan (NAP). “This kind of practice shows that countries and legal experts believe that many of the obligations given in the resolutions on women, peace, and security build on or coincide with the obligations in the framework of CEDAW” (Bastick and de Torres, 2010:4).<sup>9</sup>

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<sup>8</sup> <https://peacemaker.un.org/wps/normative-frameworks/un-security-council-resolutions>

<sup>9</sup> Megan Bastik and Daniel de Torres, *Implementation of Resolutions on Women, Peace and*

Certainly, the Security Council was also concerned about the slow implementation of 'Resolution 1325', so in 2002, they invited member states, civil society, and other relevant actors to adopt strategies and action plans with clear goals and timelines for integration of gender perspectives in peace operations and recovery and reconstruction programs. In his report of October 2004, the Secretary General called for the designing of the National Action Plans (NAPs) in order to speed the implementation of 'Resolution 1325'. It has been especially emphasized that the NAP is of particular importance in countries where conflicts have ended because it "can establish standards for the protection of women and girls during and after conflicts", determine measures for the equal participation of men and women in all phases of achieving peace and security, as well as affirm women in decision-making positions (NAP on UNSCR1325 in Bosnia and Herzegovina, 2010:5)<sup>10</sup>

### **National Action Plan (NAP)**

United Nations Security Council encourages the implementation of 'Resolution 1325' in individual countries, through a National Action Plan (NAP) underlining that the responsibility for its implementation lies with national governments. It also emphasizes the importance of collaborating with the civil society, particularly with local women's networks and organizations, with respect to its implementation.

National Action Plans (NAPs) are strategic documents defining objectives and activities that countries undertake, on an internal and international level, in order to implement 'Resolution 1325'. The content of NAPs varies from country to country, although most of them refer to four "pillars" of Resolution 1325 (participation, protection, prevention, and relief and recovery).<sup>11</sup> In recent years, many NAPs have incorporated other topics, such as climate change, natural disasters, migration, human trafficking, preventing violent extremism and terrorism, and illicit trade of small arms and light weapons (SALW).

The first NAP was developed in 2005 (Denmark). In 2006, Norway, Sweden, and the UK created their first generation of NAPs. Of the countries of Southeast Europe, Bosnia and Herzegovina was the first to adopt its NAP in 2010 followed by Serbia and Slovenia, which adopted their NAPs in the same year.<sup>12</sup> At the time of writing this article, 107 UN member states have adopted a National Action Plan on WPS for the implementation of 'Resolution 1325'.<sup>13</sup>

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*Security in sector reform security, Instraw and DCAF (2010:4), Manual no. 13. (Set of manuals on gender issues and sector reform security).*

<sup>10</sup> *Akcijski plan za implementaciju UN Rezolucije 1325 u Bosni i Hercegovini (2010.-2013.), Agencija za ravnopravnost spolova Bosne i Hercegovine, (2010:5).*

<sup>11</sup> *the participation of women in peace and security governance (women's involvement in conflict and post-conflict interventions, the inclusion of women's civil society organizations in peacebuilding-related activities, the role of women in national militaries and international deployment groups); the protection of women's rights and bodies in conflict and post-conflict environments (the protection of women from conflict-related sexual violence, the creation of transitional justice mechanisms); the prevention of violence, ( the prevention of violent conflict, the prevention of conflict-related sexual violence (CRSV); and relief and recovery, (gender-sensitive humanitarian programming in the context of disasters and complex emergencies, the inclusion of women in post-conflict reconstruction and peacebuilding-related activities). Implementing the Women, Peace, and Security Agenda in the OSCE Region, p.11*

<sup>12</sup> *Croatia (2011), North Macedonia (2013), Kosovo (2014), Montenegro (2017) and Albania (2018).*

<sup>13</sup> *Online Source: <https://1325naps.peacewomen.org>, as of July 2023.*

Numerous countries have also developed second-, third-, and fourth-generation NAPs, taking into account lessons learned and results from internal and external assessments of the previous documents. Countries have taken very different approaches to NAP planning, development, and implementation. NAPs vary in terms of focus, timeline, content, budget, and monitoring and evaluation frameworks.

Assessing the NAP's effectiveness in bringing positive changes related to women's increased participation in processes related to peace and security or in establishing better mechanisms for protecting women and girls from conflict-related violence, the following conclusions can be summarized:

- Women's participation has been slowly increased in the peacebuilding and prevention elements, and in general in military and police structures, while the relief and recovery pillar has seen less progress.

- Response mechanisms to SGBV including domestic violence/intimate partner violence and other forms have been improved, and mechanisms against SGBV in defense and security institutions are being developed.

- The goals and activities of the NAPs are not adequately prioritized within institutional strategies, annual plans, and budgets. That resulted in a lack of funds for its implementation.<sup>14</sup>

- There is still a need for a more effective system of monitoring, evaluation, and reporting on NAPs.

- The NAPs have undoubtedly had an impact in terms of bringing WPS into discussions on security and defense-related topics on a national level. NAPs have ensured gender equality became a relevant topic within their institutional agendas.

Over the past 17 years of developing and adapting National Action Plans, implementation of the WPS agenda has also been expanded from the national to other levels, including the regional, and local levels. In some countries, the development of NAPs has been done in parallel with Local Action Plans (LAPs)<sup>15</sup> in particular in cities or regions of a country. Many National Action Plans also provide instructions for government agencies and bodies to develop their own plans for mainstreaming WPS within their scope of responsibilities.

In addition, the regional organizations (the EU, NATO, and the OSCE) have also developed their approach to the implementation of WPS in the framework of their organizational structure and mandates which will be analyzed in the following paragraphs of this paper.

### **EU and Women, Peace and Security**

The Women, Peace and Security (WPS) agenda is placed by the EU "at the center of the full spectrum of the EU Common Foreign and Security Policy".<sup>16</sup> The EU policy framework

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<sup>14</sup> *How to Boost Implementation of UN Security Council Resolution 1325 in the OSCE Region, on-line Source: [https://www.nrc.no/globalassets/norcap/nordem/nordem-thematic-paper-sapiezynska\\_fh\\_es-1.pdf](https://www.nrc.no/globalassets/norcap/nordem/nordem-thematic-paper-sapiezynska_fh_es-1.pdf)*

<sup>15</sup> *In Bosnia and Herzegovina, LAPs were developed in six pilot municipalities in 2015-2016 with the aim of addressing "women's daily security concerns: [including] protection from gender-based violence and human trafficking, access to legal protection, education, healthcare, natural and economic resources, as well as implications of environmental and infrastructure concerns, such as the recent floods, landmines, street lighting, and public transportation. Implementing the Women, Peace, and Security Agenda in the OSCE Region,*

<sup>16</sup> *Online Source: [https://www.eeas.europa.eu/eeas/implementing-women-peace-and-security-agenda\\_en](https://www.eeas.europa.eu/eeas/implementing-women-peace-and-security-agenda_en).*

on Women, Peace, and Security includes the 2018 Council Conclusions on WPS, the EU Strategic Approach to WPS, and its Action Plan on Women, Peace, and Security (2019-2024).

The Strategic Approach focuses on “the holistic implementation of the WPS agenda and recognizes gender equality and women’s empowerment as a prerequisite for dealing with the prevention, management, and resolution of conflict” (The EU Action Plan on Women, Peace, and Security 2019-2024).<sup>17</sup>

The EU Action Plan on WPS (Action Plan), complements and reinforces the EU Gender Action Plan 2016-2020 (GAP II). Based on the Strategic Approach, the Action Plan focuses on six objectives: participation, gender mainstreaming, leading by example, prevention, protection, and relief and recovery. For each of these objectives, a specific achievement plan is provided. It presents the detailed actions, the stakeholders involved in their realization, a timeline, fulfillment criteria, and fulfillment indicators. Special attention is given to financing the Action Plan through a gender-responsive budget meaning that “the EU should work to include gender equality and WPS in the EU external action financing instruments” (Ibid).

In the Action Plan, special attention is given to “Accountability and Reporting” with the highlights that this is a living document and will be subject to revisions during its implementation period. Its implementation will undergo mid-term and final reporting reviews. These assessments will be led by the European External Action Service (EEAS). In collaboration with the relevant services of the Commission, EEAS is responsible for measuring progress on WPS implementation. Monitoring and reporting are aligned with the EU’s Action Plan on Gender Equality and Women’s Empowerment in External Relations 2020–2025 (GAP III) in order to fully integrate the EU policy framework on WPS in the EU’s overall gender equality policy framework. Gender equality and human rights constitute one of the key values and principles in the functioning of the European Union and are mainstreamed across all European Union policies, including Women, Peace, and Security.

In conclusion, the implementation of Resolution 1325 represents an important priority of the European Union that the EU wants to achieve at all levels in the functioning of its internal structures, but also in the framework of the implementation of its foreign policy and security policies. In order to realize all this, institutional gender mechanisms were established for the implementation of ‘Resolution 1325’, such as the appointment of the European External Action Service’s Principal Advisor on Gender and the implementation of Resolution 1325.<sup>18</sup>

Furthermore, the adviser/s for gender and/or human rights, as well as gender focal points, were established at all levels within the Common Security and Defense Policy (CSDP) missions and operations, so as to ensure that all EU policies implemented through various operational guidelines and other documents have systematically and gradually integrated gender dimensions in the stages of preparation, implementation, evaluation of missions and operations, and other activities which take place under the auspices of the EU’s Common Foreign and Security Policy. The tasks of the gender advisors and gender contact points include the implementation of educational programs on human rights, non-discrimination, and gender equality, and the implementation of Resolution 1325 at all levels (strategic, operational, and tactical) within CSDP missions and operations.

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<sup>17</sup> *The EU Action Plan on Women, Peace, and Security (2019-2024)*, p.3.

<sup>18</sup> *The position of the Principal Advisor on Gender and the UNSCR 1325 was created in the summer of 2015 so as to support the EU coordination with international and national actors on gender policies, as well as to coordinate internal EU gender-related initiatives by EU crisis management missions and EU delegations.*

The EU's readiness to integrate the WPS demands into its own legal and policy framework for external action is praised worldwide. However, in a study commissioned by the European Parliament in 2017, the EU was criticized for the lack of willingness or capabilities to move on from talking about gender equality. The study pointed to the continued under-representation of women, including in leadership positions within the EEAS and in the field, as well as within the highest decision bodies of the EU. The study also criticized "that the incorporation of a gender perspective into the activities of the CDSP missions required more resources beyond the mere appointments of gender advisors who seemed to be working without any budgets".<sup>19</sup>

The EU's ability to make progress related to increasing the participation of women in the armed forces and integrating a gender perspective into the activities of the EU crisis management mission, depends on the degree of commitment to gender equality of EU member states, due to the intergovernmental nature of EU's foreign and security policy. The recruitment of personnel to military missions and headquarters lies in the hands of the EU countries. There are no EU mechanisms in place to monitor progress or setbacks on the ground.

Achieving greater progress requires that all EU relevant actors, especially EU countries "provide real support to the EU's political ambition" to play a leading role in the global promotion of WPS goals and "become the global actor on gender equality it aspires to be".<sup>20</sup>

### **NATO and Women, Peace and Security**

With respect to the Women, Peace, and Security agenda, NATO "went through two separate but interrelated processes". The first process relates to "increasing the representation of women in the armed forces of the member states", including their promotion to the higher ranks in the military hierarchy. The second process encompasses "the implementation of UN conventions and resolutions" dedicated to the protection of women and their active role in the peace processes and security efforts (Matić, 2012:292).<sup>21</sup>

For the first time in June 1961, the topic on Women in NATO's armed forces was discussed at the Conference of female senior military officers in Copenhagen. At that Conference, a Resolution was adopted calling for the organization of such regular conferences in the future. The Resolution also expressed hope that the relevant NATO structures as well as NATO member states will undertake necessary measures to increase the representation of women for their national military benefits, as well for the benefits of NATO as a whole. At the next Conference of female senior officers in 1973, the second Resolution was adopted emphasizing that "women should be given the opportunity to serve in all military branches, excluding combat" (Ibid:293).

A more systematic and regular approach to women's participation within NATO started in 1976 with the establishment of the Committee for Women NATO Forces. In 2008, that Committee was renamed the NATO Committee on Gender Perspectives (NCGP). Throughout the years, it has played a vital role in promoting gender mainstreaming as a strategy for making women's, as well as men's, concerns and experiences an integral dimension of the design, implementation, monitoring, and evaluation of policies, programs and military operations.

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<sup>19</sup> *Rekindling the Agenda on Women, Peace and Security: can the EU lead by example?*, online Source <https://www.realinstitutoelcano.org/en/analyses/rekindling-the-agenda-on-women-peace-and-security-can-the-eu-lead-by-example/>

<sup>20</sup> *Ibid*

<sup>21</sup> *Zbornik radova s međunarodne znanstvene konferencije „Bosna i Hercegovina i euro-atlantske integracije– trenutni izazovi i perspektive“*, (Matić, 2012:292), Pravni fakultet u Bihaću i NATO Glavni stožer.



The main approach to the WPS agenda of the largest number of NATO members is directed at the implementation of 'Resolution 1325' and other WPS resolutions, translated into various documents, such as action plans, guidelines, regulations, decisions, standard operating procedures, etc.

In the reform processes of defense-military structures to address the contemporary political-security situation, individual NATO members established different types of gender mechanisms within their national defense and military structure, thereby delegating gender-related tasks, such as gender advisers and or gender focal points, or specific departments to them.

In any case, certain progress has been made within the armed forces of NATO allies, but it is not satisfactory. National implementation of 'Resolution 1325' is "generally ad-hoc and unsystematic. ...Many civilian and military personnel remain unfamiliar with the principles underlying UNSCR 1325 and its follow-on resolution" (The 1325 Scorecard, 2015:3).

Much progress has been made regarding the adoption of policy frameworks, including gender mechanisms, within NATO. NATO's first policy on WPS was developed by Allies and partners in the Euro-Atlantic Partnership Council (EAPC) in 2007. It focused on how gender perspectives apply in operational context. In 2018, the revised WPS policy in which the principles of integration, inclusiveness, and integrity were incorporated, was adopted by NATO Heads of State and Government.

At the Lisbon Summit in 2010, the first Action Plan on the implementation of WPS Policy was endorsed on the occasion of the 10th anniversary of Resolution 1325. In October 2021, the second NATO Action Plan on WPS 2021-2025 was approved by Defense Ministers. It supports the commitment by Allies to further advance gender equality and integrate gender perspectives in all NATO activities, across political, civilian and military structures, from policies and planning, training and education, to missions and operations. The Action Plan applies to all NATO Allies.

The 2022 Strategic Concept was endorsed by NATO Heads of State and Government at the Madrid Summit. It highlights "the cross-cutting importance of integrating the Women, Peace, and Security agenda across its core tasks, and states that NATO will continue to advance gender equality as a reflection of its values".<sup>22</sup>

The NATO Secretary General's Special Representative for Women, Peace, and Security serves as the high-level focal point for NATO's work in this area. NATO's Civil Society Advisory Panel provides a platform for women's civil society organizations to cooperate closely with NATO to engender policy and practice frameworks.

In summary, since 2007, NATO and NATO member and partner countries have committed to the implementation of 'Resolution 1325' in their political, civilian, and military structures as well as in their operations and missions. This is demonstrated through the adoption of various documents and the establishment of gender mechanisms at the strategic, operational, and tactical levels.

However, national implementation of 'Resolution 1325' and other WPS resolutions remains a challenge. 'Resolution 1325' and other related resolutions are not fully integrated and mainstreamed into national security and military strategies, policies, and plans in order to "ensure greater interoperability in meeting NATO's core security tasks, which will ultimately contribute to greater operational effectiveness" (The 1325 Scorecard, 2015:11).

<sup>22</sup> *Women, Peace and Security*, online Source: [https://www.nato.int/cps/en/natohq/topics\\_91091.htm](https://www.nato.int/cps/en/natohq/topics_91091.htm)

### **The OSCE and Women, Peace, and Security**

The OSCE, as the largest regional security organization in the world, composed of 57 states, demonstrates its commitment to promoting and supporting the implementation of 'Resolution 1325'. This commitment has been outlined in the OSCE Action Plan for the Promotion of Gender Equality from 2004. The Action Plan tasks all OSCE structures to promote the implementation of Resolution 1325 on the role of women in conflict prevention, crisis management, and post-conflict rehabilitation. Some analysts classify the OSCE Action Plan as a regional action plan for the implementation of Resolution 1325.

Several other OSCE Ministerial Council decisions have since reiterated the OSCE's commitment to support the implementation of 'Resolution 1325'. The OSCE's field operations, institutions, and Secretariat departments have built up their capacities to support the implementation of the NAPs in the OSCE region. The OSCE offers different types of support encompassing the targeted training for security sector personnel on women, peace, and security, or helping develop measures to increase the inclusion of women in the security sector institutions. In addition, the OSCE also provides training and awareness-raising tools on how to prevent and respond to sexual and gender-based violence.

In 2013, the OSCE conducted a study on the implementation of the Women, Peace, and Security agenda in the OSCE region through an analysis of the 27 NAPs on the implementation of 'Resolution 1325'. The aim of the study was to provide concrete tools for the revision or development of such plans. It highlighted common challenges and shared good practices from the OSCE region.<sup>23</sup>

The second study was conducted in 2020 on the occasion of the twentieth anniversary of the adoption of Resolution 1325. This study builds on the key findings and recommendations of the 2013 study. One key positive development refers to the increase in the number of NAPs from 27 to 36 during the last five years. Over 60 percent of OSCE participating States now have an NAP on "Resolution 1325". The study also shows that much work and effort has been put into designing better and more effective NAPs to implement 'Resolution 1325' across the OSCE region.

Furthermore, the analyses of the NAPs indicate that women's participation in peace and security governance processes and institutions remains a priority area for OSCE participating States. In comparison to the study from 2013, the findings of the new study point out that more attention has also been given to conflict prevention, as well as on countering terrorism and violent extremism, trafficking in human beings, and natural disasters.

The study also provides some "insights into how various gender equality and security strategies and action plans can be synchronized and coordinated in order to avoid duplications, overlaps, and contradictions. NAPs on Women, Peace and Security have turned out to be an effective tool to support reform processes in national security sector institutions" (OSCE Study, 2020:3).

In addition to the many positive developments and outcomes, one of the most important challenges and obstacles to the effective implementation recognized in the NAP analyses refers to the lack of financial resources. It means that many NAPs do not foresee a budget. This is the reason why one of the presented recommendations in the study calls for the integration of "specified costs and budgets for all dimensions of NAP activities, including

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<sup>23</sup> OSCE Study on National Action Plans on the Implementation of the United Nations Security Council Resolution 1325 (2014)

external evaluations". In order to implement this recommendation, it is necessary to "ensure Ministries of Finance are involved in the NAP design processes" (Ibid:76).

The other recommendation indicates the need to include "the participation of individuals and civil society representatives from diverse backgrounds, which are not limited to capital city-based, policy-oriented organizations, to ensure that the diverse needs of women and girls, structured by intersecting axes of difference, are considered" (Ibid).

The study concludes that high-impact NAPs are those in which governmental and non-governmental organizations are deeply included in the design, implementation, monitoring, and evaluation. These are the NAPs "that seek to break down traditional divides between government and civil society; foreign and domestic government agencies and policies; and between "hard" security issues and those of development and human rights" (Ibid:75).

## Conclusion

Women's Peace and Security agenda "affirms that peace and security efforts are more sustainable when women are equal partners in the prevention of violent conflict, the delivery of relief and recovery efforts, and the forging of lasting peace".<sup>24</sup> The WPS agenda has also recognized that women experience conflict differently than men and that they play a critical role in the ending of wars and the sustainability of peace.

Implementation of the WPS agenda is still a challenge at the national, regional, and international levels. However, progress has been made, but not to the expected and desired extent. The questions that arise in the context of the effectiveness of 'Resolution 1325' itself and other WPS resolutions are: Have they produced meaningful changes in reality? What is different in the lives of women around the world after the adoption of 'Resolution 1325'?

The answers to those questions could be found in different reports and reality indicates that little progress has been made in terms of preventing sexual violence against women, and ending impunity crimes against women. These reports state that rape is still used as a weapon in war. Women's voices are still barely heard at peace conferences, and negotiating tables. The practice has shown that the implementation of 'Resolution 1325' has encountered great challenges. Advocates of its adoption are not satisfied, especially women's organizations that oppose the further militarization of security at the international and national levels. They believe that the inclusion of women in the defense and police system leads to further militarization and securitization of society, and point to the paradox of the existence of the Security Council, whose primary task is achieving and maintaining peace and security, while its (in)action encourages its disruption.

Taking into account all criticisms and objections, the 'revolutionary' character of 'Resolution 1325' cannot be ignored and depreciated. At the time it was adopted, women's contribution to peace and security was discussed sporadically, or it was never discussed, in international forums or in national frameworks. Its unanimous adoption at the session of the UN Security Council represents a historical event. Likewise, it cannot be denied that Resolution 1325 contains positive and good intentions. However, the realization of good ideas and intentions does not always happen as we would like. The fact is that there is no area in modern society where there is such a gap between the normative and realistic, in terms of

<sup>24</sup> *What is UNSCR 1325? An Explanation of the Landmark Resolution on Women, Peace and Security*, online Source: [https://www.usip.org/gender\\_peacebuilding/about\\_UNSCR\\_1325](https://www.usip.org/gender_peacebuilding/about_UNSCR_1325)

achieving women's equality and protecting their rights, especially in the context of security. This is already evident at first glance from the data on high-ranking positions in politics, diplomacy, security, and defense sectors occupied by women in most countries of the world, as well as in international security organizations. This is also evident from the suffering of women in conflicts, but also from the violence perpetrated against them in conflict and post-conflict situations.

Individual countries and international organizations have recognized the importance of undertaking the measures to prevent violence against women and punish the perpetrators so that women are included in all processes related to achieving peace and security. States have responded to the UN Secretary General's call for the adoption of National Action Plans (NAP) on the implementation of Resolution 1325 and accompanying resolutions. International organizations, such as the EU, NATO, OSCE, and others have recognized the importance of using the capacities of women and men for a more effective response to crisis and post-crisis situations. Practical work in the field showed how complementary skills, knowledge, and abilities of men and women contribute significantly to the success of operations carried out by the UN, the EU and NATO, and the OSCE, taking into account the growing 'complexity' of civil-military relations, especially those with the local population in conflict and post-conflict situations.

In future efforts, research and assessments, more attention should be paid to the main 'hidden' obstacles to the meaningful implementation of WPS resolutions that are deeply rooted in stereotypes and prejudices about 'typically female' and 'typically male' roles in society. This is especially emphasized in the army and the police, which are still considered 'male' organizations, and their operational tasks are still perceived as 'unsuitable' for women. Because of that, the WPS agenda should remain in continuity a critical topic for governments, international and non-governmental organizations, as well as all wider civil society actors.

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## NORTH ATLANTIC TREATY ORGANIZATION IN CONTEMPORARY INTERNATIONAL RELATIONS

Milorad M. PETRESKI<sup>1</sup>

**Abstract:** *NATO is one of the most successful intergovernmental organisations. It is also a military and political, as well as a defence alliance of 31 states and almost one billion people. It is a state of mind embodied in the principle that any thought of threatening or using force in resolving any dispute between Member States is forbidden. Paper examines: How does NATO's multilateral diplomacy work? Which values does NATO protect? What is the main advantage of the Washington Treaty that has kept Member States together in NATO for seventy-four years (1949-2023)? NATO's future oscillates between two possible alternatives. One is an alliance limited to its core functions, dealing with common defence and deterrence – the two fields in which NATO performs best. At the other extreme is an expansive view of NATO as dealing with resilience and new security challenges (such as human security and climate change).*

**Keywords:** *Collective security, Transatlantic partnership, International Relations, NATO*

### Introduction

NATO, whose main goal is to preserve peace and stability in Euro-Atlantic area, was created with the signing of the Washington Treaty in 1949. The Cold War environment gave rise to NATO's dominant task in the period immediately after its establishment: to maintain and develop capacities for defence against armed attack of the opposing bloc. This task determined the direction of its development during the entire Cold War period, which was based on strengthening military capacities and ensuring readiness to respond to an armed attack on any member by joint forces of all members. The original goal of preserving peace and stability has not changed to this day, but practices for achieving that goal, as well as NATO's rhetoric have undergone certain transformations, and tasks have gone beyond the framework of defence against military attacks (Popović, 2020, p.4). After the disappearance of its dominant task, NATO embarked on a transformation. Although this has almost completely changed its field of action, this transformation is not radical, in the sense that it changes the purpose of the Alliance, but refers to tasks that NATO could respond to in the new environment, and thus ensure its own survival in circumstances of change. NATO, like all organisations and their members with interest for survival, is expected to exhibit following behaviours: resilience to change, affirmation of the need for survival of the organisation itself, and adaptation to change (Popović, 2020, p.4).

Changes in the international system that have occurred with the disappearance of the bipolar structure, have conditioned the redefinition of NATO's strategic direction and future tasks of the Alliance. To ensure its survival, NATO has turned to its broader interpretation

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of provisions of the Washington Treaty, seeking to prove that NATO's purpose goes beyond territorial defence, and is based on defending and protecting all common values of peoples of the North Atlantic area based on democracy, individual liberty and the rule of law. Although it has emphasized its geostrategic, external dimension since its inception, it is believed that NATO has always had a double logic of international security, which includes the internal dimension of security, and it was based on the protection of Western, liberal-democratic values in the Euro-Atlantic region (Popović, 2020, p.1, p.4).

Subject of research in this paper is the position of NATO in contemporary international relations. Closely related to the subject is the goal of the research, which due to the complexity of the subject itself is complex, i.e., multifaceted. It thus implies three basic points: 1. How does NATO's multilateral diplomacy work? 2. Which values does NATO protect? 3. What is the main advantage of the Washington Treaty that has kept Member States together in NATO for seventy-four years (1949-2023)?

In this context, the aim of this research is set in the direction of scientific processing of its subject in order to theoretically explain the position and day-to-day work of NATO in the contemporary international relations. In applying the normative method, through textual and contextual analysis, provisions of the Washington Treaty and related legal texts are being processed, which are directly related to the position of NATO in the contemporary international relations. The exegetical method, as a method of interpreting and explaining legal texts, was applied in this research. All the literature, which deals with important issues for the subject of our research has been studied in detail, opinions of different authors have been opposed and analysed in detail as well.

### **How does NATO's multilateral diplomacy work?**

International organisations have their own will which is different from the will of the Member States. That is the basic element and criterion for distinguishing organisations from international congresses and conferences. Professor Jan Klabbers considers that as soon as "organisations become more than just a debate club, as soon as they get public authority, it becomes possible and feasible to question whether they are doing it in a good way, or someone else could do it better". On the other hand, it is often argued that the will of the international organisations is fundamentally irrelevant, since their role is determined by the role of the Member States, above all, the Great Powers. It is undeniable that Member States of international organisations, above all, the Great Powers have enormous influence within the international organisations. The will of an international organisation is clearly not absolutely independent from the will of its Member States, when decisions are made unanimously by bodies composed of Representatives of States (Mishchevich, 2016, pp.127-128).

It is believed that the basis of the autonomous, independent will of international organisations, which finds expression in contemporary international relations when they become independent participants in these relations, originates from at least two sources. In the first place is the legitimacy of the legal power the organisation contains in itself, which signifies the existence of a special legal order created by the founding act of the organisation, a legal act that regulates not only the internal, but also the international activities of the organisation:

(...) The Parties to this Treaty reaffirm their faith in the purposes and principles of the Charter of the United Nations and their desire to live in peace with all peoples and all governments. They are determined to safeguard the freedom, common heritage and civilization of their peoples, founded on the principles of democracy, individual liberty and the rule of law. They seek to promote stability and well-being in the North Atlantic area. They are resolved to



unite their efforts for collective defence and for the preservation of peace and security. They therefore agree to this North Atlantic Treaty (...) [(North Atlantic Treaty, Preamble, Washington D.C., 4 April 1949. Founding act of the North Atlantic Treaty Organization (NATO))].

Another source of support for its independent role is the control over technical expertise and information in those areas for which the organisation is responsible. Both of these sources represent the theoretical basis for viewing international organisations as independent actors with their own will.

The basic result of the independent role of international organisation are its decisions, when the organisation seeks to ascertain facts in international relations, and thus provide the most objective view of the situation, establish a desirable situation in those relations, compare that situation with the existing ones and make decisions on the basis of measures to be taken in order to achieve the desired situation. In addition, its decisions, even when they are adopted unanimously, have legal force and bind the states precisely as decisions, not as Treaties that must pass constitutional review (Mishchevich, 2016, p.128).

By unanimity, NATO's decisions are made by the most important decision-making body, the North Atlantic Council (NAC). It is a political body composed of senior government officials from all Member States tasked with addressing the important political and operational issues. The North Atlantic Council is the only body created in accordance with recommendations of the North Atlantic Treaty, signed in Washington D.C, 4 April 1949:

(...) The Parties hereby establish a Council (The North Atlantic Council), on which each of them shall be represented, to consider matters concerning the implementation of this Treaty. The Council shall be so organised as to be able to meet promptly at any time. The Council shall set up such subsidiary bodies as may be necessary; in particular it shall establish immediately a defence committee which shall recommend measures for the implementation of Article 3 and 5 (...) (Article 9).

This body is responsible for all decisions taken by NATO. It meets at various levels: ambassadorial, ministerial (Ministers of Foreign Affairs and Ministers of Defence), prime ministerial and at the level of heads of states. Whatever the level of the NAC meeting, all its decisions have equal authority and represent the views of each government (Ruzin, 2010, p.27). The Alliance is made up of a number of subordinate and responsible committees before the North Atlantic Council, which prepares its meetings and ensures that its decisions are followed. There are more than 250 working committees that meet more often, or less frequently, and consider a number of relevant issues for the Alliance.

Consensus and the mutual trust decision-making mechanism also guarantee that the national independence of states is protected and maintained. Once a consensus is reached and a decision is made, that decision is a common obligation for the Alliance and for the Member States. Consensus means that each Member State must agree to accept particular conclusion or position of the Alliance. At the same time, the Alliance's intra-multilateral philosophy is very clear – no Member State should be in a state of “minority” or isolation, put by its allies, on any issue. Certain misunderstandings and open disagreements are not ruled out, but it has never happened, especially at NATO Summits, that a Member State is to be lonely and isolated because of its position. Consensus, or unanimity, is reached through consultations between partner states and NATO, based on the principles of reciprocity and understanding, namely: expressing a desire for cooperation, to take into account problematic issues and to find common solutions (Ruzin, 2010, p.28). The Secretary General and his associates have a duty to help maintain consensus among states on the general orientation of the NATO policy. If no consensus is reached, the North Atlantic Council, along with the Secretary General, seeks to respond in

the best possible way to the new challenges, to make changes to reach the necessary consensus. This means that the Alliance operates on the basis of jointly undertaken activities of all Member States, in favour of mutual and concrete cooperation. Their solidarity is reflected in the daily activities of the Alliance in the political, defence, military and other domains. The Alliance is not a monolithic organisation. It is not excluded that certain different views of the Member States will be manifested. However, thanks to the basic principle of their negotiation – consultations, the states are ready to find mutual understanding and solutions that could unite everyone:

(...) The Parties will contribute toward the further development of peaceful and friendly international relations by strengthening their free institutions, by bringing about a better understanding of the principles upon which these institutions are founded, and by promoting conditions of stability and well-being. They will seek to eliminate conflict in their international economic policies and will encourage economic collaboration between any or all of them (...) The Parties will consult together whenever, in the opinion of any of them, the territorial integrity, political independence or security of any of the Parties is threatened (...) (North Atlantic Treaty, Article 2 and 4, Washington D.C., 4 April 1949).

Consultation is an absolutely essential element in the decision-making process within the Alliance. Consultations between NATO members take various forms. It can be a simple exchange of information or equalizing views. At higher level, the consultation is about getting to know the measures and decisions that governments have taken or will take, decisions that will have some direct or indirect feedback on the interests of other allies. The consultation could include targeted debates which are expected to result in an agreement on the policies to be adopted, i.e., the adoption of collective decisions that would be confirmed by the Alliance. The process is ongoing as the multilateral diplomacy of all Member States allows. All are gathered in one place. National delegations can consult with each other just as much as military officials within the same military headquarters. Those consultations can be realized either at the request of a delegation or at the request of the NATO Secretary General. Given that diplomatic missions are located in a relatively small area of about 1 km<sup>2</sup>, their communications are even simpler.

All these principles of voluntary cooperation, respect for national independence and decision-making through consensus, characterize the bilateral and multilateral cooperation between NATO Member States and between NATO and partner states.

Given the Alliance's multilateral nature, one of the forms of consensual decision-making is the law institute – the silence procedure. Delegations or international experts, independently, or together with members or partners, send proposals, analyses, documents, reports to the International Secretariat. The International Secretariat prepares an appropriate document on particular issue, and the same document, after consideration and consultation with the auxiliary committees of the North Atlantic Council, is forwarded to the delegations of all Member States. Thereby, a time limit is set, for example 48 or 64 hours, which is a period called the silence procedure. During this period, the delegations contact their capitals, i.e., relevant ministries, prime ministers, governments, presidents, and seek instructions on the subject matter of the document (Ruzin, 2010, p.26).

If the capital agrees, then the national delegation in silence, within the pre-determined period of the silence procedure, will make it known that its state has adopted the document in question. If it receives instructions from its capital that they do not agree with the content of the text, the delegation of the relevant state will suspend the silence procedure with a written text addressed to the Secretary General and the North Atlantic Council. The delegation will have to briefly explain its position and propose amendments to the text. If it proposes amendments to the text and suspends the silence procedure, the Secretary General will again convene the North

Atlantic Council to review and adopt the text of the proposed amendments by the Member State. In general, one or two amendments are proposed because of diplomatic multilateral ethics.

The Secretary General is responsible for promoting and managing the Alliance's consultation and decision-making process. He chairs the North Atlantic Council and other high-level committees and plays a key role in the decision-making process. He can suggest certain topics for debate and in the role of an independent president he can drive the debate towards consensus. Otherwise, he does not have power to make political decisions and can react on behalf of the Alliance only if the governments of the Member States agree with such reaction. The Secretary General is also the Alliance's chief spokesman on NATO relations with various governments and international organisations. He is also the Alliance's chief spokesman for the media, although other classic spokespersons have been hired at NATO (Ruzin, 2010, p.28).

### **Strengthening NATO's role, cohesion, and consultation**

NATO is entering the eighth decade of its existence with both a longer record of success and a wider array of emerged challenges than its founders could have foreseen when they signed the Washington Treaty in April 1949. Today, NATO stands as history's most successful alliance, encompassing nearly a billion people and half of the global GDP across a space that stretches from the Pacific coast of North America to the Black Sea (NATO 2030: United for a New Era, 2020, p.5).

NATO continues to adapt in a world of competing great powers, in which assertive authoritarian states with revisionist foreign policy agendas seek to expand their power and influence, and in which NATO Allies will once again face a systemic challenge cutting across domains of security and economics (NATO 2030: United for a New Era, 2020, p.5).

Against this changing backdrop, NATO has experienced internal strains. Recent years have seen Allies engaged in disputes that partly reflect worries about their long-term strategic futures. Some Europeans worry that the United States are turning inward – or that its commitment to their continent will diminish as it increases focus on the Indo-Pacific. Some Americans worry that Europeans will shirk their responsibilities for the common defence – or even pursue a path of autonomy in a way that splinters the Alliance. Inside NATO, societal divisions have arisen and representative democracy is being challenged. In many ways, the Alliance could be said to be powerful in the military sense; but it is far from invulnerable to such political turbulence (NATO 2030: United for a New Era, 2020, p.5).

In spite of these challenges, NATO remains indispensable. In fact, the fundamental purpose of NATO is clearer today than it has been for decades. NATO has weathered stormy times before, surviving the Cold War, the Warsaw Pact, the Soviet Union, the Suez Crisis, the divisions among Allies over the Vietnam war, dictatorships in its own ranks, the Euromissile debates, disagreements over enlargement, and the Iraq war – just to name a few. Now, as then, Allies have remained bound together by a combination of shared principles, democratic institutions, and the benefit that all Allies derive from collective security. In a world of systemic challenges, the Alliance, in complementarity with the comprehensive military adaptation it has undergone, must cement its ability to act as the principal political forum for the strategic and geopolitical challenges facing the transatlantic community. Fulfilling this role will require even greater cohesion than NATO has possessed in recent years (NATO 2030: United for a New Era, 2020, p.6).

Allies should strive to hold national policies to the line of policy developed at NATO. The Alliance should institute a practice whereby Allied Foreign Ministers make a periodic appraisal of the Alliance's political development. NATO should hold more frequent Ministerials and, when appropriate, expand their format. It should resume the practice whereby the number of annual Foreign Ministerials matches the number of Defence Ministerials, with meetings alternating between NATO HQ and Allied capitals. (NATO 2030: United for a New Era, 2020, pp.6-14).

NATO should consider developing a North Atlantic equivalent of the U.S. Defence Advanced Research Projects Agency (DARPA) or the European Defence Fund (EDF) charged with encouraging support for innovation in strategic areas among Allies. Such an entity could be supported by an Advisory Group for Small and Medium Enterprises (SME) to the NATO Industrial Advisory Group (NIAG) to advise the Alliance on how to keep pace with technological change (NATO 2030: United for a New Era, 2020, p.31).

Allies recognise energy security as part of their common security. Energy security is the association between national security and the availability of natural resources for energy consumption. Access to (relatively) cheap energy has become essential to the functioning of modern economies. Allies should enhance their strategic-level political consultations on energy security issues in all its aspects with the participation of major stakeholders, where appropriate, such as the International Energy Agency. Allies should support the protection of critical energy infrastructure by sharing best practices among experts, and organising training courses, with the involvement of NATO Science for Peace and Security Programme (SPS), NATO entities like the Centre of Excellence on Energy Security in Lithuania and NATO-ICI Regional Cooperation Centre in Kuwait. NATO should be able to further advance the 'smart energy' agenda that aims to enhance energy efficiency in the military by continuing to incorporate the relevant aspects of the question in the NATO Defence Planning Process. (NATO 2030: United for a New Era, 2020, pp.39-40).

Climate change is one of the defining challenges of our times and holds serious implications for the security and economic interests of all members of the Alliance. NATO should continue to take steps to protect the environment, consider the impact on climate change from its own operations and act, where possible, so as to mitigate those effects. To this end, Allies should invest in green technologies for the ultimate purpose of improving military effectiveness and maintaining competitive advantages. Allies should consider the establishment of a NATO Centre of Excellence on Climate and Security or adding climate to the NATO Centre of Excellence on Energy Security. It should be considered how the Alliance can help make its operations more resilient, including by making energy and telecommunications grids better able to withstand weather events. NATO should use the Science for Peace and Security (SPS) programme in a more strategic manner to push forward on developing and implementing better green technology and smart energy, including solar panels and biofuels. It should establish targeted collaboration with selected partners for the same purpose (NATO 2030: United for a New Era, 2020, p.42).

Allies on both sides of the Atlantic must reaffirm their commitment to NATO as a principal institution for defence of the Euro-Atlantic area. To this end, Allies should pledge themselves to a code of good conduct to abide by the spirit as well as the letter of the North Atlantic Treaty. Given that Allies owe each other assistance in case of attack (Article 5 of the Treaty)<sup>2</sup>, they should recommit at the highest level to: uphold our common values, founded

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<sup>2</sup> *Article 5, which establishes a system of collective security and collective protection of NATO Member States in the event of armed attack against them, has kept Member States together in the alliance for 74 years. Significantly, Articles 2 and 3 of the Treaty had important purposes not immediately germane*

on the principles of democracy, individual liberty, and the rule of law, maintain and develop Allies' individual and collective capacity to resist armed attack, consult on all major issues of Euro-Atlantic security, including in advance of military operations affecting Allied interests (where operationally possible), or when territorial integrity, political independence, or security of an Ally is threatened or undermined, uphold an open and stable international order based on the rule of law and the peaceful settlement of conflicts, make good-faith efforts to settle any dispute in which an Ally may be involved with another Ally by peaceful means, and foremost bilaterally, through dialogue, as set forth in the UN Charter and in accordance with international law, refrain from politically motivated blockage involving matters external to NATO, report on significant bilateral interactions with third countries which relate to vital security interests of Allies where appropriate (NATO 2030: United for a New Era, 2020, p.51).

NATO should reassert its core identity as an Alliance rooted in the principles of democracy. As stated in the preamble to the North Atlantic Treaty, NATO exists to 'safeguard the freedom, common heritage and civilisation of our peoples, founded on principles of democracy, individual liberty and the rule of law'. NATO's political cohesion is strongest when its members adhere to these principles. NATO should continue reaffirming these principles and draw a clear political and moral distinction between democracy and autocratic forms of government that characterise NATO's systemic rivals.

The Allies should maintain and meet burden-sharing requirements that have been agreed as the foremost test of their commitment to collective security. Maintaining adequate military capabilities is not only necessary for deterrence and defence, but also is the central plank of political cohesion, going to the heart of the logic of pooling resources and the benefits (including the security on which prosperity depends) that come from being under the Alliance umbrella. Allies have made progress in meeting NATO's Defence Investment Pledge at the 2014 Wales Summit, under which they aim to spend two percent of their GDP on defence, and twenty percent of their defence budgets on major equipment by 2024.

Allies should consider establishing a Centre of Excellence for Democratic Resilience dedicated to providing support to individual Allies, upon their request, for strengthening societal resilience to resist interference from hostile external actors in the functioning of their democratic institutions and processes, in complementarity with relevant international organisations (NATO 2030: United for a New Era, 2020, p.52).

NATO should institute the practice of intra-Alliance consultations ahead of meetings of other international organisations. Group of experts note the value that Allies derive from speaking with one voice on global affairs. It calls for consultations in areas described in the North Atlantic Treaty before or informally on margins of meetings of e.g., United Nations, the G-20, and other fora. In parallel, the group calls for strengthening NATO's capacity to deploy swifter communiqués and statements of concern on major global issues (NATO 2030: United for a New Era, 2020, pp.53-54).

### **Political consultation with the European Union**

NATO and the European Union should be animated by a shared vision of transatlantic unity, even as they provide space for continued political pluralism and commercial competition within their own ranks. Both organisations have much to gain from the strengthened cooperation. Rather than developing new mechanisms to broaden the relationship, concerted effort is needed

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*to the threat of attack. Article 3 laid down the foundation for cooperation in military preparedness between the Allies, and Article 2 allowed them some leeway to engage in non-military cooperation.*

to build trust and make fuller use of existing arrangements and identified areas of cooperation, with a view to deepening long-term practical cooperation between the two organisations. NATO and the European Union should seek to reinvigorate trust and understanding at the highest levels. At the next NATO Summit or next available opportunity, it would be useful for NATO and the European Union Heads of State and Government to meet in a special formal session, as agreed, to review the current state of the relationship and examine areas for greater cooperation.

NATO and the European Union should affirm their adherence to the foundations of cooperation between the two organisations established almost two decades ago which underpin the principles emphasized by the two organisations in the lead-up to the 2016 Warsaw and 2018 Brussels Summits. These include the recognition that NATO remains to be the transatlantic framework for strong collective defence and an essential forum for security consultations and decisions among Allies. A stronger, more capable, and better resourced European defence will contribute to a stronger NATO and we welcome the ongoing efforts for developing the European defence capabilities. Also, the need to further develop effective mutual consultation, cooperation and transparency between NATO and the European Union by making effective use of existing mechanisms and fullest involvement of NATO Allies that are not members of the European Union in its initiatives, which is essential for strategic partnership between the two organisations is included (NATO 2030: United for a New Era, 2020, pp.55-56).

NATO should welcome the European Union's efforts towards a stronger and a more capable European defence capability insofar as these strengthen NATO, contribute to the fair transatlantic burden-sharing and fully involve non-EU Allies, as agreed by both organisations. (NATO 2030: United for a New Era, 2020, p.56).

### **Political consultation with Partners**

NATO should deepen consultation and cooperation with Indo-Pacific partners – Australia, Japan, New Zealand, and the Republic of Korea. This could be done using the existing NATO+4 Format or the NATO – Pacific Partnership Council, or through NATO engagement with the Quadrilateral Security Dialogue, potentially including other regional states such as India, as appropriate. NATO should begin internal discussions about a possible future partnership with India, as the world's largest democracy and country that shares fundamental interests and values with the Alliance, assuming India's willingness to engage in such dialogue. It should begin similar internal discussion about NATO's future relationship with the countries of Central Asia, some of whom are already NATO partners (NATO 2030: United for a New Era, 2020, p.60).

NATO should establish a centre of higher learning to cultivate future talent outside of NATO. Noting the success of the NATO Defence College in building organisational talent, it should establish a NATO University aimed at inculcating a sense of Atlantic community and commonality of purpose among the youth of its publics.

### **Conclusion**

It is obvious that NATO's survival lies in its ability to adapt to any new security and political environment. Its 74 years of existence is the best evidence for that. In the course of this time, NATO has been through phases of renewal and reorientation, while always delivering its central mission and never deviating from its founding principles. Throughout, the Alliance has remained strong and resolute at each turn, always challenging itself to be the best it can be.

This ability to respond, adapt, and renew its internal bonds has been NATO's hallmark over the last seven decades.

The peace that most of Europe has enjoyed for the last seven decades is a historical exception. NATO remains the guardian of that precious asset. NATO's future oscillates between two possible alternatives. One is an alliance limited to its core functions, dealing with the common defence and deterrence – the two fields in which NATO performs best. At the other extreme is an expansive view of NATO as dealing with resilience and the new security challenges (such as human security and climate change). Clearly, report goes in the second direction, while preserving crucial importance of its core mission. NATO will have to forge a fine balance between its core functions and additional engagements. Efforts to reinforce NATO as a political alliance depend entirely on the political will of member states. A more global NATO – with reinforced partnerships, and with European allies that have increased their responsibilities – will allow its members to preserve the centrality of the transatlantic bond.

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## EU STATEBUILDING IN MACEDONIA – PRZINO AGREEMENT

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**Abstract:** *Proceeding from the premise that international statebuilding mechanisms are frequently used by the European Union (EU), particularly in Western Balkan states, this paper critically examines the effects from this effort, taking into consideration the Macedonian example. The focus of this analysis is on a specific phase of the prolonged statebuilding effort, evaluating the interaction among EU and Macedonia in the context of the so-called Przino process. The research reveals that EU's approach to statebuilding through prioritizing regional stability and sustaining of status-quo situation in the state, even though it created a temporary stabilization of the internal political crisis; however, the political self-regulation's capacity of EU candidate - member state is being problematized. The Macedonian experience, seen through the Przino process, shows that the applied mechanisms are transforming the state's political order to a certain degree and are also problematizing the principle of popular sovereignty. Instead of strengthening institutions, non-institutional practices and entities are being established, that go beyond the state's constitutional framework in certain aspects.*

**Keywords:** *international statebuilding, European Union, Western Balkans, Przino, Macedonia*

### Introduction

The fall of the Berlin wall for a large part of the former Eastern bloc meant opening of new perspectives for democratic transition, followed by integration to NATO and EU. However, the territory of the former Yugoslav federation (apart from Slovenia and in a certain period Macedonia) was engulfed with armed conflicts. The initial reaction of international actors was establishment of truce and/or peace as a priority, followed by a prolonged process of building the state through mechanisms of international statebuilding. The key agreements that subsequently initiated the implementation phase through peacebuilding (statebuilding and nation-building) programs were 1995 Dayton agreement, 1999 Kumanovo agreement and 2001 Ohrid Framework Agreement. Over two decades later, one can conclude that this approach undoubtedly managed to establish a truce and ended the hostilities, yet the institution-building process, good governance and rule of law were the harder part of the task. The immanent weakness of target states, according to some authors, resulted in de facto protectorate democracies (or democracies with attributes). Thus, western actors redefined state sovereignty, which morphed to state capacity (instead of political independence). One of the harsher critics of the international statebuilding process, the British professor David Chandler notes that these interventions that are presented as an administrative assistance for state capacity-building, good governance and rule of law, are in fact creating weak states with no capacity for political self-regulation, no political legitimacy, and no ability to establish constructive relations with the respective society.

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Essentially, Western Balkans became the region to project EU's soft power through capacity-building. Unlike previous experiences from the EU enlargement process in Eastern and Central Europe, Western Balkans witnessed a different approach, marked with conditionality and continuous reform demands that affect even state sovereignty. Using this approach throughout the years, the EU will become the key actor in Western Balkan states internal politics.

This paper's hypothesis is that international statebuilding in Macedonia failed to create foundations for state's self-sustainability with democratic features. The majority of these "statebuilding therapies" resulted in transformation of the country's constitutional order, and reinforcing the same issues which are identified as a reason for external intervention in the first place. This thesis is being evaluated on the Przino process.

The contents of the paper are organized in three key sections. The first focuses on briefly elaborating the statebuilding concept, with a particular accent of the developments in the Western Balkan region, in the broader context of EU's politics of enlargement. The second part contextualizes the research problem by determining the conditions and causes that led to the signing of the Przino Agreement. The last part summarizes the key insights from the theoretical and empirical analysis, hoping to contribute to a larger academic debate regarding the effects of EU's politics of statebuilding.

From a methodological aspect, the study relies to a great extent on analysis of information from secondary sources, international documents and reports, NGOs and think-tank analyses, statements and opinions of official representatives and institutions, through which one can gain insight of the perspectives of the involved local and international actors in the political process crowned in one of the country capital's settlements Przino.

### **International statebuilding in Western Balkans**

First, the key concepts operationalized by this analysis need to be briefly elaborated. In fact, these concepts are mutually intertwined: statebuilding and fragility occurred either due to an authoritarian regime or internal conflict. According to one of OECD documents, statebuilding is viewed as an "endogenous process of strengthening of capacity, institutions and state legitimacy, and is driven by the relationship between the state and society." Therefore, statebuilding is "primarily internal process which includes local actors, which means that international actors' roles are limited." On the other hand, fragility means a condition characteristic for weak states or state with weak capacity to execute basic functions of managing the territory and population lacking the ability to promote and develop mutually constructive and supportive relations with its society. This additionally creates low support for government policies and weak relations among the citizens and the state. Nevertheless, experience shows that there are slim chances (if any at all) for a chaotic society with weak institutions to internally self-democratize according to the liberal democratic model. According to the research of external interventions' practical results in the context of statebuilding in fragile conditions, the theoretical notion disputes both key concepts. Therefore, these are contested concepts, that even if there is uniformity for having an analytical value, the differences occur in the context of the definitions' contents and way of detection.

The process of state rebuilding represents a complex set of initiatives and mechanisms focused on reforming state institutions, capacity, and political legitimacy, with the aim of preventing restarting of armed conflicts. Against this background, the international factor became the one determining the stabilization framework for rebuilding institutions in ruined societies due to internal conflicts and/or authoritarian regimes. In case of EU's involvement, it is about simultaneous efforts for democratization and Europeanization. The incentive for internal reforms

in weak states is sought in the wishful EU membership, yet the process itself according to some authors is externally driven, with coercion and demands for increased effort. Thus, the process is not just endogenous, it also creates a culture of dependency, using Woelk's terminology.

The concept of failed states is also a subject of serious academic debates. Helman and Ratner give the simplest definition of the term failed states, being "a nation-state unable to sustain itself within the international community." On the other side of the spectrum is Woodward's position that claims the concept is arbitrarily used for enabling mightier states to intervene, more than often militarily. According to her, the concept lacks empirical logic, and the issue is located at the international actors that are promoting this qualification.

Furthermore, the term Western Balkans can also be problematized. It represents a neologism promoted by EU institutions back in the 1990's as a result of the geopolitical, economic, and cultural differences among EU member states and those from the region of Southeastern Europe. In fact, the term refers to South-eastern European states involved in EU enlargement process and are subjected to statebuilding.

As previously pointed out, defining the statebuilding concept faces serious problems, due to the variety of opposed opinions. Statebuilding debates depend on the perception of involved actors on what the concept of state means, and what belongs out of the traditional defining models. For some, statebuilding is about the creation of new state institutions and a process of empowerment of established state capacities, anti-corruption strategies incentives, poverty reduction, as well as other reform and administrative measures. According to this definition, the Weberian approach of defining the state is being accepted, meaning that the state is being equated to state institutions. The other position argues that weak states are source of insecurity, therefore mechanism for dealing with weak states are needed. In fact, Francis Fukuyama noted that the statebuilding concept is the most important issue for the global community, because weak and failed states are the source of global security and economic problems. The third position argues that behind the phrase "capacity-building and empowerment", transformed invasive forms of external regulation are being hidden, representing a veil utilized by external statebuilders for advancing their national and/or geopolitical interests.

The literature, and practice as well, identify the following elements defining statebuilding as a process of building and empowering state institutional capacity: 1) existence of weak/failing/failed state; 2) internal and external actors involved in statebuilding; 3) plethora of interests, motives, goals, as well as process' agenda including operationalization strategies; and 4) the outcome of the process. Against this background, David Lake considers that interventions in target-states are operationalized through local mediators (interlocutors), and the greater are the interests of external actors, the higher is the possibility of creation of a state incapable of self-sustainability and lacking legitimacy, due to the different interests of external statebuilders and the ones of the local population.

EU's activities related to statebuilding in Western Balkans are guided by the assumption that there are standardized models of the notion of rule of law, human rights, democracy and the liberal market. EU's involvement in statebuilding is through the established mechanisms such as the Stabilization and Association Process (SAP), Stability Pact for South-Eastern Europe, 2011 High Level Accession Dialogue, and the focus is on the rule of law, public administration's reforms, protection of freedom of speech, development of market economy, and electoral system's reforms as well. Such involvement could be seen through the internationalization of the mechanisms of domination by including a number of states and international institutions; Europeanization (internationalization) of vital state institutions for governance, creation, and

inclusion of civil society sector in the policy decision-making processes, as well as through utilization of the “partnership” and “ownership” speak.

The conditionality principle adapted in 1997 is the most important instrument within the SAP framework. Western Balkans states are bound to a subordinated relationship to EU’s mechanisms, and steps related to improved cooperation and eventual European integration are intertwined with accomplishment of political and economic reforms. EU’s aim in this process is the creation of a functional state in the image of EU member-states, through the implementation of EU’s *aquis communautaire*. Conditionality is perceived through the following rationale: if local political actors transform state institutions, the reward would be EU membership or opening negotiations at least. Such approach of imposing “top-down” pressure reveals certain deficiencies due to the veto mechanism at disposal of EU member-states. Recent example of imposing policies according to the “top-down” principle is the action of UN High Representative for BiH, Christian Schmidt by using his so-called Bonn powers, who suspended the Law on Properties in Republic of Srpska under the pretext that the law was unconstitutional and also some people to get to their senses, implicitly addressing the Bosnian politician Milorad Dodik. Florian Beiber additionally problematizes the conditionality policy due to lack of statebuilding rules and regulations, the constant effort to impose these policies, the non-synchronized approach of EU institutions involved in statebuilding, as well as the variety of opinions of individual EU member-states of what statebuilding entails.

Next mechanism in EU’s enlargement policy arsenal is the concept of the rule of law. This concept assumes the principal place in EU political accession criteria, even though EU does not concisely define the concept. Besides the existence of stabile institutions guaranteeing democracy, protection of human rights and minority rights, the rule of law is also part of the 1993 Copenhagen criteria. In the context of EU’s enlargement, the rule of law is a topic in two chapters of EU’s accession process (Chapter 23 – Judiciary and basic rights and Chapter 24 – Freedom, justice, and security). The Copenhagen criteria, which are comprised of political and economic sub-criteria, still represent the main frame for deciding for eventual membership of EU candidate states. The incorporation of Copenhagen criteria in EU’s conditionality policy for accession of Central and Eastern Europe states resulted in prioritization of the rule of law agenda, while progress of candidate states depends (or should depend on) their compliance of a wide specter of reforms related to economy, good governance, human rights, democracy, and rule of law.

In other words, with the help of international statebuilding’s mechanisms, besides coercion, there is also a certain form of political pressure exerted to local political actors, “forcing” them to comply with the internationally adopted agenda by EU statebuilders. The process is overshadowed by the complex international involvement and EU presence and coupled up with the non-synchronized approach and conflicting views among EU member-states, instead of building state institutions and capacities, the process results in creation of progressively failing state without the capacity of self-governance and autonomy.

In summary, one can conclude that within EU’s enlargement policy, the conditionality policy, foreign policy and the financial help are united in a set of mechanisms and stimulations through which EU exercises and legitimizes its transformative powers over EU candidate states, and the implementation of these statebuilding mechanisms directly affect the political, economic and societal order in the state subjected to transformation. Instead of promoting reforms of state institutions, that would originate from the people’s direct needs and will and in accordance with the “bottom-top” approach, the asynchronous approach of external statebuilders combined with the imposed “top-down” policies, internationalization of statebuilding mechanisms, prioritiz-

ing stability at rule of law's and democracy's expense, these policies lead to transforming of state sovereignty to a form of shared sovereignty, while local ruling elites lack legitimacy in the eyes of the electorate. According to a recent study, the conclusion for EU's statebuilding can be summed up in the following sentence: "Western Balkan states are caught in a hybrid status quo in their democratic journey. The traditional arguments related to cost-benefit calculations, national identity or conflicting goals are insufficient to explain the gap between gradual improvements in the formal synchronization of membership criteria and stagnation, as well as deterioration of democratic performance. The authors rightfully conclude that EU's political synchronization not just it has a limited impact over Western Balkan captured states, it also contributes to these inadequate governance models.

### **The Macedonian case: Features and implications of Przino Process**

In brief, international statebuilding's trajectory in Macedonia can be divided into three separate phases. The first phase refers to the period from 1991 to 2001, the second being from 2001 to 2015 and the last and current phase beginning from 2015 with the so-called Przino process. The first two phases for Macedonia meant series of political crises, since the establishment of the independent Macedonian republic, the decades-long name dispute with Greece and the 2001-armed conflict. As a result of the conflict, the Ohrid Framework Agreement was signed which subsequently led to a set of constitutional changes. There were also several events that greatly affected the internal developments, such as the veto at the 2008 NATO summit in Bucharest, the Parliament crisis in December 2012, the nonrecognition of local and presidential election results, the student protests and the wiretapping scandal in 2014. These events contributed to the increasing external involvement through the Przino process. Common denominator however, for the continuing political crises since 2001 were the internal dissonances as well as the ineffectiveness of external statebuilders. Even the EU Commission in the 2014 annual report for Macedonia's accession progress noted that the process was at an impasse due to failure to implement the Commission's recommendations, politicized state institutions, media control in context of elections, including the prevailing party interests over national interests.

Although the seed was sown the previous year, the political crisis culminated in 2015. One can say that the crisis began with the law enforcement operation "Coup", in which according to the Macedonian MOI, the suspects, former Director of Administration for Security and Counterintelligence, Zoran Verusevski and the President of the then-opposition political party Social Democratic Union of Macedonia (SDSM), Zoran Zaev, were suspected of using illegal means of monitoring and espionage, and in collaboration with foreign intelligence services were threatening state officials with the aim to overthrow the current constitutional order. The opposition nevertheless rejected the accusations claiming that the move was to defocus the public from the previously announced wiretapped communications possessed by the opposition leader. The political crisis gained another impetus with the disclosure of the wiretapped recordings which revealed incriminating conversations denoting corruption, electoral fraud, violations of privacy by political representatives of then-ruling government led by the political parties Internal Macedonian Revolutionary Organization – Democratic Party for Macedonian National Unity (VMRO-DPMNE) and Democratic Union for Integration (DUI). Commenting on the political developments, then-UK Ambassador in Macedonia, Charles Garret affirmed that the conflicting parties should be presented with the issue of forming a transitional government.

Reactions came from representatives of the European People's Party and then-Senator Pedro Agramunt, who signed a declaration condemning the efforts to undemocratically overthrow the ruling government in Macedonia, as well as the irresponsible actions of the political opposition. During the same period, the media revealed that Garret openly supported Zaev and was allegedly directly involved in the overthrow of the Macedonian ruling government in coordination with other undisclosed governments. Despite all this, EU would soon define the general situation in the country as a "captured state" by ruling political parties.

The polarized political situation peaked in May 2015 with mass anti-government protests in the so-called "Color revolution", and triggered by the allegations of covering the murder of Martin Neskovski in 2011. In the same period, armed conflict erupted between the Macedonian law enforcement and an armed grouping affiliated to UCK in the Kumanovo settlement "Divo naselje", where eight police officers lost their lives. In the aftermath of the incident, then-Minister of Interior, Gordana Jankulovska and then-Director of Administration for Security and Counterintelligence, Saso Mijalkov resigned. Moreover, Ahmeti also played a role in the Kumanovo developments, stating that he "convinced" the armed group to surrender for the common interest. Ahmeti's gesture was hailed by the Ambassadors of Germany, France, Italy, UK and US in a joint statement after the meeting with him in Skopje. Observing the Kumanovo developments, the ambassadors pointed out their concerns for the sincerity of efforts to implement the democratic principles and values of the Euro-Atlantic community, which could hamper the country's progress toward NATO and EU membership. The ambassadors also noted the institutional weaknesses revealed with the wiretapping scandal, calling for specific reforms in the judiciary, freedom of speech, media freedoms, as well as reforming the electoral system.

Meanwhile, the political crisis continued unfolding, as the leaders of the four largest political parties (Nikola Gruevski, Zoran Zaev, Ali Ahmeti and Menduh Thaci) were summoned for negotiations in Strasbourg on 18 May 2015 with the aim to end the political deadlock with mediation from EU and US officials. EU's Parliament representatives Richard Howitt, Edvard Kukan and Ivo Vajgl were appointed for leading the negotiations that were conducted outside the Macedonian territory, and coordinated by the European Commissioner for Enlargement, Johannes Hahn. The meetings mediated by EU and US were held behind closed doors, while there were pro- and anti-government protests in the Macedonian capital, organized simultaneously.

After several rounds of negotiations and interventions by EU, in March and April 2015 in Brussels, two meetings at the so-called Deputies' Club in Skopje, the Strasbourg meeting the same month, and another one at the Deputies' Club on 26 May 2015, during which Hahn already announced signing of a final agreement with which "the country would be allowed to continue further", the political crisis culminated with the signing the Przino Agreement.

With this agreement signed on 02 June 2015, the political crisis was frozen again. Similarly, to OFA's negotiations format, the Przino Agreement was signed by the four representatives of the largest political parties in Macedonia (DPMNE, SDSM, DUI and DPA), and in presence of EU representatives, Commissioner Hahn, then-Head of EU Delegation, Aivo Orav, as well as then-US Ambassador Jess Baily. The negotiations were conducted outside the state institutions with the four local political representatives in EU delegations' residence in Skopje's settlement Przino, and also outside the country (according to the extraterritoriality principle). During the talks, the then-current ruling administration initially refused to accept the opposition's terms for

forming a transitional government six months prior the elections, neither creating of a special prosecutor's body for dealing with the revelations from the wiretapping scandal.

The agreement additionally provisioned the creation of a transitional period with detailed conditions that would end with free and fair elections by April 2016 and in accordance with European standards. The conditions were inter-party agreement for holding early elections, return of the political opposition in Parliament, creation of Parliamentary Investigative Committee to deal with the wiretapping scandal headed by SDSM, prohibition for further revealing of wiretapped recordings. SDSM was also obliged to surrender all audio materiel to the public prosecutor, and the State Election Commission (SEC) was set to be revised and its mandate expanded. Part of the agreement were also the obligations for inter-party agreement for structural reforms related to Chapters 23 and 24 of EU's accession process, implementation of EU Commission's recommendations regarding rule of law and in the context of 2011 HLAB. In addition, reforms for creation of independent state institutions, broadened media freedoms and full compliance with Venice Commission's recommendations, were part of the agreement's agenda as well. Against this background, early parliamentary elections were set for 24 April 2016, resignation of the ruling government 100 days prior the elections, electoral and media reforms, including the establishment of an independent Special Prosecutor's Office (SPO) with a mandate to investigate the wiretapping scandal's allegations.

The Przino Agreement was followed by the recommendations of the expert group on the issues that emerged from the wiretapped conversations and related to the systematic rule of law. In this document, known as the Priebe Report, guidelines were given that referred to easier implementation of the Urgent Reform Priorities and related to the monitoring of communications, parliamentary oversight of intelligence services, justice system, elections and media. Although the agreement proclaims and advocates openness to other political parties and the inclusion of these parties in the process with their signature, the course of negotiations and the signing of the agreement were carried out outside the democratic political process in the country with the exclusive participation of the representatives of the four largest parties in Macedonia. This kind of non-transparency and non-institutional nature, on which the Przino Agreement was signed, without the participation of civil society and other parliamentary parties, and with the mediation of an external factor, always implies the delegitimization of the local political actors involved.

The post-Przino period and the implementation of the conditions outlined in the agreements of June 2, June 19 and July 15 was followed by blockades and delays by the parties in power, who considered that the deadline for fulfilling the provisions of the agreement was sufficient, giving priority for respecting the date for holding early parliamentary elections. On the other hand, SDSM claimed that it was impossible to "purge" the voter list, reform the judicial system and SEC and create a technical government that would have the capacity to organize early parliamentary elections in a fair and democratic manner. Due to such conflicting views, SDSM announced that it would not participate in the April 2016 elections, after which the election date was initially moved to June and then to December 2016. Meanwhile, the SPO, established within the Przino framework on 15 September 2015, prepared its first indictment a year later. The fact that this institution was established with the Przino Agreement indicates that Macedonian institutions were dysfunctional in that period, since the creation was outside the existing constitutional and legal framework (and in particular, the public prosecutor), where instead of building state institutions within the framework of the concept of the rule of law, EU

statebuilders placed politics above law under the guise of political compromise. SPO had had the staunch support of the international community.

Similarly, as in past critical crisis periods, DUI also played a key role in this one, by refusing to submit the election candidate lists and as a result DPMNE was forced to accept the twice-postponed elections date in December 2016. According to the provisions of the Przino Agreement, at the beginning of 2016 a technical government was formed, whose mandate was shortened due to the resignation of the so-called auxiliary ministers from the opposition SDSM. The opposition MPs also left the parliament at the time. Such a move by the opposition was due to the fact that they considered that the conditions for conducting fair and democratic elections were not met and announced a boycott, while the ruling DPMNE stood firm on the position that elections would be conducted, even without the participation of the opposition. Few days before dissolution of the parliament, DUI withdrew its representatives from the executive branch. Consequently, the political crisis that should have been previously resolved with the signing of the Przino Agreement, additionally intensified.

Analogous to deepening of the crisis, EU's and US' pressure increased, which was seen by contacts and visits of high political representatives in the country. For instance, at the beginning of 2016, the then-President of DPMNE Gruevski visited US, where in a conversation with Joseph Biden, then-US Vice President, the importance of implementing the provisions of the Przino Agreement and creating conditions for organizing fair and democratic elections was highlighted. Furthermore, in July 2016, then-German Foreign Minister Frank-Walter Steinmeier appointed Johannes Haindl as the Special Envoy for Macedonia, and the same month Victoria Nuland, former Assistant to the US Secretary of State for Europe and Eurasia, paid a visit to Macedonia. Nuland's statement that there were chances for introducing economic sanctions on Macedonia, should the political crisis persisted, represented the "motivation" for local political parties to reach a consensus on the unresolved issues stemming from the Przino Agreement. In the "Przino 2" agreement, which was again concluded in a non-transparent and non-institutional manner, the four main political actors, with the mediation of US Ambassador Bailey, agreed on the details of electoral reforms, the media, and the support of the SPO. It was also agreed that at the end of August 2016 an assessment to be conducted of the existence of conditions for early parliamentary elections. According to this agreement, the application of the Law on Internal Affairs was suspended until the beginning of 2017.

The elections were held on 11 December 2016. This time again, VMRO-DPMNE won the majority of mandates, however the victory was barren because the party lacked coalition capacity. Namely, DUI refused to enter the ruling coalition offered by Gruevski. In addition to the new constitutional deadlines for formation of a new government (thanks to the undefined constitutional decisions and different constitutional practice), the crisis continued – first in the streets, and then culminated with the events of 27 April 2017. The intrusion of protesters into the Macedonian parliament during the Assembly's constitutional session and the election of its new president became known as the "Black Thursday". MPs were injured in the event and after several hours of turmoil, police intervention prevented further escalation.

Finally, after several months of obstructions by DPMNE and Macedonian President Gjorge Ivanov's refusal to pass the mandate for forming a government to the opposition leader Zaev due to allegations that Zaev accepted to implement the so-called "Tirana platform" according to which the Albanian language would become the second official language in Mace-



donia, in May 2017 the mandate was given to Zaev, nevertheless. Moreover, Ivanov requested written guarantees from Zaev that he will preserve the territorial integrity and constitutional order of the Republic. Subsequently, new government was formed, and criminal proceedings were instituted against a large number of protesters, members of the DPMNE, police officers, including the former Director of Bureau of Public Security Mitko Chavkov, indictments which resulted in multi-year prison terms. The "Black Thursday" events represented the epilogue of the political crisis in Macedonia, or rather the end of another dramatic episode in the country's political history.

### **Conclusion**

The review of effects of EU statebuilding policy's application in Western Balkans speaks of a complex trajectory and the existence of weak and fragile states that fail to meet the Copenhagen criteria. In their effort to assist, the EU applies a wide variety of mechanisms – from soft to more decisive, through which local political elites are required to adapt to the demands. The phenomenon of stabilitocracy that came to life in the region actually means that local elites perfected the approach of formal-legal and declarative acceptance of European standards and values, and in return they are granted freedom to act according to their narrow interests in the sphere of internal politics. In cases of deeper crises, EU representatives, usually in cooperation with the US, intervene in the direction of "damage control". Such an approach leads to a certain kind of stabilization and "normalization," yet it is far from real democratization and Europeanization.

In the Macedonian statebuilding case, accompanied with the European integration process, besides adapting to neighboring countries' demands (which are not related to the Copenhagen criteria), the process is burdened by the internal weaknesses of the dysfunctional political and economic system. The EU operates with soft power mechanisms, while US employs other less visible mechanisms surreptitiously to discipline noncompliant political actors. In such circumstances, citizens have few opportunities for action and active participation in politics from the "bottom-up" principle. The 2014-2017 crisis showed that even when there is a protest movement, the crisis management is in the hands of the party leaders, who are often the cause of the crisis themselves. The EU prefers status quo and stability; therefore, it accepts and exploits mechanisms which are not typical of normal democracies (even when they are facing their own deep political or social crises).

Prioritizing stability and maintaining status quo, instead of promotion of democratic processes according to the "bottom-up" principle and stemming from the people as the bearer of popular sovereignty, as well as aiming toward the normative aspects of European integration, international statebuilders while intervening exploit local political actors to promote and accomplish their foreign policy and geopolitical interests. This discourse is realized in a non-institutional and unconstitutional manner, and as a prize for their compliance, local political actors are given external political legitimacy, external financial aid, or in some cases guarantees that no economic sanctions would be introduced against individuals or the state. Such discourse enables the creation of a culture of political and criminal unaccountability at the local policy creators and decision-makers.

Lastly, the Przino process was the result of an external intervention to resolve the crisis; however, it left consequences in the legislative process and in the sphere of the rule of law. The

effects of this undertaking are dubious in light of the way in which the existence of the SPO ended with a scandal, the unresolved court proceedings and controversies related to them, yet also in the sphere of the constitution of government and the electoral process. The remnants of the Przino process are still present and will influence the political landscape in the next period as well, until these decisions are changed.

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## DEMOCRATIC RESILIENCE AND ITS RELATED CHALLENGES

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**Abstract:** *Democratic resilience has recently attracted considerable attention in contemporary political thought, as well as practice. It is due to the (in)capacity of the democratic political systems to resist and withstand attacks on its institutions and values. By elaborating recent challenges to democratic resilience and by understanding the origins of the attacks and threats against democracies, policymakers can properly and timely protect democratic institutions, values, and practices. This work, in that sense, focuses the attention to such external (but also inherent) influences that pose threats to the democratic system and the manner in which they are interwoven. We particularly treat disinformation, populism, polarization, illiberalism and economic inequality as such considerable threats.*

**Keywords:** *democracy, resilience, contemporary challenges, populism*

### Introduction

In recent times, through democratic theoretical thought and practice, we are increasingly encountering the topic of democratic resilience. The reasons for this actualization of the subject are many, and hence, its importance implies that it should receive adequate attention also within our public. At the very beginning, we want to explain that the concept of democratic resilience, first of all, refers to the ability and capacities of a democratic political system to resist, or to show resilience, or to recover from threats or attacks against its institutions and practices. Such a conceptual understanding or operative definition of the notion of democratic resilience is useful, when many modern democracies are facing significant problems, both from internal and external threats; we would say - forces that seek to undermine basic democratic substantive qualities. It is also important to note at the outset that not all democracies are equally resistant or resilient to certain threats, and that the variations and dynamics of the resilience of a democratic political system depend on many factors: the history of democratic experience, institutional capacities, democratic memory, political culture and many other factors. For those, we are not going to elaborate here, for obvious reasons related to the page limitations related to this work. However, it is good to mention that there are certain parameters according to which some democracies are more likely to be resistant to autocratization in its earlier emergent stages while in others this is not the case. Even more, understanding the factors that contribute to strengthening democratic resilience can certainly help policymakers in many ways, but it can also help citizens to promote and protect democratic institutions and practices. Also, it is

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a well known fact that history has witnessed already and is still experiencing unfavorable and extremely regressive and anti-democratic experiences or autocratized episodes of backward transformation in democracy around the world, and especially, in situations where in the early stages of autocratisation, an emerging democracy fails to position itself as a defense mechanism against it. Consequently, the democratic systems have the capacity for perversion / or to be turned into authoritarianism and even into a totalitarian regime or dictatorship. In the initial bursts of such possible challenges - cases, therefore, for democracies to realize their democratic potential, they must show resilience/elasticity. During the potential collapse of democracy, similarly, systemic or societal resistance is needed, all to eliminate the potential for an even greater collapse. In other words, in these situations, phenomena such as "mobs of the people", or more precisely politically mobilized corps with illiberal or totalitarian potentials and intentions to establish anti-democratic regimes, arise. Along these lines, Hannah Arendt also testifies, " It would be a still more serious mistake to forget, because of this impermanence, that the totalitarian regimes, so long as they are in power, and the totalitarian leaders, so long as they are alive, "command and rest upon mass support" up to the end."<sup>3</sup>. Thus, democratic resilience in this context would imply *the capacity of the democratic system to prevent its self-abolition, more precisely, to avoid the establishment of populist, authoritarian, or totalitarian regimes*. Namely, it can do this through specific devices, modes, institutions, or regulations, which would contribute to strengthening democracy itself and maintaining its continuous democratization.

In the first part of this work, therefore, and at the most fundamental level, we will explain what an "attack on democracy" is through examples that fall into this category. Then, we will try to capture the current challenges which today's democracy is facing. Secondly, we will explain how democracy can be resistant/or durable to such challenges. And, of course, a conclusion will follow.

### **Actual Challenging Threats To Democratic Resilience**

We live in an era in which democracy, on a daily level and with frequent dynamics, faces various challenges related to its resistance and self-preservation. First, as a system of governance or as a political system, it faces multiple internal and external stimuli and tensions, which can threaten its stability and functioning. But not every social problem has the capacity to put the democratic state to the test. On the contrary, this relates to situations when we meet subjects or witness practices that fundamentally attack democratic values and institutions. Or along the lines of Mouffe's antagonistic discourse, we encounter such phenomena when we witness politically mobilized affectivities that often take the form of calls for intolerance, ethnic exclusivity, conflicts, populist anti-elitism, etc. Mouffe suggests encouragingly: "To believe that we have entered into an age where 'post-conventional' identities make possible a rational treatment of political questions, thereby eluding the role of a democratic mobilization of affects, is to abandon that terrain to those who want to undermine democracy."<sup>4</sup> This point of Mouffe, in many ways, proposes that we should think seriously on the affects, especially those mobilized against democracy, or against the tendency to rely exclusively on "rationality" of the people (or the demos).

Here, we want to be academically honest and emphasize that it is evident and phenomenologically relevant that the possibility of different interpretations of what constitutes an

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<sup>3</sup> Arendt Hannah, (1951): *The Origins of Totalitarianism* , Harcourt Brace Jovanovich, New York, San Diego, London , pg. 306

<sup>4</sup> Mouffe Chantal, (2005): *On the political*, Routledge, New York, pg. 28



attack on democracy remains open. However, it is also relevant that this question can be linked ideologically both to the "left" and to the "right", but also to multiculturalism, especially in the new era of the actualization of fascism, nationalism, populism, fake news, and all additional problems that irritate democratic systems and values. In that sense, to illustrate an acute reflex related to the theme of democratic resistance, we will use a "fresh" example. Namely, the recent pandemic period and its COVID-19 crisis opened an ample space for the spread of false information. In other words, in addition to the pandemic, we also witnessed the infodemic<sup>5</sup>. In the onslaught of the infodemic, parallel to the pandemic, although most democracies tried to stay true to their goal of emancipation and clarify as much as possible the flow of fake information, much of the fake news was still present and remained circulating in societies, even as concepts that aggregated into conspiracy theories. To get a more coherent picture of what the crisis looks like, the COVID-19 pandemic was a catalyst, and for the easy flow of fake news, we will analyze a few examples, addressed by Slavoj Žižek.

"A blistering example of this was provided by one of the main Russian national television networks, Channel One, which launched a regular slot devoted to coronavirus conspiracy theories on its main evening news programme, Vremya ("Time"). The style of the reporting was ambiguous, appearing to debunk the theories while leaving viewers with the impression that they contain a kernel of truth. The central message, that shadowy Western elites, and especially the US, were somehow ultimately to blame for the coronavirus epidemics was thus propagated as a doubtful rumor: it's too crazy to be true, but nonetheless, who knows . . . ??..."<sup>6</sup>

As we can see through this example, for certain groups of people, the emergence of the virus indicated something completely different, even more significant, and more severe than the deadly disease. We have all witnessed that with the emergence and spread of the virus, the Internet has become a fertile field for the proliferation of various conspiracy theories and conspiracies - some far more "irrational" and radical than the one listed by Žižek. The list is too abundant to enumerate it in its entirety, but a few of the most frequent examples can still

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<sup>5</sup> *We should be aware that the infodemic phenomenon is not a phenomenon that we encounter as a social challenge for the first time in history. On the contrary, Daniel Defoe, in his book Robinson Crusoe, tells us the course of the famous bubonic plague that occupied the city of London from 1665 to 1666. With the onset of the plague, Defoe recounts, London was under heavy siege with all sorts of stories that even for the time were fantastic or semi-fantastic. The older women noticed that a few days before the plague began, a comet flew across the sky that seemed to announce the entire disaster. "The understanding of the people rested much more on the delusions of the time," writes Defoe, "whereby, I think, without being able to determine the cause, (the people) became much more dependent on prophecies and astrological conjectures, dreams, and tales of old women, as never before. Please, see Defoe Daniel, (2001): A Journal of the Plague Year. New York, Dover Thrift Editions, page. 16*

*Also, many books came into "fashion" that explicitly or implicitly announced the end of the world - the plague was God's punishment for the sins of humanity. Defoe tells us about a crisis, health, economic, and psychological, similar to this one today. And throughout the available academic papers, many deal with these insights. But what caught our attention is that people - even though several hundred years have passed, and science and education have spread like never before - react very similarly: effectively and not just irrationally. At a great disaster, at a great crisis, they look for a solution in irrational places: fortune-telling, astrology, dreams, predictions, strange books, etc. Today, in that sense, irrationality is found in conspiracy theories, more precisely in the rapid spread of conspiracy theories (Qanon, eg). Stories, in many respects, are reminiscent of those of the 17th century.*

<sup>6</sup> Žižek Slavoj, (2020): *Pandemic! Covid-19 shakes the world*, OR Books, New York and London, pg. 11

be singled out. There is also a conspiracy theory circulating “in the air”, according to which the virus spread through the 5G Internet network. The proponents of this theory believe that is not a coincidence that the countries with the most developed 5G networks also have the highest virus spread. As a result of these speculations - for which there is no scientific support because viruses cannot spread through electromagnetic waves, many become anti-vaxxers, as well. Furthermore, according to some other conspirators, the figure of billionaire and owner of "Microsoft" Bill Gates is behind the whole pandemic. The accusations stemmed from a few seemingly innocent facts: according to the conspirators, as early as 2015, in an appearance on the famous Ted Talks show, Gates, talking about the older Ebola virus, announced that another epidemic of this kind could very quickly occur. The conspirators interpreted this as a direct threat and a harbinger of world catastrophe. Thus, Bill Gates' initiative for mass vaccination of the world population was interpreted as his comprehensive attempt to "chip" the population - and as a consequence of the chipping, he could control people's thoughts and behavior. The reason why this type of fake news is related explicitly to democracy is because it highlights a societal lack of critical awareness and distinguishing fake news from real news.

The pandemic has also created fertile ground for the tightening of populist policies by many countries in the world. More specifically, "conspiracy theories perform a vital function in mobilizing support for right-wing populist movements by identifying nefarious elites believed to be scheming with globalists and national others to destroy the “true” people.”<sup>7</sup> The Way Populism Is Connected with Conspiracy Theories, closely intertwined in Žižek's "Triple Crisis" that was the Covid-19 pandemic, adds up to the following:

“The ongoing pandemic is not only a link in a long chain of crises that besets our world, from threats to our environment to economic and social conflicts; one should also take into account that it exploded in a world characterized by the rise of new populist politics. The interaction between the two—will the pandemic give a new boost to racist, anti-immigrant populism, or will it disclose its inefficiency to a broader public?—as well as the specific nature of the new populism with its open resort to obscenity, deserve a closer examination.”<sup>8</sup>

On the other hand, at the height of the pandemic, we witnessed obvious abuses of the "state of emergency" institution. Such situations are recorded in a report published on the website of the British Parliament in 2022, which explains in detail which challenges targeted democracy during the pandemic.

"Regarding the Covid-19 pandemic, it has been alleged that many governments have withheld or distorted key information, imposed excessive or abusive measures during quarantine, as a cover to consolidate power and suppress dissent." Actions in El Salvador, Algeria, the Philippines, and Hungary were compelling, arguing that some of the developments may have an impact on democracy that goes beyond the pandemic itself."<sup>9</sup>

In addition to falsehoods, misinformation, and conspiracy theories attached to populist anti-democratic and autocratic narratives, another set of challenges to democratic resilience is linked to the increasing number of elected leaders in democratically conducted elections, who specifically exploit them to exhibit populist tendencies. Citizen apathy, the widening gap between the left and the right, and the high level of polarization in the center, the gradual imposition of

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<sup>7</sup> Chupeska Ana, (2022): *From etno-populism to security risks*, University “St. Kliment Ohridski”, Bitola, Faculty of Security, Skopje, page. 132

<sup>8</sup> Žizek Slavoj, (2021): *Pandemic !2 Chronicles of a time lost*, OR Books ,New York and London, pg. 149

<sup>9</sup> <https://lordslibrary.parliament.uk/democracy-under-threat-a-case-for-co-ordinated-action/>

illiberal values and autocratic modes of governance, are proving to be the main tools used by populist leaders. With the development of populism and especially ethno-populism, democracy is seriously facing an open possibility of entering into an existential crisis.

Taking into account the complexity of the terms, a brief explanation of the terms presented in this work will be useful. In that sense, populism, as a term and as a political phenomenon, is the most subtle danger of democracy at the moment or the greatest challenge to its resilience. Starting from the premises of anti-elitism, populists encourage first and foremost, sharp polarization in the democratic society (along the lines of elite vs. people). Today, when we are facing a war on European soil and when security is one of the most current topics at the moment, where hybrid and proxy threats are gaining a momentum, populism, in addition to being a challenge to democracy, has also become: a security challenge.<sup>10</sup> "The region of Southeast Europe, in this line, as Dujovski points out instructively, is facing severe related challenges, with election cycles in Montenegro, Bulgaria, Greece, and Turkey, stating that in the region of SEE the same or similar threats to security and to the development of democracy are present."<sup>11</sup>

Hence, populism is undeniably an indisputable challenge to democratic resilience. First, as an internally democratic paradox, which democracy must face both on a phenomenological level and on a process-reactive and institutional level, populism is one of its continuous challenges. But populism is exceptionally actualized in the modern age because the strengthened populist discourse demands greater elasticity and resilience from democracies. According to Laclau: "Populism, it is argued, 'simplifies' the political space, replacing a complex set of differences with a stark dichotomy whose two poles are necessarily imprecise"<sup>12</sup> (meaning the dichotomy of elite vs. demos). The critical point is that the identification is based on antagonism. One of the main characteristics of populism is that it presents a tempting and easy solution for citizens/people/demos, where populist leaders receive epithets like "savior/s," and this is the main reason why citizens trust them. He/the leader is here to "overcome the corrupt elite", dedicate his cause to the people and work hard to fulfill their wishes. Building on populism, specific political structures connect the ethnic segment with it or create ethno-populist narratives, namely, "ethno-populism is a combination of ethnonationalism and populism, or, a stance where nationalist politicians use symbols to mobilize the population against perceived foreign or domestic threats related to the ethnos."<sup>13</sup>

From here, we can see that combining disinformation content, and populist exhibitions, addressed to "the people", can be treated as a threat to democracy because they offer unrealistic, but highly mobilizing narratives. It is such a way that often misinforms and misleads, and the tendency through which populist leaders/groups declare themselves as if they are the exclusive representatives of the people/demos/citizens follows. Their fight, they say, is actually to "save" the people from the corrupt elites; they are the original and primary protectors of the interests of the common people. And it is precisely in the use of this narrative that is the challenge facing democratic resilience on a daily level. With such narratives the antagonizing polarization in

<sup>10</sup> Especially ethno-populism, for which you can read in more detail in Chupeska Ana, (2022): *From ethnopopulism to security risks*, University "St. Kliment Ohridski", Bitola, Faculty of Security, Skopje, page 133

<sup>11</sup> Дујовски Никола, (2022): *Демократијата на крстопат, безбедноста во предизвик, Предизвици, Фридрих Еберт Штифтунг, Скопје, стр. 35*

<sup>12</sup> Laclau Ernesto, (2005): *On Populist Reason*, Verso, London, pg. 18

<sup>13</sup> Chupeska Ana, (2022): *From ethno-populism to security risks*, University "St. Kliment Ohridski", Bitola, Faculty of Security, Skopje, page. 132

society not only grows, but in certain situations, it can also become a security risk, as was for example in the case of the protest after the "French proposal" in North Macedonia;<sup>14</sup> or with the attacks on Capitol Hill (2021); Bolsonaro's coup d'état (2022), and etc.

More specifically, a related challenge to disinformation and populism is the increased polarization or the stimulation of a knot between the "left" and the "right", which also contributes to the increase of both intolerance and impatience between adherents of ideologies.

On another level, a challenge to democratic resilience can also be posed by economic inequality, which essentially can be a significant driver of polarization. Where increased economic inequalities are at place, we can witness (inter)civilian tensions caused by conflicts of values, and of course, by the increased economic distance within the societal strata. The increasing number of protests in the past years affirms the dissatisfaction of the citizens regarding certain social developments related to economic inequalities, indeed. Driven by different premises, however, the ideological segment would hardly be neglected in a period of crisis. Examples of such protests are "Black Lives Matter in the USA in 2020 and the Yellow Vests (Mouvement des gilets jaunes) in France in 2018 which represented a more problematic protest due to their motive and aggregation of multiple levels of dissatisfaction. On the other hand, the protests in Hong Kong (2018-2019) and Minsk (2020-2021) were also observed, which were classified as anti-system struggles, or struggles for democratization.

By means of proliferation of disinformation and fake news, we know that misinformative agendas can manipulate public opinion and thereby they undermine the trust in the democratic institutions as such, and even, disrupt the electoral processes (the Cambridge Analytica scandal may be one of the most illustrative examples). But the spread of false information, in combination with populist narratives, can also polarize and highly antagonize communities, thus directly undermining informed democratic decision-making, and indeed democracy itself.

A special challenge for democratic resistance is the illiberalism. Examples of countries that enter this framework include Hungary with Orbán, Poland – with the leaders of the PIS, i.e. Jarosław Kaczyński, who lost the 2023 elections to Donald Tusk and his Civil Coalition, and there is still uncertainty with respect to their government composition. An important example that must be noted is Vladimir Putin (Russia), Aleksandar Vučić (Serbia), and Donald Trump (USA), whose leaders won the democratic elections, but still practiced illiberalism with an elective and reductionist form of democracy. With the accession of Poland and Hungary to the European Union, these countries were supposed to fulfill the criteria of being liberal democracies during the accession negotiations, but with the election of ultra-right parties as legal representatives of the people, they, however, perverted into illiberal ones. Their most exponential illiberal exposures are related to undemocratic amendments to the Constitution, the suppression of the opposition, the control over the media, and the like, and through these actions, these countries enter the category of regimes that suppress democracy. "Since the onset of the global financial

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<sup>14</sup> *The protest with the motto "ULTIMATUM - No thanks" was supported by several political groups and civil society organizations. Organized to pressure the Government not to support the French proposal, which, according to them, represents a danger to the Macedonian national interest. The protest was held without an official organizer and was supported by the largest opposition political party VMRO - DPMNE. In the later hours of the protest, on 07/04/2023, unknown persons with phantoms began to attack the members of the police of the Ministry of the Interior. According to the data at the time, 44 members of the police were injured, of which ten ended up with more severe injuries. As for the phantom protesters, 11 of them were detained for throwing objects at police officers. Prior to this, in North Macedonia, the initiation of coup d'état took place; It happened at 27/04/2017; and this attack on the Macedonian Parliament is known as Bloody Tuesday.*

crisis and Great Recession of 2007-09, we have entered an age of democratic decline. The affected countries were not only the weak democracies considered at risk, but also countries such as Poland and Hungary, which were once considered regional leaders in the process of democratization in post-communist Europe."<sup>15</sup>

By analyzing each concept that represents a challenge to democracy individually, we could more effectively explain the central concept of this work, which is democratic resilience. Crises, populism, the growing knot/polarization between the left and the right, and the spread of misinformation, conspiracy theories, and illiberal values, are just a few of the problems that destabilize democracy. In the second part of this paper, we will pay detailed attention to how democracy responds to these challenges.

### **The resilience of democracy**

Through the above example, we can see that the illiberal tendencies of the government contribute to a significant threat to democracy. However, historically, democracy has proven to be a mode of governance that is nonetheless resilient to the challenges it faces. The resistance of the democratic systems to the illiberal currents that pass through the country can be seen in different parts of society.

"Namely, no matter how great the experience with democracy is, it will always need to be democratized, because it is inherently imperfect. This very point is one of the places where the ethical and practical justification of the need for continuous accommodation of differences in a deeply divided society can begin."<sup>16</sup>

As an inherently imperfect order/system, democracy possesses filters that aid its resilience. Historically, democracy was initially known as a non-inclusive form of government (in ancient Greece, women, foreigners, and slaves were neglected by the system), but it gradually developed into the system we see today. In other words, "The need for 'democratization of democracy' refers to the necessity for democracy to always be upgraded by the dynamics of social life and the corresponding changes."<sup>17</sup> In this way, democracy is treated as dynamic and not as a fixed and forever given phenomenon, all because socioeconomic conditions affect the quality of democracy." The dynamism of democracy is classified as the freedom of entry of new ideas into it. Therefore, we will locate the resistance to the systemic acceptance and adaptation of the new developments in society. Aided by its flexibility, democracy at its roots leaves room for progress and attaches great importance to the elements that underpin its foundations. At the same time, we see democratic resistance through an informed and critical public, where through proper access to educational institutions and the implementation of media literacy, society would acquire generations resistant to fake news, liberal values, populism, etc. Moreover, liberal constitutionalism, human rights, the rule of law, independence of institutions, nature protection, developed civil society, and free and uncontrolled media represent elements that together make society functional and citizens satisfied. These elements are complementary to each other and help the state function smoothly. But, which of these elements represents the key to establishing a successful resistance of the system against undemocratic values? The answer is clear: each of them in co-variation.

<sup>15</sup> Bernhard Michael, (2021): *Democratic Backsliding in Poland and Hungary*, Cambridge University Press, pg. 589

<sup>16</sup> Чупеска Ана, (2017): *Мултикултурна акомодација, Везилка, Скопје, стр. 18*

<sup>17</sup> Чупеска Ана, (2017): *Мултикултурна акомодација, Везилка, Скопје, стр. 18*

“The liberal concept made rights to be opposed to politics, not to be part of it, but to open a position from which they occasionally intervene, protecting the position of the individual in the balancing of interests and power. In the context of concrete democratic policies or democratic self-determination, these liberal rights-based concepts implied that there is no valid law without politics, but also that there is no legitimate politics without law and that the operative principle of democratic politics cannot provide legitimate decisions without law.”<sup>18</sup>

With this analysis, Frckoski links the importance of human rights to the rule of law. The legitimacy of the state depends on a compilation of internal and external factors that make the democratic system resistant to potential crises and challenges. The rule of law, together with independent institutions, are the elements of state regulation that, regardless of the ideological tendencies of the ruling regime, remain the foundations that protect democracy from potential irregularities.

### Conclusion

Democratic resilience refers to the ability of the democratic system to resist and recover from threats directed against its institutions, values and practices, or to show the ability, capacity, and resilience, to recover from threats or concrete attacks against it. Secondly, the concept of democratic resilience is a legitimate topic for analysis and is particularly important in today's world, where many democracies face significant challenges from internal and external forces that seek to undermine their democratic qualities as such. In addition, the resilience of democracy to the challenges it faces and its success depend on many interdependent factors, and the contemporary triggers of democratic resilience that we have addressed here as references are tied to the combination of multiple phenomena, such as disinformation and theories of conspiracy; populism, illiberalism and polarization, as well as economic inequalities. By individually addressing these challenges facing democracy today, we point to their preferentiality and the need for democratic reflexivity. However, what remains as an opportunity for democratic resilience is its prospect for democratic flexibility through the liberal set of constitutional tools for democratic self-defense against its autocratisation via respect of human rights, rule of law, strong civil society, critical opinion, free media, etc. All those ingredients are exactly the referent tools that can help to democracy to survive, and not to abolish itself. Democracy was initially created as a non-inclusive system which, over time, was placed in the organization of states as the most inclusive and the most successful. However, this does not make democratic governance perfect. On the contrary, its flexibility and inconsistency make it a fertile ground for different challenges but also for the development of progressive ideas, too. The theorists of democracy, and its practical proponents, in that sense, should adapt to the processes in the social circumstances and adjust the democratic resilience to contemporary contexts, because democracy, with its internal and inherent imperfections, simultaneously opens up two possibilities: both for regression and for progress. That is why the construction of democratic resilience is vital to democratic progress or democratization.

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<sup>18</sup> *Фрчкоски Љубомир, (2019): Човекови права и психоанализа, Култура, Скопје, стр. 16*

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## UNMANNED AIRCRAFT SYSTEMS IN SUPPORT OF WARFIGHTING FUNCTIONS ON CONTEMPORARY BATTLEFIELDS

Nikolcho JOVANOVIĆ<sup>1</sup>

**Abstract:** *The latest conflicts in Ukraine, Nagorno-Karabakh, Syria, and Libya demonstrated the versatility of unmanned aircraft systems (UAS), which were heavily used by all sides involved. UAS provided accurate intelligence, electronic warfare (EW) capabilities, communications, precise target acquisition (TA), close air support (CAS), air interdiction, and accurate post-strike battle damage assessment (BDA). The proliferation of UAS is constantly increasing. Nowadays, this technology is not exclusive to wealthier countries anymore since “many developing countries, unable to man aviation because of the high financial burden, rely on the UAS as an off-the-shelf air force” (Jovanov 2022, 5). UAS has low procurement and operational costs, longer endurance, and lower training costs for operators compared to modern, technologically advanced aircraft. This paper aims to give an overview of how the employment of a versatile UAS, could facilitate the commander’s execution of operations and accomplish the assigned mission, thus improving the unit’s capabilities through all warfighting functions.*

**Keywords:** *unmanned aircraft system, warfighting functions, revolution in military affairs, combat power.*

### Introduction

Conflicts in the last decade gave importance to UAS and triggered a new trend named “dronization of war” (Urcosta 2020a). Heavy employment of UAS in the current Russo-Ukrainian War, the Nagorno-Karabakh conflict in 2020, and internal conflicts in Libya, the Sahel region in Africa, and Syria, and their ability to conduct a plethora of missions and tasks, triggered this modern revolution in military affairs (RMA), a term best defined by MacGregor and Williamson as “a complex mix of tactical, organizational, doctrinal, and technological innovations in order to implement a new conceptual approach to warfare or to a specialized sub-branch of warfare” (Williamson and MacGregor 2003, 12).

Once considered a sole intelligence, surveillance, and reconnaissance (ISR) asset that supported the commander’s information requirements, UAS changed the perceptions of military planners, while their versatility of employment contributed to improving military operations through all warfighting functions. Armed UAS conducted close air support and air interdiction missions far beyond the frontline, destroying enemy tanks, air defense

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assets, artillery equipment, command centers, and logistic convoys. Embedded with friendly indirect systems, they provided accurate target acquisition, adjustment of indirect fire, and post-strike battle damage assessment. Specialized relay equipment enabled timely and uninterrupted communications, while sensors and high-resolution cameras provided real-time situational awareness for battlefield commanders, thus facilitating on-time decision-making and information sharing. Furthermore, they provided protection for the forces by conducting surveillance over fixed installations and convoys. There are also combat examples of UAS employment as delivery and supply platforms for ground troops, especially while operating in heavily restricted terrain. Other UAS models, equipped with specialized electronic warfare systems, provided electronic attack, electronic warfare support, and electronic protection capabilities.

UAS technology is not exclusive to the bigger and wealthier countries anymore. Today, some smaller and economically weaker countries recognize the benefit of introducing versatile UAS models as a lucrative option to replace expensive aviation, becoming a “poor man’s air force”, meaning that resource-scarce actors can acquire, develop, and employ advanced military capabilities (Calcara, Gilli A, Gilli M, Marchetti, Zaccagnini 2022, 136). Israel and the United States dominated the global UAS market for decades. Nowadays, China, Iran, Russia, and Turkey have emerged as direct competitors, especially by seizing the markets in Africa, the Middle East, and Asia. “By 2017, according to an estimate by the Center for New American Security, ninety countries had developed some kind of unarmed drone technology. Of these, thirty had programs for armed drones, but many more had the latent capabilities to do so” (Boyle 2020, 11). This tendency is expected to grow in the future.

UAS has a small radar signature, which restricts its location and possible destruction by enemy counter-fire. They are simple to manufacture and don’t demand complex training for combat employment. They primarily perform “dull, dirty, and dangerous” missions, where UAS operates for a prolonged period in an unsafe area of operations, without endangering the human operator. The UAS has a disproportionately lower cost compared to a destroyed enemy tank, multiple rocket launchers, or an air defense system. On the other side, the loss of a UAS is not comparable to the loss of a human life, emphasizing the psychological dimension while conducting operations. In the end, UAS severely facilitates targeting, especially reducing the “find-fix-finish” loop.

### **UAS definition**

The US doctrine defines the UAS as “a system whose components include the necessary equipment, network, and personnel to control an unmanned aircraft (HQDA 2021, 1-106). The North Atlantic Treaty Organization (NATO) doctrine defines UAS as “a system whose components include the unmanned aircraft, the supporting network, and all equipment and personnel necessary to control the unmanned aircraft” (NATO 2020, 133). Each UAS consists of:

Unmanned aircraft (UA). Fixed-wing or rotary-wing aircraft with integrated flight-critical systems (propulsion, avionics, fuel, navigation, and data links) and the ability to fly without an onboard crew.

Mission packages (payloads). Onboard equipment configured to accomplish a specific mission. Typical payloads include:

1. A variety of sensors including electro-optical (EO), infrared (IR), synthetic aperture radar (SAR), ground moving target indication (GMTI), signals intelligence (SIGINT), electronic attack (EA), full motion video (FMV), and still frame imagery,

2. Communication payloads that increase voice and data transmissions through the UAS,

3. Weapons with both lethal (such as missiles and bombs) and nonlethal effects that can disable targets, harm, or destroy nearby property, or render a source inoperable or unavailable, and

4. Cargo, internal or external to the UA (personnel, supplies, or equipment).

Human element. Human interface to guide the UAS throughout the mission.

Control element. It involves several mission facets, including command and control (C2), mission planning, take-off and landing, unmanned aircraft control, payload control, weapons control, and communications. The control element may be a laptop computer, a kit mounted on a vehicle or aircraft, or it may be situated in a larger fixed facility. The ground control station (GCS) is typically where the control element is located.

Display. Include handheld displays, remote viewing systems, GCS display systems, and additional manned cockpit displays.

Communication architecture. It consists of hardware and software to exchange voice and data communications, typically using line-of-sight (LOS) or beyond-line-of-sight (BLOS) data transmission and reception, between the unmanned aircraft, control element, and the soldier.

Life cycle logistics. It stands for dedicated logistical support, which includes the tools needed to transport, launch, recover, facilitate communications, and maintain the UAS. While larger and more complex UAS typically require more significant support, smaller UAS typically have fewer support needs.

Supported Soldier (Jovanov 2022, 37,38,39).

### UAS classification

The Eyes of the Army: U.S. Army Roadmap for Unmanned Aircraft Systems 2010-2035 classifies UAS into five groups based on the following features: weight, operating altitude, and airspeed.

UAS Category	Max Gross Takeoff Weight	Normal Operating Altitude (Ft)	Airspeed	Current Army UAS in operation
Group 1	< 20 pounds	< 1200 above ground level (AGL)	<100 knots	RQ-11B Raven
Group 2	21-55 pounds	< 3500 AGL	<250 knots	No system
Group 3	<1320 pounds	< 18000 mean sea level (MSL)		RQ-7B Shadow
Group 4	>1320 pounds	> 18000 MSL	Any airspeed	MQ-5C, MQ-1C
Group 5				No system

**Table 1: US Army Current UAS Systems (UAS COE 2010, 12)**

Group 1 UAS are small, light, man-portable, hand-launched systems with modular payloads such as EO, IR, and SAR. They are typically capable of ISR tasks to provide situational awareness at the battalion level and below. Although they have a small logistical footprint, they operate for a brief period at low altitudes and within the operator's line of sight.

Group 2 UAS are medium-sized systems found at the brigade level or minor ISR and TA requirements. They are usually catapult-launched and do not require an improved runway. Their payload includes EO/IR sensors and a laser range-finder/ laser designator (LRF/LD). Group 2 UAS has greater endurance than Group 1 UAS, and their increased power allows the employment of more sophisticated sensors with better visual acuity and resolution. These systems have a medium logistical footprint with more unit resources for transport and sustainment. The Scan Eagle used by the US Air Force represents this category.

Group 3 UAS are reliable platforms with medium- to long-range endurance that fly at medium altitudes. They have multipurpose payload which includes EO/IR sensors, LRF/LD, SAR, moving target indicator, SIGINT, communications relay, and explosive hazards or chemical, biological, radiological, and nuclear (CBRN) detection. Some Group 3 UAS models can carry different precision-guided weapon systems, decreasing their endurance but increasing their overall logistical footprint. Additionally, Group 3 UAS typically do not need a better runway for their employment.

Group 4 UAS are large aircrafts that fly at medium to high altitudes for extended periods. They have a versatile payload that consists of EO/IR sensors, lasers, radars, an automated identification system (AIS), SIGINT, communications relays, and weapons. They have more power than the first three groups, so they can carry more ammunition without significantly reducing overall endurance. They require runways for launch and recovery and have a massive logistical footprint like that of manned aircraft. Due to their extensive range and the strict airspace requirements associated with their employment, Group 4 UAS relies on satellite communication links to achieve BLOS control of the unmanned aircraft.

Group 5 UAS are the largest systems capable of operating in medium to high-altitude environments and have the greatest range and endurance while covering a much larger area than any other category of UAS. Their payloads contain EO/IR sensors, lasers, radars, AIS, SIGINT, communications relays, and weapons. They also require improved areas for launch and recovery and have a massive logistical footprint like that of manned aircraft. Due to their extensive range and the strict airspace requirements associated with their employment, Group 5 UAS relies on satellite communication links to achieve BLOS control of the unmanned aircraft. The MQ-9 Reaper and RQ-4 Global Hawk used by the US Air Force are the most prominent representatives of this category (Jovanov 2022, 40,41,42).

The most important parameter in the NATO classification is UAS's weight. According to Figure 1, a higher UAS class includes a more complex UAS.

NATO UAS CLASSIFICATION						
Class	Category	Normal Employment	Normal Operating Altitude	Normal Mission Radius	Primary Supported Commander	Example Platform
Class III (> 600 kg)	Strike/ Combat *	Strategic/ National	Up to 65,000 ft MSL	Unlimited (BLOS)	Theatre	Reaper
	HALE	Strategic/ National	Up to 65,000 ft MSL	Unlimited (BLOS)	Theatre	Global Hawk
	MALE	Operational/ Theatre	Up to 45,000 ft MSL	Unlimited (BLOS)	JTF	Heron
Class II (150 kg - 600 kg)	Tactical	Tactical Formation	Up to 18,000 ft AGL	200 km (LOS)	Division, Brigade	Watchkeeper
Class I (< 150 kg)	Small (>15 kg)	Tactical Unit	Up to 5,000 ft AGL	50 km (LOS)	Battalion, Regiment	Scan Eagle
	Mini (<15 kg)	Tactical Sub-unit (manual or hand launch)	Up to 3,000 ft AGL	Up to 25 km (LOS)	Company, Platoon, Squad	Skylark
	Micro ** (<66 J)	Tactical Sub-unit (manual or hand launch)	Up to 200 ft AGL	Up to 5 km (LOS)	Platoon, Squad	Black Widow

Figure 1: NATO UAS Classification (NATO 2019, 2-2)

### OUAS in support of Warfighting Functions (WFF)

“A warfighting function is a group of tasks and systems united by a common purpose that commanders use to accomplish missions and training objectives” (HQDA 2019, 5-2). They represent all physical means that commanders use to accomplish missions assigned by their superiors. WFF includes six elements: command and control, movement and maneuver, intelligence, fires, sustainment, and protection. WFF, augmented with elements of leadership and information, facilitates the application of combat power by the commander. The starting point for determining UAS's ability to support warfighting functions is primarily based on the type of mission package or payloads that it can carry while conducting its mission.

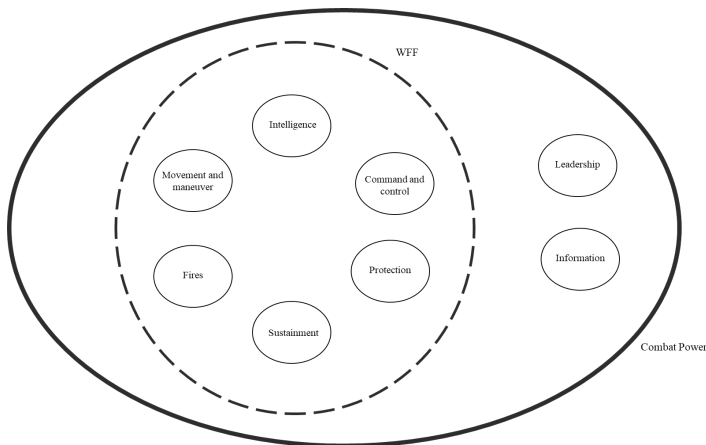


Figure 2: Elements of combat power

Command and control. "The command and control warfighting function is the related tasks and a system that enable commanders to synchronize and converge all elements of combat power" (HQDA 2019, 5-3). "UAS equipped with communication relay payload and remote video terminal (RVT), FMV, and SAR/GMTI sensors can facilitate the C2 warfighting function by providing real-time decision-making to improve the command of forces, control of operations, and improve the situational awareness of the commanders" (Jovanov 2022, 82). The communication payloads can primarily provide "airborne relay over rugged, mountainous, or urban terrain, where other communications options are limited, or to decrease the dependence on satellite connectivity. On the battlefield, it will provide a persistent long-range communications relay or act as a gateway manager of multiple communications to enhance C2 connectivity and span of control" (HQUSAF 2014, 52). UAS could facilitate communications between the commanders and subordinate units by supporting a variety of frequencies and waveforms in the UHF/VHF bands and extending the range between users for voice and data communications, including chat text, instant messaging, and imagery (Defense Update 2010).

Movement and maneuver. "The movement and maneuver warfighting function is the related tasks and systems that move and employ forces to achieve a position of relative advantage over the enemy and other threats. Commanders use maneuver for massing effects to achieve surprise, shock, and momentum" (HQDA 2019, 5-3). Real-time videos transmitted by a UAS would provide a better understanding of the operational environment for the commanders. It would accelerate the decision-making process. Commanders can reposition their forces faster, thus gaining a position of advantage at a place and time of their own choice. By providing surveillance for an advancing element while conducting offensive operations, UAS would enable their advance through enemy obstacles and defensive positions. On the other hand, any detection of a friendly UAS would lead to immediate suppression, severely reducing the enemy's movement and maneuver capability.

Intelligence. "The intelligence warfighting function is the related tasks and systems that facilitate understanding the enemy, terrain, weather, civil considerations, and other significant aspects of the operational environment" (HQDA 2019, 5-4). Due to their high endurance and wide range of sensor payloads, including EO/IR cameras, SAR and GMTI radars, LRFs, LDS, and SIGINT (Communication Intelligence (COMINT), Electronic Intelligence (ELINT), or both), ISR missions can be carried out for extended periods, which helps commanders better understand the operational environment (Jovanov 2022, 84).

UAS provides the following ISR missions: broad-area mapping and surveillance, target tracking, CBRN and explosives sensing, and over-the-hill reconnaissance. Since UAS has a long loitering time at very high altitudes and all-weather conditions, it can survey large areas or specific high-payoff targets (HPT) with pinpoint accuracy on intelligence information, which is significant for making timely decisions. UAS equipped with special CBRN and explosive sensors can detect chemical or biological contamination, radiation, or explosives at extensive distances, reducing the risk for human operators. In the end, UAS are used for short-distance, near-to-Earth surveillance as eyes "behind the hill" or "around the corner", providing situational awareness for the troops in their immediate vicinity (Harbaugh 2018, 3-1).

During the Nagorno-Karabakh conflict in 2020, the Azerbaijani UAS managed to find and track enemy high-value targets far beyond the front line. The location of these targets was reported, and most of them were targeted either by aerial strikes or indirect fires (Jovanov 2022, 84).

Fires. "The fires warfighting function is the related tasks and systems that create and converge effects in all domains against the adversary or enemy to enable operations across

the range of military operations” (HQDA 2019, 5-4). “UAS can shorten the sensor-to-shooter response time by performing aided target recognition, tracking, laser-designating targets, and providing BDA” (US Army UAS COE 2010, 21).

UAS can create lethal effects through air interdiction and close air support missions by destroying high-payoff enemy targets with missiles and guided bombs. During the Nagorno-Karabakh conflict in 2020, Azerbaijan focused on the destruction of Armenia’s second-echelon forces and lines of communication, resulting in the loss of a significant number of tanks, armored vehicles, artillery systems, and even four sophisticated S-300 air defense systems (Sprengel 2021, 23). UAS also facilitated TA and BDA through their integration with aerial platforms, known as manned-unmanned teaming (MUM-T) or indirect fire systems. The US military used its Predators and Reapers to laser targets for different aircraft types while conducting air interdiction. The French Air Force has also employed Reapers to laser targets for Mirage strike aircraft and Tiger HAD helicopters in Operation Barkhane, counter-terrorism operations in the Sahel region of Africa (Michel 2020, 6). The US Army is teaming its MC-1C Gray Eagle with the AH-64E Apache helicopter gunship. One or more UAS transmit live video and data to the Apache pilots, who can see the target well in advance before arriving at their attack location or provide the ability to attack the target beyond their visual range (Michel 2020, 19).

Experiences from Syria and Ukraine showed that the Russian and Turkish military mastered the drone-artillery complexes—an integration of the artillery assets and UAS in a combined fight. While conducting Operation Spring Shield in early 2020, Turkey used its UAS for intelligence, surveillance, target acquisition, and reconnaissance (ISTAR) missions for the 155mm-class Firtina howitzer and multiple-launch rocket systems. The same UASs were also used for BDA by assessing the effects of the artillery and rocket barrages (Kasapoglu 2020). Once more in the 2020 Nagorno-Karabakh conflict, Azerbaijani UAS identified Armenian positions and provided accurate TA and BDA to the indirect fire assets (conventional artillery, multiple-launch rocket systems, and LORA ballistic missiles), “turning these cheap conventional capabilities that lack guidance into deadly long-range fire systems” (Watling and Kaushal 2020). The Russian military also integrated UAS with indirect fire assets in Ukraine to detect targets and adjust indirect fires. Their integration is very advanced because experiences in Ukraine showed that since a Russian UAS locates a Ukrainian position, the soldiers have ten to fifteen minutes to abandon it before the position is hit by precise indirect fire (AWG 2016, 23). In July 2014, during the battle of Zelenopillya, “a single Russian artillery fire mission destroyed two Ukrainian mechanized battalions in a matter of minutes” (O’Connor 2019, 69). In August 2014, indirect fires adjusted by Russian Orlan-10 and Forpost UASs destroyed an entire column of the Ukrainian 92nd Separate Mechanized Brigade (Cranny-Evans, Cazalet and Foss 2018).

On the other hand, UAS can also create non-lethal effects with an electronic warfare (EW) payload, such as electronic attacks (jamming), electronic protection, or electronic warfare support (Jovanov 2022, 81). Additionally, UAS provides high-quality videos, thus supporting information operations to demonstrate its capabilities and undermine the enemy’s abilities. While conducting operations in Idlib province in Syria, the Turkish Army was integrating EW systems with UAS. They listened to Syrian communications and determined their locations, which relayed the grid locations to the Anka UAS, which relayed data to the Bayraktar TB2 UAS for targeting. They managed to evade Syrian countermeasures and destroy three sophisticated Pantsir-S1 air-defense systems by applying electronic jamming (Urcosta 2020b, 52,53). The Russian military uses the Leer-3 system, consisting of three Orlan-10 UASs and a ground control station called KamAZ-5350. The system can jam cellular networks or send spoof messages up to sixty kilometers (ODIN n.d.). In Ukraine, Russians used the system by sending spoof text

messages to Ukrainian troops that looked like they came from their comrades, encouraging them to desert because their commanders had abandoned them and their forces suffered heavy losses (Associated Press 2017).

**Sustainment.** “The sustainment warfighting function is the related tasks and systems that provide support and services to ensure freedom of action, extended operational reach, and prolonged endurance” (HQDA 2019, 5-5). UAS models will enhance sustainment by providing supply and medical evacuation of casualties (Jovanov 2022, 82). The United States Marine Corps (USMC) introduced Kaman’s K-MAX model in 2011 as the first UAS to perform resupply and deliver cargo for their troops in a combat environment while operating in Afghanistan. It could carry out missions for twelve hours or more and could lift and deliver 2,722 kilograms of cargo (Army Technology 2014). By introducing the cargo UAS, USMC decreased the number of re-supply convoys, thus reducing the risk of casualties either from small arms fire or improvised explosive devices (IED) attacks.

The DP14 Hawk, produced by Dragonfly Pictures Inc. (DPI), is a UAS model considered by the U.S. Army Medical Research and Materiel Command (USAMRMC) as a specific design to evacuate casualties from the battlefield. It resembles a miniature CH-47 Chinook helicopter and can carry about 200 kilograms for about 2.4 hours (Military.com, 2017). A report from The Economist stated that Ukrainian troops utilized a commercial type of UAS to conduct casualty evacuation during real-life combat situations (Miller 2023).

**Protection.** “The protection warfighting function is the related tasks and systems that preserve the force so the commander can apply maximum combat power to accomplish the mission” (HQDA 2019, 5-6). UAS can enhance protection by providing “early warning, target tracking, and reconnaissance of designated NAIs” (US Army UAS COE 2010, 21). It is suitable for protecting fixed bases and installations, convoys, or troop movement. Some payloads provide CBRN reconnaissance in affected areas (Jovanov 2022, 82).

Because of their static positions, military bases are vulnerable to enemy attack. To provide early warning on threats at great distances, UAS would fly at excessive operational ranges, allowing the essential standoff to gain time for defense preparation. UAS can also hover over a convoy, providing information on possible obstacles, potential ambush sites, or the enemy’s indirect fire positions. Finally, UAS equipped with special infrared sensors can also provide remote detection and precise location of IEDs, landmines, and chemical compounds. The SpectroDrone, developed by Laser Detect System (LDS) Ltd. was the world’s first UAS model, acting as a real-time explosive detection sensor capable of remotely analyzing different materials. It detects explosives and other hazardous materials, in gas, liquid, powder, or bulk form, at several meters and has an operational radius of up to 3 km (Eshel 2016).

## **Conclusion**

The experiences from the modern battlefields demonstrate the importance of the UAS while conducting limited contingency or large-scale combat operations. UAS showed their versatility by conducting a plethora of missions throughout all warfighting functions: close air support, air interdiction, electronic attack or electronic warfare support, target acquisition, battle damage assessment, situational awareness of the operational environment, surveillance, route, area, or zone reconnaissance, communication, detection of hazardous materials and explosives, transport of cargo and casualties, etc.



Tactical commanders will execute operations and accomplish missions assigned by their superiors swiftly and completely by employing UAS. UAS could be an off-the-shelf replacement for an aircraft when armed with rockets and missiles. It could be integrated with modern artillery systems to shorten target acquisition, fire adjustment, and post-strike BDA. UAS equipped with a relay device could facilitate communication, especially in mountainous areas, while high-quality videos, high-resolution cameras, and different types of sensors could improve the commander's understanding of the operational environment so he can make prompt and sound decisions.

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UDK 341.181:327.51(100-622HATO)(474.5)"2023"

## NATO SUMMIT VILNUS 2023, CHALLENGES AND PERSPECTIVES IN THE IMPLEMENTATION OF NATO 2022 STRATEGIC CONCEPT

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**Abstract:** *In the period 11-12 July, 2023, a regular Summit of the Alliance was held in Vilnius, Lithuania. The summit was held in specific circumstances caused by the war in Ukraine, the rebellion of the Wagner Group in Russia and the Ukrainian counter-offensive. At the Vilnius Summit, the Heads of States and Governments confirmed part of the decisions taken at the meetings of the North Atlantic Council at the Ministry of Foreign Affairs Level (held in May in Oslo) and the Ministry of Defence Level (held on 15-16 June in Brussels). At the Vilnius Summit, the Allies made key decisions related to the adoption of Regional Defence Plans, enduring commitment of the new "Defence Investment Pledge" - DIP that will become effective after 2024, as well as decisions related to the future of Ukraine. Namely, three key decisions were made in relation to Ukraine: the NATO-Ukraine Council was established, a substantial package of expanded political and practical support for the European and Euro-Atlantic future was agreed, and the Comprehensive Assistance Package to support Ukraine in the next ten years was approved. NATO announced that Ukraine will receive an invitation to join the Alliance when it meets the requirements. A facilitating circumstance towards NATO integration is that Ukraine will not need to participate in the Membership Action Plan which has been mandatory since 1999 for countries aspiring for membership. This decision simplifies the Ukrainian request to join NATO from two to a one-step process. During the Summit, the Heads of States and Governments also adopted a Vilnius Summit Communiqué in which they presented the achievements in the implementation of the 2022 Strategic Concept commitments, defined policies on certain open issues and gave additional guidelines for the implementation of the obligations arising from the Concept. The Summit also discussed the Alliance's relations with the Indo-Pacific partners and future cooperation in that domain, the situation in the Western Balkans, and reaffirmed NATO's policy regarding threats from terrorism and Russia.*

**Key words:** NATO, Regional Defence Plans, Ukraine, Defence Investment Pledge.

### Introduction

At June's 2022 Madrid Summit, the Alliance adopted the fourth open to the public 2022 Strategic Concept since the end of the Cold War. The Concept was adopted in a very complex security situation followed by conventional warfare on the Alliance's eastern border. With the Concept, the Alliance set high goals for which the member countries should work

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more dedicatedly in order to achieve them. The goals relate to achieving greater requirements in capability development, commitment to investment in defence, engagement in addressing climate change and hybrid threats, and greater commitment to protecting the freedom, peace, and security of Alliance citizens.

The Concept also defines the threats that the Alliance is currently facing and that it is expected to face in the long term. In doing so, two main threats to the security of the Allies were identified: Russia as a direct conventional threat and terrorism as a direct asymmetric threat. In addition to these threats, a significant focus is devoted to the security challenges caused by cyber threats, hybrid warfare, climate change which is treated as a threat multiplier, the increasing role and influence of emerging and disruptive technologies, as well as the challenge that comes from China.

The Vilnius Summit Communiqué indicates the collective positions and decisions of the Summit participants and also represents a corrective mechanism for NATO policies regarding the implementation of the priorities and vision of the 2022 Strategic Concept (Moyer & Winberg, 2023) and gives new announcements for the next period. The summit was used to establish a new framework of cooperation between the G7 and Ukraine and the delivery of armaments and new military equipment as long as necessary (Atlantic Council Experts, 2023) in the forthcoming period, as well as to redefine the policy regarding Russia's war against Ukraine. The new framework seeks to create bilateral security commitments between individual G7 member states and Ukraine, providing security assistance, modern military equipment, and economic assistance "for as long as it takes" (Atlantic Council Experts, 2023). If the Communiqué is analyzed more deeply and in more detail, it is evident that the NATO Summit produced an uninspiring communiqué on the Ukraine-NATO relationship that moved only slightly beyond the language of the 2008 Bucharest NATO Summit (Atlantic council Experts, 2023).

The Communiqué reaffirms the conceptual framework and policy set out in the Concept that the Alliance is committed to reaffirm enduring transatlantic bond, unity, cohesion, and solidarity at a critical time which is important for ensuring international peace and stability. It also reaffirms the defence character of the Alliance and its commitment to collective defence, the 360-degree approach and the doctrinal provisions dedicated to deterrence and defence, crisis prevention and management and cooperative security.

At this Summit, key decisions related to the fundamental reorganization and restructuring of the Alliance were made. The aim of these key decisions is to ensure that the Alliance adapts on time and is ready to deal with more complex challenges in the global security environment. Leaders put in place a new generation of Regional Defence Plans that strengthen the Alliance's deterrence and defence capabilities over the next decade, approved the new NATO Force Model, significantly strengthening its presence on the Alliance's Eastern border with highly equipped and trained forces and established the new multinational and multi-domain Allied Reaction Force, which is designed to provide more options to respond swiftly to threats and crises in all directions.

The last key decision taken by NATO Leaders is related to the revision of the Defence Investment Pledge given by the 2014 Wales Summit where the Allies in Vilnius agreed 2% of GDP to be "as a floor, not a ceiling" after 2024. The results of decades of continued increased investment in defence have brought Allied forces up to agreed standards of readiness, deployment, sustainment and interoperability. Today, Allied forces are fully prepared to operate effectively together in the field in accordance with NATO standards and doctrines (the Secretary General's Annual Report 2022, 2023).

This Summit was also marked by the overcoming of the misunderstandings between Türkiye and Sweden, which resulted in the admission of Sweden as a full member of the Alliance. Namely, in order to overcome the misunderstandings between Türkiye on the one hand and Sweden and Finland on the other, a Trilateral Memorandum of Cooperation between Türkiye, Finland and Sweden was signed at the Summit in Madrid, with which the Scandinavian countries gave open and unequivocal support to Türkiye in dealing with threats to its security. The two aspirant countries have firmly pledged not to support the Kurdistan Workers' Party and the organizations known as FETO in Türkiye (Trilateral Memorandum, 2022). Türkiye's assessment by the Vilnius Summit was that Finland had fully implemented the obligations of the Trilateral Memorandum, while Sweden had not fully implemented it. Therefore, Sweden's membership in NATO was called into question due to a possible veto from Türkiye. Under the mediation of NATO Secretary General Stoltenberg, Türkiye and Sweden reached a new Bilateral Security Compact, which opened the way for Sweden's membership in NATO. The compromise included firm promises by Sweden to Türkiye that Stockholm would not support terrorist organizations such as the Kurdistan Workers' Party and supporters of Fethullah Gulen (Dogruhaber, 2023). Sweden and Türkiye also agreed to strengthen economic cooperation through the Türkiye-Sweden Joint Economic and Trade Committee - JETCO which opens up the possibility of increased joint investments in defence and security, as well as support from Sweden in revitalizing the process of accession to the EU (Press statement, 2023). This decision of Türkiye and Sweden "has delivered more in fight against terrorism, more security for Türkiye, and a stronger NATO" and by GenSec Stoltenberg calling this a historic decision which is "good for Sweden, good for Türkiye, and good for the whole Alliance" (Stoltenberg, 2023b).

### **Support to Ukraine**

Regarding the war and the support that countries provide to Kyiv on a bilateral basis, the leaders unitedly condemned Moscow's unjustified and unprovoked aggression against Kyiv, supported the struggle of the Ukrainian people in accordance with Article 51 of the UN Charter, and expressed strong support for the territorial integrity and Ukraine's sovereignty within internationally recognized borders, as well as non-recognition of Putin's illegitimate annexation of Crimea. The relations between NATO and Ukraine have been strengthened since the very beginning of 1997 and Ukraine has made progress towards membership in the Alliance.

The leaders unanimously reaffirmed their support emphasizing that "Ukraine's future is in NATO". However, despite the unity that Kyiv's future lies in European and Euro-Atlantic integrations, there is still a dose of restraint and no clear time frame is given when Ukraine's membership in the Alliance should take place. The Allies did not give clear guarantees to President Zelensky when Ukraine will become a NATO member. The compromise appears to have been found in simplifying the membership requirements under the Membership Action Plan and omitting the obligation for Kyiv to prepare an Annual National Membership Program that has been mandatory since 1999 for aspiring countries. Such a decision by the Alliance allows Ukraine's NATO membership to be transformed from a two-step process to a one-step process (ACT, 2023). Allies agree that fundamental reforms in the security and defence sector are needed, however, they do not give a clear time frame when Ukraine will join the Alliance, but give a general framework with which "Ukraine will join the Alliance when the Allies agree that the conditions are fulfilled" (Moyer & Winberg, 2023).

The leaders' decision to facilitate Ukraine's path towards NATO membership and support Ukraine in its fight against Russian aggression materialized through three steps as follow:

1. Agreed Comprehensive Assistance Package – CAP into multi- year programme;

2. Established NATO-Ukraine Council;
3. Established NATO-EU Staff Coordination on Ukraine.

The substantial package of expanded political and practical support provides Ukraine with stronger support from NATO in the fight against Russian aggression. As part of the Comprehensive Assistance Package, Allies and partners commit to support Ukraine with the necessary non-lethal assistance in the amount of 500 million euros on an annual basis. The purpose of such multi-year assistance is to strengthen Ukraine's defence and deterrence and to provide help rebuild the Ukrainian security and defence sector and transition Ukraine towards full interoperability with NATO (Vilnius Summit Communiqué, 2023).

The establishment of the NATO-Ukraine Council enables Kyiv to hold political dialogue and regular meetings on an equal base with allies. Basically, the Council serves as a mechanism for crisis consultations between NATO and Ukraine and is a new joint body for joint consultations, decision-making and agreement on joint activities on an equal basis on issues of mutual interest, including cooperation within the framework of Ukraine's Euro-Atlantic aspirations for membership in NATO (Vilnius Summit Communiqué, 2023).

Bearing in mind that out of 32 NATO members, 25 are also EU members, it is logical that the Alliance should work on strengthening cooperation with the EU. Additionally, Russia's aggression against Ukraine contributed to strengthening and raising this cooperation between NATO and the EU to a higher level. Both organizations NATO and EU are committed to long-term political, economic and other assistance and support to Ukraine in its fight against Russia. With the aim of better coordination, NATO leaders established the NATO-EU Coordination Staff for Ukraine. Through strengthened coordination, NATO and the EU will achieve a higher level of cooperation on issues related to the fight against disinformation, hybrid warfare, cyber threats, exercises, operational cooperation, the development of defence capabilities, defence industry and research, the fight against terrorism and building defence and security capacities. The tendency is to expand joint cooperation in the area of building resilience, protection of critical infrastructure, emerging and disruptive technologies, space, security implications of climate change and geostrategic competition (Vilnius Summit Communiqué, 2023).

According to President Zelensky, "the Ukrainian delegation is bringing home a significant security victory for Ukraine, for our country, for our people, for our children". Namely, the Allies and G7 leaders agreed a package of new bilateral assurances of military and economic support for Ukraine to deter Russian aggression before it joins NATO. That includes more air defence, long-range missiles and even warplanes, as well as more training, intelligence sharing and help with cyber technology. Mr Zelensky called this "a significant security victory" (Landale, 2023).

### **Strengthening defence and deterrence through modernization, reorganization and restructuring of the Alliance**

Taking into account the recommendations of the NATO 2030 Reflection Group Report, as well as the changed security environment in the Euro-Atlantic area caused by the illegitimate annexation of Crimea by Russia since 2014 and especially with the unjustified, unprovoked and illegitimate aggression of Moscow against Kiev since 24 February 2022, NATO adopted the Strategic Concept 2022 in Madrid. With the Concept, the Alliance leaders set an ambitious agenda that envisages the provision of collective defence based on the development of forces and capabilities to deal with threats to the Alliance through a 360-degree approach in all directions. And with this Concept, the Alliance remains consistent in fulfilling its obligations from Article 5 of the Washington Treaty through the realization of three key tasks: defence and deterrence, crisis prevention and management, and cooperative security (NATO 2022 Strategic Concept,



2022). In order to implement the strategic ideas given in the Concept, and in order to strengthen the forces and capabilities for defence and deterrence, NATO leaders at the Summit in Madrid agreed to start a process of modernization, restructuring and reorganization of the Alliance. The goal of this process is to create forces and capabilities that will strengthen defence and deterrence, prevent any threat to the security of the Alliance, and provide a clear trajectory to accelerate the military adaptation of the Alliance.

The military adaptation of the Alliance began in 2019 when the NATO Military Committee agreed on the new military strategy. This was followed by the adoption of the NATO Concept for Deterrence and Defence in the Euro-Atlantic Area – DDA by the NATO Defence Ministers in 2020. The DDA established the framework for peacetime deterrence activities (known as SACEUR's Strategic Directive—SSD) and crisis and conflict response (known as SACEUR's AOR-wide Strategic Plan—SASP). The final segment of this process was the development and adoption of Regional Defence Plans that define the responsibilities and capabilities that nations have to provide under the SASP umbrella (House of Commons Defence Committee, 2023).

Actions taken by leaders at the Vilnius Summit are in support of strengthening defence and deterrence in all domains of action, including strengthening forward defence and the Alliance's ability to rapidly reinforce allies under threat. The measures that were taken included the adoption of the Alliance's Regional Defence Plans, the establishment of the New NATO Force Model and the implementation of the idea of forming the new multinational and multi-domain Allied Reaction Force in practice.

At the 2022 Madrid Summit, NATO members agreed to increase their military presence on the Alliance's eastern flank in order to deter possible attacks and increase defence readiness. The work of NATO experts in the preparation of the three regional defence plans began in 2018 (Pugnet, 2023). According to Admiral Rob Bauer “approve three regional plans, which explain what [each nation] have to do given the geography of those regions to deter and defend, in all domains -space, cyber, land, maritime, air... Out of those plans the next step is which forces, which capabilities in all domains - space, cyber, land, maritime, and air - do you need to execute those tasks” (Bauer, 2023). One plan covers the High North and the Atlantic, and the Allied Joint Forces Command in Norfolk, USA, is responsible for its implementation. For the implementation of the Central Regional Plan, which covers the Baltic region and the Alps, the Allied Joint Forces Command in Brunssum in the Netherlands, is responsible. The third plan covers the Southeast of the Alliance, including the Mediterranean and the Black Sea, and is the responsibility of the Allied Joint Force Command in Naples, Italy. In order to achieve the required level of readiness and completion, the allies determine a specific number of forces and equipment that will be put into operation and support of these plans. What follows after the adoption of the regional defence plans is the work on their execution, providing the necessary number of forces with greater readiness, as well as practicing the plans on the ground. The next step is related to equipping and investing in defence through NATO's defence planning process, which will share the burden of developing capabilities among nations in the five domains (Bauer, 2023).

Four years after the start of the preparations, NATO leaders in Vilnius made a Decision to adopt the Regional Defence Plans in July 2023. It is related to the most comprehensive, detailed and complex multi-domain plans of the Alliance that have been adopted since the end of the Cold War. With this decision, a new generation of Alliance defence plans was put into operation, which builds on the existing strategic and specific domain plans. The family of plans will significantly advance the capability and readiness to defend and deter against threats in a short period of time and provide reinforcement of allied forces in accordance with a 360-degree approach. The new generation of regional defence plans will greatly advance the coherence of the

Alliance's collective defence and planning with that of the Allies at the national level. For these plans to become operational, the Allies need to deliver the required and promised combat forces.

Namely, at the Madrid Summit, the Allies agreed on a fundamental change to NATO deterrence and defence concept, which includes: an Enhanced Forward Presence-eFP on the Eastern flank of the Alliance, "eight battle groups with a minimum size of an enabled battalion with pre-positioned stocks and some capabilities that would be beefed up to a brigade, if necessary" (Bauer, 2023); transformation of the NATO response force and increasing the number of high readiness forces to over 300,000 with the additional establishment of four more multinational battle groups (in addition to the existing four in Estonia, Latvia, Lithuania and Poland) in Bulgaria, Hungary, Romania and Slovakia and they stretch along NATO's entire eastern flank from the Baltic Sea in the north to the Black Sea in the south.

According to Deputy Chief of Operations of the Supreme Headquarters Allied Powers Europe - SHAPE Major General Matthew Van Wagenen "currently these plans include about 40,000 troops under the command of SACEUR, supported by 100 aircraft and 27 ships in the Baltic and Mediterranean Seas. With this arrangement of forces, NATO is at an advantage in all domains and in readiness" (Van Wagenen, 2023). The practical implementation of the regional defence plans must be supported by the New Force Model, which should enable the deployment of 300,000 NATO troops across alliance territory with three high-readiness alerts that could be deployed in three, ten and thirty days (Pugnet, 2023).

In addition, the reinforced Alliance command and control structure will enable enhanced capabilities to conduct exercises, manage NATO's peacetime deterrence, and transition to crisis and conflict. It also entails building control and command capabilities for the full spectrum of missions, including multi-domain, broad-spectrum collective defence operations conducted by SHAPE and subordinate commands. The New Force Model is expected to strengthen and modernize NATO's force structure and support the Alliance's three key tasks and resources for a new generation of war plans (NATO, 2023a).

In order to realize the promise of Madrid and to grow the forces of the eastern flank to the brigade level, the Allies in Vilnius took a step forward in support of the regional defence plans and the need to strengthen the eastern flank through the establishment of the new multinational and multi-domain Allied Reaction Force-ARF) which aim to provide multiple options for responding to crises and threats in all directions. The strengthening of forces must also be supported by strengthened command and control of the Alliance (NATO, 2023a) which will ensure efficient execution of regional plans.

According to the Russian Minister of Defence Sergey Shoigu, this policy and decisions of NATO to strengthen the defence and deterrence of the Eastern flank, represent "unprecedented support for Ukraine in supplying tens of billions of dollars' worth of weaponry to help Kyiv repel Russian forces and "the collective West is waging a proxy war against Russia" (Liffey and Graf, 2023). Furthermore, according to Shoigu, about 360,000 military personnel, about 8,000 armored vehicles, 6,000 artillery systems and mortars, 650 aircraft and helicopters have been deployed in the immediate vicinity of the Union State of Belarus and Russia (BELTA, 2023).

### **Defence Investment Pledge**

The ambitious agenda set by the Alliance with the Strategic Concept 2022, in accordance with the obligations of Article 3 of the Washington Treaty, also requires greater accelerated development of capabilities in order to realize the goals set in the Concept. The demand for the development of new capabilities and the war in Ukraine have necessitated the need to redefine the existing "Defence Investment Pledge - DIP" after 2024. At the foreign ministers

meeting on April 5, 2023, GenSec Stoltenberg said that “At the Vilnius Summit, expect Allies to agree an ambitious new defence investment pledge, with 2% of GDP as a floor, not a ceiling” (Stoltenberg, 2023a).

The data says that by 2022 only 7 Allies reached the 2% of GDP defence spending threshold compared to 3 in 2014, while four more are close to reaching that threshold. With regard to the situation in allocation of at least 20% for procurement of new major equipment research and development the figures have shown that 24 Allies reached the required level of spending for this purpose compared to only 7 in 2014. Another important element is the long-term effects of this NATO policy, which shows that in the past eight years there has been a consecutive increase in defence spending among European Allies and Canada. Only in 2022 the increase was 2.2% on an annual level compared to 2021 (NATO, 2023b). From 2014 to 2022, European Allies and Canada spent more than US\$350 billion more on defence. The US contribution to the total costs of the Alliance decreased to 54% of the total percentage amount of GDP, that is to 70% of the real defence costs (the Secretary General’s Annual Report 2022, 2023).

After an exhaustive debate, the Leaders adopted the "new Defence Investment Pledge" after 2024, which stipulates that the Allies should invest at least 2% of GDP in the development of the military and defence capabilities of the Alliance after 2024. Paragraph 27 of the Communiqué explicitly reaffirms the "enduring commitment" of the Alliance to invest at least 2% of GDP annually in defence. These funds will be invested in support of the implementation of the Capability Targets to fulfill longstanding major equipment requirements, to support the defence plans and force models, to develop and modernize forces and capabilities, and to stimulate the specialized industry in Europe. The ambitious defence investment program aims to strengthen the supply chain resilience and stimulate defence industry cooperation on both sides of the Atlantic in delivering the required equipment, forces and capabilities. Furthermore, according to paragraph 29 of the Communiqué, investment in defence spending implies investment in the development of forces and capabilities needed to carry out "the full range of NATO operations, missions and activities". The increased resources are in support of the doctrine of deterrence and defence by providing the necessary forces for implementation of regional defence plans, the new forces mode, as well as the contribution to NATO-led international missions and operations within the framework of crisis management (Vilnius Summit Communiqué, 2023). Such comprehensiveness represents the commitment and determination of the Alliance to remove all shortfalls in capability development and an incentive for the Allies to spend more than 2% of GDP in order to ensure a more secure future for the citizens of the Alliance.

The Allies' commitment to invest at least 20% of defence spending in the procurement of new major equipment, research and development remains unchanged. Investing in this component is important because allies need to integrate new and innovative technologies in the process of modernization and restructuring of forces and capabilities. Allies are convinced that increased defence spending will be commensurate with the current challenges and threats facing the democratic world. Funds will be spent to ensure greater security through the development of more capable, deployable, sustainable and interoperable forces provided through NATO's defence planning process and Capability Targets. Investing in the right capabilities is essential to protect the population, defend and deter the adversaries.

### **Implications on capability development of the Republic of North Macedonia**

The Republic of North Macedonia, in accordance with the provisions of the Strategic Concept from Madrid, and on the eve of the Summit in Vilnius, approved the new Long-Term Defence Capabilities Development Plan 2023-2032. It contains specific goals related to the policies of development of defence capabilities, contribution to international operations and other activities of the Alliance, as well as a projection for long-term and stable financing of defence spending by 2032.

Defence spending is one of the most important elements that contributes to the creation of prerequisites for successful strengthening and maintenance of the entire defence system. In the past years, the Republic of North Macedonia has continuously invested in defence spending with the utmost commitment to reach the promise from the Wales Summit of 2014 to invest 2% of GDP in defence, of which at least 20% in the acquisition of new equipment. From the data in the table, it is evident that in the period 2018-2023 there is a constant increase in defence costs in both requested categories. (LTDCDP 2023-2032, 2023)

Reg. no.	Element	2018	2019	2020	2021	2022	2023
1	Budget of the Ministry (in % of the GDP)	0.98	1.19	1.37	1.57	1.77	1,85
2	Equipping and modernization in %	11.84	15.39	18.23	23.63	31.81	30

The projection of the Ministry budget for the development of the 2023-2032 Long-Term Defence Capabilities Development Plan has been made based on the projected Gross Domestic Product (GDP) in the next ten-year period and percentages of allocation from the GDP for the requirements of the Ministry, for the same period.

In accordance with the politically adopted commitments for defence investment, as well as the defined goals in the national strategic documents, the percentage of GDP allocated to the defence budget will increase by 0.2 percent per year, until the allocation of 2% of GDP for the defence by 2024. The national intention is to maintain a stable defence budget of at least 2% of GDP after 2024. (LTDCDP 2023-2032, 2023)

The financial resources determined in this way will be the basis for financing the determined goals, tasks, activities and projects set forth in the LTDCDP, the projected organization and formation structure of the Ministry and the Army, the undertaken international obligations to participate in international operations and missions, the undertaken obligations to fulfil the accepted NATO Capability Targets and the equipment and modernization requirements.

The table shows the projection of the defence budget for the period 2023-2032 and the percentage of allocation from the GDP: (LTDCDP 2023-2032, 2023)

Reg. no.	DESCRIPTION	YEARS									
		2023	2024	2025	2026	2027	2028	2029	2030	2031	2032
1	Projection of the real GDP growth rate	2.9	4.1	5.0	5,6	5.4	5.4	5.4	5.4	5.4	5.4
2	Projected Inflation (%)	7.1	25	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
3	GDP (in million MKD)	920,229	980,467	1,049,969	1,130,711	1,215,721	1,306,997	1,405,127	1,510,624	1,624,041	1,745,974
4	Percentage of MoD Budget in the GDP	1.85	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0	2.0
5	Budget of the Ministry of Defence (in million MKD)	17,024	19,609	20,999	22,614	24,314	26,140	28,103	30,212	32,481	34,919

Based on projections and regulations for multi-year planning, programming, budgeting and execution, the Ministry will develop programs and projects for defence development and classification of costs in accordance with the NATO cost methodology for: personnel, operations and maintenance, as well as for equipment and modernization.

### **Conclusion**

At the Vilnius Summit, Heads of States or Governments made key decisions related to the Alliance's adaptation for the next decade and beyond. Allies agreed and adopted the most detailed and comprehensive defence plans since the end of the Cold War, then strengthened their commitment to defence investment and agreed to bring Ukraine closer to NATO and deepen partnership around the world (Stoltenberg, 2023c).

In terms of deterrence and defence, the adoption of regional defence plans is a step forward in strengthening the Alliance's resilience and a clear signal to adversaries that NATO is determined to defend every inch of Allied territory. The determination to strengthen the Eastern flank of the Alliance was also shown in action through the adoption of the New Force Model which envisages the deployment of over 300,000 forces within 30 days where needed on Allied territory and the establishment of the new Allied Reaction Force which is designed for quick response to threats. By doing so, they made it clear that any ally would be quickly supported if they faced any threat. Also, significant progress has been made with regard to deterrence of the Integrated Air and Missile Defence, which includes the rotation of modern anti-aircraft systems on the eastern flank, as well as increasing readiness. Measures to deter hybrid threats include new resilience targets, a new Center for the Security of Critical Underwater Infrastructure, a new cyber defence concept, a new Space Center of Excellence in France, a commitment to protecting energy infrastructure and ensuring the supply of military forces as and the Canadian Center of Excellence for Climate Change and Security.

Regarding Ukraine, NATO did not send a direct invitation for membership, but adopted a Comprehensive Assistance Package of measures to support Ukraine in the war with Russia. These multi-year measures include political support that Ukraine's future lies in the European and Euro-Atlantic integration processes. The Allies made a decision to facilitate Kyiv's path to full membership by bypassing the obligations stemming from the Membership Action Plan. NATO raised its relations with Ukraine to a higher level through the establishment of the NATO-Ukraine Council, which represents a forum where all issues of common interest will be discussed on an equal basis. The third segment of Ukraine's support is a multi-year support package that will help Ukraine transition Soviet-era equipment to NATO equipment and standards and make forces fully interoperable with those of the Alliance. It is about the adopted Comprehensive Assistance Package, which foresees assistance in non-lethal capabilities in the amount of 500 million euros in the first year.

The third key segment that will have a strong impact on the Alliance's adaptation is the "New Defence Investment Pledge." It means that the Allies have committed to spend more on defence capabilities development and boosting defence industry in Europe. The new DIP ensures that Allies will set aside at least 2% of GDP for defence spending, of which at least 20% will be spent on the procurement of new major requirement, research and development. This policy ensures long-term and stable defence financing followed by the development of new modern technologies and their implementation in the defence sector.

The cooperation and partnership relationship between NATO and the EU will be strengthened through the opening of the NATO-EU Staff Coordination on Ukraine. The agreement

reached between Turkey and Sweden is also a positive thing, with which the misunderstandings between them were overcome and Sweden became a full member of the Alliance. This Summit will be remembered for the fact that it was also attended by the leaders of the Indo-Pacific partners of NATO. Allies are committed to strengthening cooperation with the Indo-Pacific partners primarily because of China's increasingly assertive policy in this part of the world. Also, the Allies remained consistent in their support to other partners of risk (Georgia, Moldova) and to the countries of the Western Balkans (Bosnia and Herzegovina and Kosovo). Enhancing security and stability in these countries is crucial, but much work remains to be done in terms of future NATO enlargement.

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## OVERVIEW ON THE 2015 MIGRANT CRISIS: MACEDONIAN CASE

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**Abstract:** *The paper attempts to give a basic overview of the 2015 formal legal framework for migrant crisis management, as well as present the Macedonian case as an example of compliance and need for further structural changes and approximations to European legislation in this area. An important issue in managing the migrant crisis is the definition/ understanding of the notions related to migration.*

**Key words:** *UN, EU, Macedonian case, migration, migrant, refugee*

### Definition

#### *Migration*

At the beginning of this paper, it is very important to define what "migration" and "migrant" mean. In a global context, migration is the movement of a person for more than a year, no matter what the reasons for migrating. If the movement is across international borders, then it is international migration, and if it is within the country's borders it is internal migration. According to the UN, "shorter period movements" are not considered as migration. However, at the international level, there is no universally accepted definition of migration. The International Organization for Migration (IOM) defines migration as: "movement of a person either across an international border (international migration), or within a state (internal migration) for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular, used to migrate."<sup>2</sup> This is a fairly broad definition covering all forms of migration (voluntary / forced migration, internal / international migration, long-term / short-term migration), different motives for migration (economic migration, migration because of political persecution, better environment, family reunion, conflict or a combination of these reasons), regardless of the means used for migration (legal / illegal migration). In the context of the European Union, in case of migration, the migrant (i) establishes their usual residence in the territory of an EU Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another EU Member State or a third country; or(ii) having previously been usually resident in the territory of an EU Member

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<sup>2</sup> *Recommendations on Statistics of International Migration*, United Nations, New York, 1998, link:[http://unstats.un.org/unsd/publication/SeriesM/SeriesM\\_58rev1e.pdf](http://unstats.un.org/unsd/publication/SeriesM/SeriesM_58rev1e.pdf) and *UN Recommendations on Statistics of International Migration and IOM GLOSSARY on Migration*, 2nd ed., 2011.

State ceases to have their usual residence in that EU Member State for a period that is, or is expected to be, of at least 12 months.<sup>3</sup>

### ***Migrant***

In terms of defining “migrant”, it can be said that it is a person moving away from his or her place of usual residence, whether in a particular country or across an international border (to another country), temporarily or permanently, for a variety of reasons. The term includes a number of defined legal categories of people, such as migrant workers; smuggled migrants; as well as those whose status or means of movement are not specifically defined by international law, such as international students. Migrants are protected by international human rights law, which derives from their fundamental right to dignity as human beings. Failure to enable human rights protection can have serious consequences, which can result in human rights violations, such as discrimination; arrest or detention without cause; forced labor, or very exploitative working conditions. Migrants who are accompanying or separated with migrant children, or migrants who become victims of trafficking or otherwise find themselves in a vulnerable position, have specific needs for assistance and have the right to seek that assistance. The United Nations High Commissioner for Refugees (UNHCR) works on and supports approaches to managing migrants, which aim to fully respect the human rights of all people on the move. In the international context, there is no universally accepted definition for “migrant”.

### ***Refugee***

On the other hand, refugees are persons who are outside their country of origin for reasons such as fear of persecution, conflict, violence, or other circumstances that have seriously disturbed public order and, as a result, need: international protection. The term refugee has an international definition and can be found in the 1951 Convention and Regional Refugee Instruments, as well as in the UNHCR Statute.<sup>4</sup> Their situation is often so dangerous and unbearable that they are forced to leave national borders and seek security in other countries and thereby become internationally recognized “refugees” with access to assistance from states, UNHCR, and other relevant organizations. Denying these are people, for whom it is too dangerous to return home and therefore need housing elsewhere, asylum would have potentially deadly consequences. A person who meets the criteria for a refugee, their status refugee remains regardless of the route they travel in search of protection or the opportunity to rebuild their life and regardless of the different stages involved in that journey, for example, whether they decide to move from one country to another as a better option for them their status remains a “refugee” and does not change to a “migrant”.

### ***Refugees and migrants***

Very often we can see that the terms “migrant” and “refugee” are used interchangeably in the media or public discussions, although there is a substantial legal difference between them. The alignment of these terms is problematic as it can lead to misunderstandings not only in the discussions on migration and asylum, but also on the refugees or asylum seekers themselves,

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<sup>3</sup> EU context : Derived by EMN from the UN Recommendations on Statistics of International Migration and OECD Glossary of Statistical Terms, [http://unstats.un.org/unsd/publication/SeriesM/SeriesM\\_58rev1e.pdf](http://unstats.un.org/unsd/publication/SeriesM/SeriesM_58rev1e.pdf)

<sup>4</sup> Convention Relating to the Status of Refugees, also known as the 1951 Refugee Convention, link: <https://www.unhcr.org/4ec262df9.pdf>

as well as on the states that need to respond to these different movements. One can often hear discussions with respect to whether the term "migrant" can be used as a general term to include "refugees". I noted earlier that at the international level there is no uniform legal definition of the term "migrant". Some international organizations and media understand and use the word "migrant" as a term to cover both migrants and refugees. For example, some organizations usually use the definition of "international migrant" which includes asylum seekers and refugees.

However, this approach can easily lead to confusion and can have negative consequences on the life and safety of refugees. "Migration" often involves a voluntary process, for example, someone crossing the border in search of better economic opportunities. This is not the case for refugees who cannot safely return home and are therefore obliged to specific protection under international law. Aligning the notions of "refugees" and "migrants" can lead to distractions from the specific legal protections that refugees seek, such as protection against return and punishment for crossing the border without authorization to seek security. Seeking asylum is a universal human right. Bringing equality between 'refugees' and 'migrants' can undermine public support for refugees and asylum, at a time when more refugees need such protection than ever before. For these reasons, the UNHCR always treats "refugees" and "migrants" separately, to emphasize the clarity of the reasons and the nature of the refugee movement and not to overlook the specific obligations owed to refugees under international law.

The UNHCR, in its practice, calls groups of people traveling in mixed movements "refugees and migrants".<sup>5</sup> This is the best way to make it clear that all people on the move have human rights that need to be respected, protected and fulfilled; but also that refugees and asylum seekers have specific needs and rights that are protected by a specific legal framework. Phrases such as "mixed movements", "mixed flows" or "large movements" are used to refer to the phenomenon of refugees and others on the move (including migrants, who may be in situations of vulnerability) traveling side-by-side along the same routes, using the same facilitators. "Mixed migration" is also used this way, but is sometimes a source of confusion and is best to be avoided. The term "mixed migrant", used by some as a shorthand for referring to a person traveling in a mixed movement whose individual status is unknown or who may have multiple, overlapping reasons for movement, is unclear. It can cause confusion and mask the specific needs of refugees and migrants. The term "mixed migration" was first introduced in the year 2000.<sup>6</sup> Three years later, the UN Refugee Agency, UNHCR, in a report to the UN General Assembly noted that the attitude of many governments towards asylum seekers, refugees, and migrants is changing. The report warns that with the closure of legal migration channels, some migrants are paying traffickers and traffickers are abusing the asylum channel as a viable means of entry.<sup>7</sup>

<sup>5</sup> "Though their treatment is governed by separate legal frameworks, refugees and migrants have the same universal human rights and fundamental freedoms." - from the New York Declaration for Refugees and Migrants, A/RES/71/1, United Nations, 2016, link: [https://www.un.org/en/ga/search/view\\_doc.asp?symbol=A/RES/71/1](https://www.un.org/en/ga/search/view_doc.asp?symbol=A/RES/71/1)

<sup>6</sup> Van Hear, N., Brubaker, R. & Bessa, T. (2009). 'Managing mobility for human development: the growing salience of mixed migration' Munich Personal RePEc Archive. Available at: [https://mpra.ub.uni-muenchen.de/19202/1/MPRA\\_paper\\_19202.pdf](https://mpra.ub.uni-muenchen.de/19202/1/MPRA_paper_19202.pdf) %202%20UNGA%20(2003)%20%E2%80%98Report%20of%20the%20United%20Nations

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## **Legal framework**

### ***The United Nations***

The United Nations General Assembly in September 2016, by adopting the New York Declaration on Refugees and Migrants, decided to develop a Global Compact for Safe, Orderly, and Regular Migration. The process of developing this global compact system began in April 2017. The process went through 18 months of consultations and negotiations. On 13 July 2018, the UN Member States finalized the text of the Global Compact for Safe, Orderly and Regular Migration. The Intergovernmental Conference on the Adoption of the Global Compact for Safe, Orderly and Regular Migration was held in December 2018 in Marrakech, Morocco. On 19 December 2019, the UN General Assembly formally ratified the UN Migration Treaty in New York by a large majority - but without the support of the United States, Hungary, the Czech Republic, Poland, and Israel. Among the restrained countries are the EU members Austria, Bulgaria, Italy, Latvia, and Romania. Slovakia did not vote.<sup>8</sup> The Global Migration Treaty is the first UN global agreement on a common approach to international migration in all its dimensions. The global compact is not legally binding. It is based on the values of state sovereignty, responsibility-sharing, non-discrimination, and human rights stressing that a cooperative approach is needed to optimize the overall benefits of migration when addressing the risks and challenges for individuals and communities in countries of origin, transit, and destination. The Global Compact contains 23 goals to better manage migration at the local, national, regional, and global levels.

### ***The European Union***

The European Migration Agenda<sup>9</sup> was launched in 2015 to give the EU appropriate tools to better manage irregular migration, borders, asylum, and legal migration. The first part of the Agenda defines the immediate measures to prevent human tragedy and deal with emergencies. The second part of the Agenda defines a new strategic approach to better managing the medium and long term migration. In terms of its legal basis, the Agenda is based on Article 78 (3) of the EU Functioning Act, which lays down specific legal basis for dealing with emergencies at external borders. The European Commission, in response to the European migrant crisis in 2015, in December 2015, submitted a proposal extending Frontex's mandate and fully converted it into a European Border and Coast Guard Agency.<sup>10</sup> That same month, the European Council endorsed the proposal, and following a vote by the European Parliament, the European Border and Coast Guard were officially launched on 6 October 2016. Over the past four years, the EU has made significant progress in addressing the challenge of migration. Europe is no longer experiencing the migrant crisis it experienced in 2015, but structural problems remain. The continued work of the EU countries through a comprehensive approach, in solidarity and with a fair share of responsibility, has shown that this is the only way for the EU to respond suc-

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<sup>8</sup> More on the link: <https://www.euractiv.com/section/global-europe/news/nine-eu-members-stay-away-from-un-migration-pact/>

<sup>9</sup> Communication from the Commission to the European Parliament, the Council, the European economic and social committee and the committee of the regions, a European Agenda On Migration, Brussels, 13.5.2015, link: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication\\_on\\_the\\_european\\_agenda\\_on\\_migration\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/background-information/docs/communication_on_the_european_agenda_on_migration_en.pdf)

<sup>10</sup> The European Border and Coast Guard Agency, also known as Frontex; see Regulation (EU) 2016/1624, link: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32016R1624&from=EN>

cessfully to the migration challenge. It is particularly noteworthy for the EU's work with the African Union and the United Nations, which brings positive results. The results of a common European approach to migration speak for themselves: irregular arrivals are now lower than before the crisis, the European Border and Coast Guard have brought joint protection of EU borders to a new level. For info: In 2018 around 150,000 irregular crossings across the EU's external borders were discovered, a 25% decrease from 2017, and a 90% decrease from the peak of the crisis in 2015.<sup>11</sup>

### ***The Republic of N. Macedonia*** (hereinafter referred to as R. Macedonia)

The R. Macedonia has declared itself a state of transit for migrants passing through. The state has ratified the 1994 Refugee Rights Convention and the 1963 Protocol. As regards these ratified documents, the Law on Asylum and Temporary Protection was adopted in 2003, which defines the rights and obligations of persons seeking international protection. The Law on Asylum and Temporary Protection has undergone several amendments in 2007, 2008, 2009, 2012, 2013, and the latest 2015 and 2016 improvements to the Law were adopted urgently to bring it closer to European legislation, in line with the new situation. The amendments to the Asylum Act (2015) allow migrants the opportunity to apply for "asylum" and be given seventy-two hours to decide whether to apply for asylum or leave the country. This change in legislation was a "game-changer" in Macedonia, providing the government with the legal basis for registration of migrants and being able to legalize them as long as they express an intention to seek asylum. The authorities in Macedonia immediately implemented the new policy and began registering new arrivals at the southern border with Greece. During 2007, the Law on Social Protection was amended, and in 2010 the Law on Health Insurance, which further specified the rights of persons with recognized refugee status or persons under subsidiary protection. Progress has also been made in improving the legal framework by adopting amendments to the Law on International and Temporary Protection and the Law on Foreigners. Many of the priorities of the Strategy for Integration of Refugees and Foreigners 2009-2015, as until 2017, were implemented. In 2015 the Ministry adopted a new draft Strategy for Integration of Refugees and Foreigners 2017-2027. In its 2015 report, the United Nations High Commissioner for Refugees (UNHCR) noted that the country's legal framework was being complied with in line with the international standards, as well as administrative procedures in the field of asylum. But the report goes on to say: „Despite these positive developments, UNHCR considers that significant weaknesses persist in the asylum system in practice...UNHCR considers that the country does not as yet meet the international standards for the protection of refugees, and does not qualify as a safe third country.“<sup>12</sup> Following the publication of this report, more legislative alignment occurred: in 2019 - a new Law on Foreigners, a new Law for Child Protection, a new Social Protection Law, a new Red Cross Law; 2018 - new Law on Criminal Procedure, new Family Law, Border Control Law, a new Law on International and Temporary Protection is adopted, which enhances the concept of safe family unification in the third country. The Ministry of the Interior established a list of safe countries of origin, published in Official Gazette No. 56/19. In

<sup>11</sup> *Report on the Implementation of the European Agenda on Migration*, Brussels, 6.3.2019, link: [https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20190306\\_com-2019-126-report\\_en.pdf](https://ec.europa.eu/home-affairs/sites/homeaffairs/files/what-we-do/policies/european-agenda-migration/20190306_com-2019-126-report_en.pdf)

<sup>12</sup> *Observations on the situation of asylum-seekers and refugees in the former Yugoslav Republic of Macedonia*, UNHCR, August 2015, <http://www.refworld.org/pdfid/55c9c70e4.pdf>

2016, the Ministry of Labor and Social Policy adopted Standard Operating Procedures (SOP) for educational activities for children and young people, which are not accompanied and vulnerable categories of foreigners, but they are rarely applied in practice even after 3 years of their adoption. Macedonia, from what can be concluded, is moderately prepared to implement the EU legislation. However, good progress has been made, including legal alignment in the area of migration. There are still inconsistencies in the legislation that may cause uncertainty, for example, it is not defined which competent authority within the Ministry of Interior decides to restrict freedom of movement and to assess the necessity, reasonableness, and proportionality of detention; the procedure for informing asylum seekers of the reasons for their detention and of the right to appeal the decision is not precisely specified; in the area of children's rights and the need to restrict movement, etc. Yet, the improvements in defining the asylum seeker, as well as the principle of family reunification are noteworthy.

### **The Macedonian case**

R.Macedonia plays an active and constructive role in managing mixed migration flows. Mixed migration is characteristic of the period from the crisis in 2015 to the present. R.Macedonia works effectively with EU member states and neighboring countries. Significant efforts have been made to provide the basic living conditions for all migrants residing in the country, while still having uncertainties about the scope and structure of migration flows. Effective control of the southern border has been ensured, including the deployment of guest officers from EU member states to the border. The European Agreement on the Status of Border and Coast Guard with the EU was signed in July 2018. However, the problem of frequent smuggling activities at the northern/southern border has yet to be resolved. The systematic registration of migrants and the profiling of those in need of protection should be strengthened to ensure that their needs are met.

Following the adoption of the National Strategy for Combating Trafficking in Human Beings and Illegal Migration (2017-2020), a National Strategy for the Development of Integrated Border Management (2015-2019), a working group has been set up with representatives from the Ministry of Interior and two prosecutors from the Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption. This is a positive step towards greater efficiency in combating trafficking in human beings and illegal migration as it provides direct, real-time communication between the relevant authorities. There is a fragmentation of tasks between institutions dealing with migration. Responsibilities are shared between the Department of the Border Affairs of the Ministry of Interior and Migrants (which deals with security aspects and border management), the Ministry of Labor and Social Policy (which manages access to services and socio-economic integration of migrants and refugees) and a specialized unit for serious and organized crime, combating trafficking and human trafficking. The exact number of people who transited Macedonia in 2015 and early 2016 cannot be ascertained since their registration began in June 2015. However, hundreds of thousands of people are believed to have passed during this period. According to the UNHCR (UN Resident Coordinator) in 2015 about 750,000 migrants entered Macedonia (by some information around 900,000 migrants from 2015 until the route was closed). The approximate number of daily arrivals ranged from 10,000 (October 2015) to 14 to 5,000 (November 2015). Since the adoption of the new amendments to the asylum law in 2015 until February 2016, 216,278 migrants have sought asylum. The situation has changed dramatically in 2017 and 2018, and the number of migrants decreased. The number of officially declared illegal crossings in 2017 was 2831 and in 2018 16895, mainly on the southern border with Greece (around 13 494). Most of the migrants were and are from Syria, Pakistan, Iran, and Afghanistan. The number of migrants transiting the country is considered much higher than official figures. About 32,500 migrants are thought to have crossed the country's borders in both

directions since early 2018, including many Iranians who illegally cross over from Serbia and move on to Greece. As of November 2018, about 60 people have been trapped in the country. Against 62 people, 44 criminal charges were filed for migrant smuggling which resulted in convictions in nine cases.<sup>13</sup> "Resolution on the Migration Policy of the Republic of Macedonia 2015 - 2020, adopted by the Government in 2015 is the main policy document in this area. One of its strategic priorities is to identify migrants, profile them and refer them to the appropriate protection system. In 2018, a total of 299 people applied for asylum. Transit centers for migrants near Gevgelija (Vinojug) and Tabanovce are almost empty. None of the transit centers is suitable for long-term stays, and are not providing more than temporary stays. The readmission agreement with the EU is being implemented satisfactorily with regard to its nationals. The country should establish a mechanism for the return of irregular migrants, following EU legislation. Increased communication and coordination are needed between governments at central level, between central and local governments, and with international organizations and NGOs active in the reintegration of returnees. More efforts are needed to address the negative attitudes of the public towards migrants and refugees. The Ministry of Interior is updating the existing database of foreigners by developing a new asylum module to provide a case management tool for processing asylum claims. Progress has been made in reducing the time required to process asylum applications and arbitrary practices related to access to the asylum procedure are no longer a concern. However, the quality of decision-making on asylum procedures needs to be improved, including at the level of appeal. There are still difficulties in providing translation during interviews with asylum seekers and free legal aid is not available in practice due to the large number of requests that asylum seekers are unable to meet. In the absence of an adequate system for the proper management of irregular movements, in particular the ability to effectively implement some readmission arrangements with neighboring countries, illegal returns continued. As of January 2018, international organizations registered 8 823 people who returned to Greece regularly. The illegal movements across the territory (from the southern border to the northern border) continued to be frequent, with a tendency to increase."<sup>14</sup>

<sup>13</sup> See more in: *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions 2019 Communication on EU Enlargement Policy, North Macedonia 2019 Report, Brussels, 29.5.2019.* and Mileski, Toni (2018) "Response and Responsibilities of the Republic of Macedonia in the Migrant and Refugees Crises," *New England Journal of Public Policy: Vol. 30 : Iss. 2 , Article 12.* Available at: <https://scholarworks.umb.edu/nejpp/vol30/iss2/12>

<sup>14</sup> *Statement of the Minister for interior in R.Macedonia, link: <https://tv21.tv/mk/rizik-od-nov-bran-migranti-spasovski-makedonija-e-podgotvena-da-se-spravi/>*

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## Conclusion

Migration around the world, although varying in size and intensity over the last two years, has seen steady growth over the past decades, and the trend of growth can be expected to continue soon. For this reason, it is necessary to work on a single international up-to-date definition of migration-related terms, which would avoid different treatments in different countries, for the same category of persons. It is obvious that the current definitions are not sufficiently correct in light of the reality we face. Extensive debates, discussions, and meetings on migration are needed, given that even when voting for the UN Global Compact, some states, including EU states, did not vote or voted against. Difficulties are therefore expected in the implementation of the established acts not only for the UN but also for the EU. The Republic of Macedonia should work on the part of migrants residing in the country in terms of ensuring respect for the fundamental human freedoms and rights, effectively preventing illegal migration, as well as smuggling of migrants. The R.Macedonia needs further adaptation of the national legislation and procedures in the field of migration in line with the changes in the EU legislation and international standards, but more importantly their application and compliance in practice. To successfully implement the migration policy, it is necessary to strengthen institutional capacities, in particular human resources. Successful implementation of the activities, requires efficient coordination of the cooperation among the competent authorities and institutions, as well as further specification of the competences in the field of migration flows in the country. The migration will continue to be a challenge not only for R.Macedonia, but also for the EU.

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## THE ROLE OF THE EUROPEAN UNION IN COMBATING TERRORISM

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**Abstract:** *This paper is concerned with the role of the European Union in combating terrorism. Furthermore, this paper explores the response of the European Union against terrorism as a global concern. In particular, this paper will explain the definition of terrorism, the defense and security policies developed by the European Union, and the peace-support missions, and it will elaborate on how the European Union became a target of terrorism. Moreover, it will elaborate on the terrorist attacks in Madrid, London, and Paris. The purpose of this study is to explore the effectiveness of the European Union in developing security and defense policies in the fight against terrorism. In the end, we can conclude that the European Union began actively developing security and defense policies only after 2001.*

**Key words:** *European Union, terrorism, security, defense, policy.*

### Introduction

Only three years after the founding of the European Coal and Steel Community, initiatives have emerged to establish a common European defense. However, it took time for European countries to devise a common European policy. Europe has established a common defense policy through three treaties: The Treaty on European Union (hereinafter: TEU), the Treaty of Amsterdam and the Treaty of Lisbon.

In the fight against terrorism, the European Union (hereinafter: the EU), has developed a mechanism for the common European defense and security. This is followed by the adoption of primary legislation (treaties), directives and specific decisions as secondary legislation and soft laws.

European countries faced cases of terrorism even before 2001. However, after the September 11, 2001 attacks, terrorist attacks in Europe became more intense; for example, the terrorist attack at Madrid, France and London. EU cooperation and solidarity with the American invasion of Iraq and Afghanistan is another factor that influenced Europe to become a terrorist target. These terrorist attacks in Europe have resulted in the deaths and injuries of many European citizens.

As terrorism has already reached global proportions, because “The attacks of 9/11 mark another caesura which sent shock waves well beyond the US (Terhoeven, 2018)”, to this response, the EU has made new commitments to protect the security of its citizens and member

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states. These obligations are set out in the TEU and include, inter alia, the possibility for the EU to participate in various civilian, humanitarian and military operations. Furthermore, the EU allows for the opportunity to help third countries in the fight against terrorism. These measures aim to contribute to the prevention and assistance in the fight against terrorism.

Since the launch of the EU's first Common Security and Defense Policy (hereinafter: CSDP) in 2003, the EU has undertaken 36 overseas operations, using civilian and military missions and operations in several countries on three continents, including Europe, Africa and Asia. Through these missions, the EU has taken on an important role in maintaining world peace and security.

In conclusion, the EU began to develop a common security and defense policy only after 2001, when it became a target of terrorist attacks.

### **The History of EU's Foreign and Defense Policies**

Peace, stability and security are the goals that various states and international organizations intend to achieve. Furthermore, nowadays, these goals will be more sustainable and achievable only thanks to regional and international cooperation as issues that have already taken on a global character.

In this prism, the countries of Western Europe, after the Second World War, began initiatives in various forms in order to integrate first a common economy, then a common foreign policy, and last, but not least, a common security and defense. This has been achieved by joint obligations established in international treaties since 1951 with the establishment of the European Coal and Steel Community.

After the founding of the European Coal and Steel Community, three years later, in 1954, France proposed to the European Council an ambitious project by Rene Plevani as an idea for creating a common European defense. With this initiative, France expressed its dissatisfaction with the common European market only in the economic field, and at the same time insisted on the constitution of a common European policy and defense.

However, this idea was opposed precisely within France itself. Furthermore, the French National Assembly, in a decision in 1954, opposed the project, for which Jacques Fowe would write "domestic policy surpassed European policy", (Blerim Reka 2000; as cited in Le Querell de la CED).

Efforts to establish a common foreign policy and a common defense policy have continued. The Fouchet Plan I (1) and Plan II (2) or otherwise known as the "Degolli Initiative" was actually France's second attempt in this direction. The Fouschet Plan I (1) aimed to ensure close cooperation between member states in various fields, and in that context the security of states from any aggression by adopting a common defense policy (draft treaty, Fouchet Plan I, November 2, 1961).

The Fouchet Plan II deliberately defined the purpose of the community, in reconciliation, namely the coordination of member states not only in the field of defense, but also in the field of foreign policy (Fouchet Plan II (18 January 1962)). However, it took some time for these ideas to materialize.

Efforts to establish a common security and defense policy have continued. At the initiative of French President Georges Pompidou, The Hague Conference was organized and held in 1969. From this conference, the participants presented common positions on two issues: first, the establishment of an economic and monetary union, and second, the creation of a single European foreign policy. Furthermore, the Luxembourg Report of 1970, the Copenhagen Report of 1973, and the Single European Act of 1986 were additional efforts to establish a common

security and defense policy. In fact, the Single European Act of 1986 covered three main areas of action, and one of those areas was foreign policy coordination.

The continuation of the creation of a common defense policy has been enhanced and materialized by the TEU, the Treaty of Amsterdam and the Treaty of Lisbon. The end of the Cold War, the collapse of the Berlin Wall, also determined the unification of the two Germanies, which was also another signal towards the enhancement of Europe's unification.

The Maastricht Treaty was preceded by two Dublin Intergovernmental Conferences, one of which was dedicated to political co-operation. In fact, the 1991 Maastricht Treaty marks a new era in the context of change, namely the EU formation. It has been established since the beginning of this Treaty that the term "European Economic Community" will be replaced by the term "European Union". The Treaty on the European Union, title, Articles G, A (1), p. 11 (Luxembourg 1992). Maastricht Treaty, or as it is better known as the EU Treaty has opened two pillars within the EU: first, the common foreign and security policy, or otherwise known as the second pillar, and cooperation in the field of justice and home affairs.

The second pillar according to the Treaty will cover the implementation of the common foreign and security policy of the Union, and that is determined in Article J.1 par.1 of the Maastricht Treaty.

Article J.1 par.1 of the Maastricht Treaty reads as follows: "The Union and its Member States shall define and implement a common foreign and security policy, governed by the provisions of this title and covering all areas of foreign and security policy". This obligation defined by Article J.1 par.1 of the Maastricht Treaty shows that the policies undertaken by the EU in the field of security will be aimed at establishing security policies in all areas, which also means common defense.

The path of the EU towards the creation, strengthening of the external identity in the field of foreign security, and the common defense policy is materialized by the Amsterdam Treaty. The specificity of this treaty is emphasized in the domain of the two above-mentioned areas. Compared to the Maastricht Treaty, which created a framework for general action, the Amsterdam Treaty goes even further. The Amsterdam Treaty provided space for creating opportunities for closer cooperation between member states, and what is more important it enabled the reform of the foreign policy and common security.

An important step on the road to the EU in relation to the values on which it is based was made with the Lisbon Treaty. After the entry into force of the Lisbon Treaty in December 2009, the establishment of a multinational force and the establishment of a European Defense Agency was determined.

### **The Definition of Terrorism**

Terrorism as a phenomenon is not something new in the international community. Terrorist acts have been, are present nowadays, and have become a permanent feature of our lives. The use of politically motivated acts of violence against the state apparatus dates back very early, but their designation as "terrorist acts" dates back not so long ago. The word terrorism was first used in Russia in the second half of the 19th century. From that time, until today, violence, respectively various forms of political violence, had begun to be labeled as terrorist acts, (Kolë Krasniqi, 2010; as cited in Ford, 1982).

Many definitions of terrorism have been given, but so far, we do not have a single definition. Exempli causa: "In the legal-political sense, the word terrorism means the application of various forms of illegal violence, in order to cause feelings of fear and social panic, as a means of coercion to achieve a certain political goal (Kolë Krasniqi, 2010; as cited in Iring, 1981).

When it comes to nation states, among other things, according to the British government, terrorism is defined as “the use or threat, for the purpose of advancing a political, religious or ideological course of action which involves serious violence against any person or property (Whittaker, 2002)”. Whereas, according to the author Pillar in relation to terrorism, a definition has been given by the statutory that the US Government uses in keeping statistics on international terrorism: terrorism, for that purpose, means “premeditated, politically motivated violence perpetrated against noncombatant targets by sub-national groups or clandestine agents, usually intended to influence an audience (Pillar, 2001)”.

The definition of the content of terrorism is also given by the most powerful security agency in the world CIA (Central Intelligence Agency). According to CIA, terrorism is defined as follows: “the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives (Whittaker, 2002)”.

The lack of consensus for a unique definition at the international level, unfortunately has come to the fore in the key mechanism for maintaining security and peace in the world. Specifically, this tendentious attitude was mostly expressed in the ‘70s of the 20th century in the United Nations General Assembly.

Geo-strategic interests, ideological beliefs, and declared and undeclared alliances of states have also influenced disagreements over the definition of terrorism, because what constitutes a terrorist organization, terrorist group, or terrorist act for the United States and its allies is not a terrorist organization, group or act for Russia and its allies, and vice versa. “This is arguably not surprising, as defining terrorism is an inherently political process – the same person may be seen as a terrorist or a freedom fighter depending on one’s political view point (Kaunert & Leonard, 2013).”

EU law does not define terrorism. However, both the Council Framework Decision on Combating Terrorism (2002/475/JHA) and Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism define terrorist offenses.

Different attitudes and views will continue in the international community in relation to a unique definition of terrorism, as the result of different national interests, geo-strategic ones, political motive and ideology. And, in all this controversy, one thing is certain, and of course we all have to agree that terrorism is an evil that is threatening and harming humanity.

### **Europe as a Target of Terrorism**

European countries faced terrorist attacks even before 2001. However, since the 9/11 attacks on the US, terrorist attacks have evolved globally. “On that day, al-Qaeda suicide terrorists piloting four Boeing airliners killed 2,977 people, by far the highest number of fatalities inflicted by any single modern act of terrorism (Lynn, 2019).” Furthermore, “recent research shows that between 2000 and 2018, 753 people lost their lives in terrorist attacks in the EU, and 1,115 EU citizens fell victim to terror in non-EU countries (Voronova, 2021)”.

There are reasons that have made Europe a target of terrorism on a larger scale. But in fact, what are the reasons for the European continent to become a target of terrorists and to be exposed to a direct and serious threat to its security. The response of the United States to the attacks on September 11 was one of the reasons behind why Europe is being targeted by terrorists. Thus, the attacks on September 11 on the United States, and the American invasion of Iraq and Afghanistan were decisive factors in the transformation of Europe into the target of numerous terrorist acts by various terrorist organizations. So, as a result of the EU’s solidarity with the United States, a series of terrorist attacks were carried out by Islamic terrorist organizations in

retaliation against certain European countries. The European Union was the target of terrorist attacks, but Spain, France and England were the countries specifically attacked.

### **Events at Madrid**

Even before the Madrid attacks, Spain was attacked by terrorist acts as a result of various revolutionary movements, preceded by organizations such as the First of October Antifascist Resistance Group (GRAPO) and the Basque Homeland and Liberty (ETA). For a period of thirty years, “the ETA has cost the lives of 773 people (Richardson, 2006)”.

The solidarity of the Spanish government with the democratic world in the fight against terrorism, and especially the support of the United States regarding the troops stationed in Iraq, is determined by the serious threat and terrorist attacks of terrorist organizations. In 2004, terrorists attacked Spain in the capital Madrid, the province of Toledo and Leganés. In Spain, “ten bombs exploded on four trains during rush hour in Madrid. More than 190 people died, almost 2,000 were injured. It was one of the most devastating terrorist attacks in Europe in recent history (Richardson, 2006)”, whereas on 2 April 2004, an explosive device placed at the railway line in the province of Toledo, near Madrid, was found (Alonso &Reinares, 2006). Moreover, on 3 April 2004, seven people committed suicide in Leganés only weeks after terrorists killed 191 men and women in Madrid, injuring hundreds (Alonso &Reinares, 2006).

Following the terrorist attack in Madrid in March 2004, the European Union leaders also adopted a statement agreeing on the position of EU coordinator for the fight against terrorism. The role of coordinator includes coordinating the work of the Council in the fight against terrorism; presenting recommendations on policy issues and proposing priority areas to be undertaken in the Council; as well as facilitating international cooperation, including that between the European Union and third countries, (Council of the European Union, Declaration on Combating Terrorism, 7906/04 (29 March 2004).

### **France as a Target of Terrorism**

France was exposed to terrorist attacks both within the country and on its targets abroad even before the 9/11 attacks. Several factors contributed to the creation of this situation. Given its multiethnic composition, “the ethno-nationalist separatists within France - such as from the Corsican separatists (FLNC), then the left-wing “Action Directe” and other groups across the country (such as those in Bretagne or the French Basque region) (O’Brien, 2005)”.

The 9/11 attacks ushered in a new era of terrorist acts involving France. “Today, it is generally recognized that these attacks opened the era of Global Terror (GT) (Eichler, 2023)”. Furthermore, after the 9/11 attacks, France, like the rest of Western Europe, the democratic world, positioned itself and sided with the United States and other allies in the fight against terrorism. In fact, the French state has confirmed its now known and uncompromising position on the suppression of this phenomenon, regardless of the identity of the terrorists. “France noted this in its report to the UN Security Council and that, for many years the country has shown its determination to combat terrorism in all its forms regardless of the identity of the terrorists (O’Brien, 2005)”.

The day after the 9/11 attacks, France joined the international community. At the meeting of the Security Council, through their ambassador Jean-David Levitte, France made it clear that the fight against terrorism must take place on many fronts. Furthermore, French ambassador highlights that, “in deciding upon any appropriate action to combat those who resort to terrorism, those who aid them and those who protect them...[a] global strategy is needed (O’Brien, 2005)”. Moreover, based on Ullah (2021) “Former French President Jacques

Chirac stressed that France is ready to launch a first strike against any state supporting terrorists to attack the country”.

France, aware of the dangers and threats posed by global terrorism, took urgent measures, initially modifying the legal basis in order to prevent and fight terrorism. “Act 96-647 of 22 July 1996, which was incorporated in the French legislation already in force, introduced an additional anti-terrorist measure by creating a new offence: Article 421-2 of the Penal Code was modified to state (O’Brien, 2005)”. In addition, the author (O’Brien, stated that a new law called the ‘Loi sur la Sécurité Quotidienne’ (Law on Everyday Security) was adopted by the French Parliament on 15 November 2001, calling for more proactive measures to curb potential terrorist activities (O’Brien, 2005)”.

Despite all these measures, it was not possible to create absolute security for the French citizens. The attacks continued in the future on a larger scale than in the past. “In March 2012, three French soldiers and four Jewish members of the public were killed in a series of gun attacks in the Midi-Pyrénées region of France (Kaunert& Leonard, 2013).”

### **Terrorist Attacks in London**

London and other cities in Great Britain were the target of terrorist attacks even before the 21st century. This situation was the result of events within the British Commonwealth itself, the British foreign policy in the international arena and the overall international events. Furthermore, the controversy between Protestants and Catholics in Northern Ireland, and the relationship between Great Britain and Northern Ireland, determined the frequent terrorist attacks from the Irish Republic Army (IRA).

In the period 1970-1980, “there were spectacular exploits, such as the murder of Lord Mountbatten, the retired Viceroy of India; the killing of Airey Neave, a minister of the Crown; the placing of bombs in commercial centers of London and Manchester, causing much material damage; and the attempt to kill then Prime Minister Thatcher and the Conservative leadership at their party conference (Laqueur, 1999)”.

London was also the target of attacks with funding and direct sponsorship from certain countries. In 1984, “Khadafi personally gave orders to his agents in London to open fire on the British police in front of the Libyan legation (Laqueur, 1999)”. Until the terrorist attack, the British government’s excuse for hiding Libyan citizens “opponents” of the regime.

The threats and consequences of terrorist activities against England resulted in the attack in London in 2005. “In August 2005, the London’s underground was attacked with bombs, which resulted tragically in 55 deaths and several wounded (Richardson, 2006).”

In the fight against terrorism, the British government envisioned a policy of “shoot to kill”, which means “extending detention without trial (Guelke, 2006)”. Despite this, the bombing of London took place in July 2005. British Prime Minister Tony Blair insisted that “the solution cannot be only security measures”, but that success lies in resolving the conflict, for example, between Israel and Palestine (Guelke, 2006).

### **The European Union Policies in Preventing and Combating Terrorism**

After 2001, the EU was more actively involved in policy-making to prevent and combat terrorism. It was the terrorist act in the United States that made the EU consider a proactive multidimensional approach in the fight against and prevention of terrorist threats and acts. After this period, a number of documents of binding and non-binding nature were adopted for the member states, in the form of framework decisions, treaties, directives, strategies and



action plans. More specifically, the EU has developed policies to prevent and combat terrorism, based on primary legislation, secondary legislation and soft law.

Legislation adopted by the EU to prevent and combat terrorism inter alia includes: a) Treaty of the European Union (Article K1, paragraph 9); b) Council Framework Decision of 13 June 2002 on combating terrorism (2002/475/JHA); c) The Lisbon Treaty (article 28 A, paragraph 3); d) The Treaty on the functioning of the European Union (Article 75 and Article 222); e) The Treaty on the European Union (Article 42.1 and Article 43.1); f) Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing; g) Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism.

Article K1 paragraph 9 of the TEU defines police cooperation for the purpose of preventing and combating terrorism between the Member States of the Union, whereas the Council Framework Decision of 13 June 2002 on combating terrorism determines terrorist offences according to Article 1. It is worth noting that the Council Framework Decision of 13 June 2002 is no longer in force. Furthermore, the obligation of the Member States of the European Union to approximate terrorist offences is determined based on this Framework Decision. Moreover, it is stated in the preamble to the Council Framework Decision, which reads as follows: "The definition of terrorist offences should be approximated in all Member States, including those offences relating to terrorist groups. Furthermore, penalties and sanctions should be provided for natural and legal persons having committed or being liable for such offences, which reflect the seriousness of such offences".

According to Article 28 A, paragraph 3, the Lisbon Treaty, within the measures for the prevention and fight against terrorism and the preservation of the security of citizens, defines, among other things, the establishment of a multinational force and the establishment of a European Defense Agency.

Both the Treaty on the Functioning of the European Union (hereinafter: TFEU) (Article 75 and Article 222) and the TEU defined measures to combat terrorism. Article 75 and Article 222 of the TFEU, among others, define the right of EU bodies to freeze funds, financial assets or economic profits belonging to terrorist organizations or groups and the joint participation of the Union and its Member States, if a Member State is the subject of a terrorist attack.

Whereas, in accordance with Article 42, paragraph 1, and Article 43, paragraph 1 of the TEU, the EU defines, inter alia, the right to use military property outside the Union for peace-keeping, as well as to support third countries in the fight against terrorism in their territories with the sole aim of contributing to the fight against terrorism.

Both, Directive 2015/849 and Directive 2017/541 set out measures to prevent and combat terrorism. The purpose of the Directive 2015/849 is to prevent the use of the EU's financial system for the purposes of money laundering and terrorist financing. Whereas Directive 2017/541 further spreads out counter-terrorism measures, inter alia, by extending terrorism offenses and replaces the Council Framework Decision of 13 June 2002 on combating terrorism and amending Council Decision 2005/671/JHA (OJ L 88, 31.3.2017, p.6).

It is worth noting that Directive 2015/849 repeals Regulation (EU) No. 648/2012 of the European Parliament and of the Council and Directive No. 2005/60/EC of the European Parliament and of the Council and Commission Directive No.2006/70/EC.

Within the framework of the soft law, among others, the EU has adopted the European Union Counter-Terrorism Strategy (hereinafter: the EUCTS) and the Internal Security Strategy, whereas the EU Security Union Strategy is still a draft strategy. The EUCTS has been approved

by the European Council and aims to increase cooperation not only between Member States, but also with non-EU countries and international mechanisms. The strategy is built around four pillars: prevention, protection, pursuit and response.

In order to implement the first pillar of prevention, it is planned to build and strengthen national capacities, through the collection of intelligence information, while the protection of citizens will be achieved through inter-institutional cooperation between member states. Among other things, under the third pillar, the EU will have a unified response to terrorist threats, co-operation and capacity building of collective defense thereof, including Europol, the European Union Agency for Criminal Justice (EUROJUST), the European Union Border and Coast Guard Agency (Frontex) etc., and within the fourth pillar, is intended to promote international cooperation, especially with the United Nations, other international organizations and third countries.

The Internal Security Strategy was approved by the European Council on 25-26 March 2010. This strategy was approved in order to implement the Stockholm Program Action Plan, which should contain action-oriented proposals. According to the action plan, terrorism as a threat is among the five goals, including: disruption on international criminal networks, prevention of terrorism and addressing radicalization and recruitment, raising levels of security for citizens and businesses in cyberspace, strengthening security through border management and the last increasing Europe's resilience to crises and disaster (Action Plan implementing the Stockholm Programme-European Commission, Brussels, 20.04.2010 COM (2010) 171 final).

### **Conclusion**

Initiatives to establish a common European defense date back to the founding of the European Coal and Steel Community. However, it took time for European countries to develop a common European policy. Europe has established a common defense policy through three treaties: The Treaty on European Union, the Treaty of Amsterdam and the Treaty of Lisbon. More specifically, the European Union has developed policies to prevent and combat terrorism, based on primary legislation, secondary legislation and soft law.

EU cooperation and solidarity with the American invasion of Iraq and Afghanistan is factor that influenced Europe to become a terrorist target. For this reason, the European Union has made new commitments to protect the security of its citizens and member states. These obligations are set out in the TEU and include, inter alia, the possibility for the EU to participate in various civilian, humanitarian and military operations. In addition, the EU through its legislations made the establishment of a multinational force and the European Defense Agency possible. Furthermore, the EU allows the opportunity to help third countries in the fight against terrorism. European Union missions are deployed on three continents: Europe, Asia and Africa. Through these missions, the European Union has taken on an important role in maintaining world peace and security.

An important step in the fight against and prevention of terrorism is the right of EU bodies to freeze funds, financial assets or economic profits belonging to terrorist organizations or groups, as well as to prevent the use of the EU's financial system for money laundering and terrorism.

In conclusion, the European Union began to develop a common security and defense policy only after 2001, when it became the target of terrorist attacks. For example, in August 2005, the London underground was attacked with bombs, which resulted tragically in 55 deaths and several wounded.

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- 2.Council Framework Decision of 13 June 2002 on combating terrorism (2002/475/JHA);
- 3.The Lisbon Treaty;
- 4.The Treaty on the functioning of the European Union;
- 5.The Treaty on the European Union;
- 6.Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing;
- 7.Directive (EU) 2017/541 of the European Parliament and of the Council of 15 March 2017 on combating terrorism;
- 8.European Union Counter Terrorist Strategy;
- 9.Internal Security Strategy;

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## REGIONAL COOPERATION AS A KEY FACTOR FOR EFFICIENT MIGRATION MANAGEMENT

Snezhana TRAJANOVSKA<sup>1</sup>

**Abstract:** Migration is a complex and multifaceted process which has become one of the driving forces behind the strives for social and economic existence in the globalized world we live in. Motivated by various economic, social, and political factors, this phenomenon has been moulding human societies for centuries. In recent times, the Western Balkan region has witnessed a substantial influx of transit migrants and refugees and thus, it has become the main crossroads on their way towards a better life to the Western European countries. Despite the change in migration dynamics over the years, the migration phenomenon still remains a pressing issue for many Western European authorities. Given its gravity, migration management requires a comprehensive and holistic approach as well as enhanced regional cooperation of and with the region of Western Balkans. Namely, good cooperation, regular communication, coordination and exchange of experience and information among Western Balkan countries can significantly contribute to tackling migration challenges and succeeding in effective and efficient migration management.

**Keywords:** migration management, regional cooperation, migrants, refugees, asylum seekers.

### Introduction

Migration as a phenomenon is an integral part of the development of humanity and it brings about the benefits of exchange of ideas and cultures and contributes to the prosperity of every state. However, when migration becomes a burden for the state, it is necessary to employ all the available mechanisms for facilitating and channelling its movement, at the same time preventing all the negative factors that it triggers such as illegal crossings of the state border, human trafficking, migrant smuggling, illegal work and the like.<sup>2</sup>

Reasons for people to migrate are traditionally connected to poor economic conditions resulting in unemployment and poverty, as well as war conflicts, instability and uncertainty for the future.

The so-called Western Balkans route remains one of the main corridors for irregular migration into Western Europe<sup>3</sup>. Due to its geographical location and continental linkage to the

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<sup>2</sup> Djuklevski, G & Trajanovska, S., Ed., (2017), *Handbook on Integrated Border Management* (Priracnik za integrirano granicno upravljanje), KA EL ES – Print, Skopje, p.113

<sup>3</sup> See “Western Balkans Route”, European Commission, 21 June 2023, <https://www.consilium.europa.eu/media/detail/Western-Balkans-Route-12345>

European states it is becoming more attractive for irregular migration of a number of migrants and refugees from Asia and Africa. Moreover, the dynamics of the migration in the region is increasing, which represents a grave burden of the Western Balkan countries faced with the problems of slow development, fragile systems of social protection and limited institutional capacities.

From a security aspect, the Republic of North Macedonia represents a crossroads of the Balkans, and consequently, the crossroads of the main routes of drug trafficking, trafficking in weapons, migrants smuggling, and a transit route in the direction of Asia and Africa towards the Western Balkans.<sup>4</sup>

In such circumstances the question for regional cooperation in the area of security, migrations and asylum arises; the reason being that this issue cannot be treated separately as a problem or benefit of one state alone.<sup>5</sup>

### **Migration trends overview in the western balkans**

The Western Balkans is at the heart of Europe and geographically it is surrounded by EU member states. The region is a transit hub and key corridor for migrants heading for the EU, especially from the Middle East, Asia and Africa. The Western Balkans route refers to irregular arrivals in the EU through the region: Albania, Bosnia and Herzegovina, Kosovo\*, Montenegro, North Macedonia and Serbia and it is one of the main migratory paths into Europe.

Migrants and refugees try to reach Europe mainly via 4 main migratory routes, with one additional temporary route from Ukraine since Russia launched its military aggression in February 2022.

These are:

- Eastern Mediterranean route
- Western Mediterranean and Western African route
- Central Mediterranean route
- Western Balkans route
- Refugee inflow from Ukraine

The year 2015 marked the creation of a migration route that allowed migrants to travel from Turkey through the Western Balkans corridor and onward to Western European countries. The dominant route between 2015 -2016 for migrants started through Turkey and passed through Greece, North Macedonia, Serbia, and Hungary or Croatia, before entering Western European countries. A less frequently used route led from Serbia to Bulgaria and other EU Member States.<sup>7</sup> This influx of refugees and migrants led to the signature of the EU-Turkey deal in March 2016 to address the issue of irregular migration across the Aegean Sea. As a result, the number of migrants traveling through the Western Balkans corridor began to decline significantly. The deal aimed to reduce the number of people crossing the Aegean Sea by increasing border controls,

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[europea.eu/en/policies/eu-migration-policy/western-balkans-route](https://europea.eu/en/policies/eu-migration-policy/western-balkans-route)

<sup>4</sup> Nikoloski, Z., (2018), *Migrations and Security, (Migracii i bezbednost)*, Civica Mobilitas, Skopje, p.16

<sup>5</sup> *Ibid*, p.10

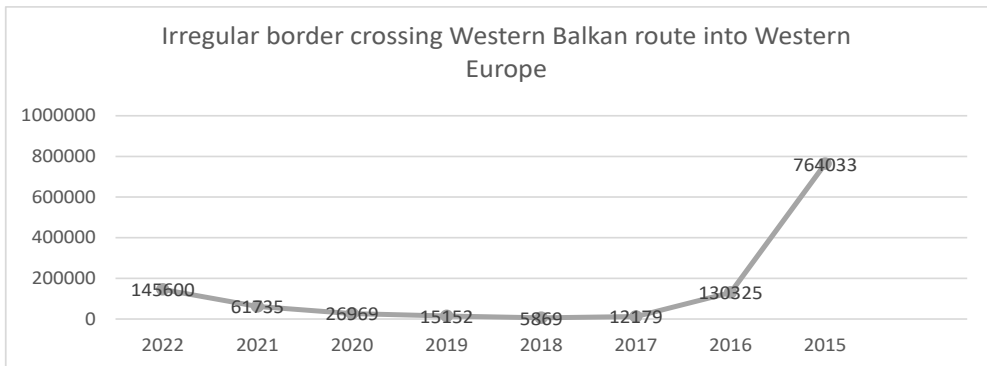
<sup>6</sup> This designation is without prejudice to positions on status, and is in line with UNSCR 1244 and the ICJ Opinion on the Kosovo declaration of independence.

<sup>7</sup> Florian Trauner and Stella Neelsen. (n.d.). *The Impact of the Migration Crisis on Political Dynamics in the Western Balkans*. Institute for European Studies, 180. Retrieved April 22, 2023, from <https://www.iemed.org/wp-content/uploads/2021/01/The-Impact-of-the-Migration-Crisis-on-Political-Dynamics-in-the-Western-Balkans.pdf>

while also providing support to Turkey to help improve conditions for refugees and migrants within their borders. Serbia, North Macedonia, and Bosnia and Herzegovina were the most affected by the migration movement between 2015 and 2016, while Albania, Montenegro, and Kosovo experienced less impact and did not encounter a substantial influx of migrants during that period. However, Albania has observed a notable rise in the number of asylum seekers and migrants entering its territory since 2019. Additionally, there are indications that migrants are now attempting to enter the European Union, traversing from Serbia into Bulgaria and Romania. The situation was further influenced by the difficulty migrants faced in crossing from Greece into North Macedonia, which pushed them to move further west towards Albania.<sup>8</sup> As a result, there has been an increase in the use of an alternate route through Turkey-Greece-Albania-Montenegro-Bosnia and Herzegovina by irregular migrants seeking to cross the Western Balkan corridor, as compared to the period 2015-2016.

After the record number of arrivals in the European Union in 2015, the number of irregular migrants choosing this route fell steadily for a few years. However, since 2019 it has started to pick up again.

According to recent developments, it appears that there is an upward trend in the number of migrants attempting to enter the Balkan Route. In accordance to FRONTEX statistics, in 2022 a total of 145,600 cases of irregular border crossing were reported on the Western Balkans route, which is 136% more than the figure reported in 2021 (61,735 people). This marks the highest number of crossings recorded on this route since 2015. It is worth noting that 45% of all irregular entries in 2022 took place via the Western Balkans,<sup>9</sup> which is comparable to the migration wave of 2015. During the 2015 wave, the Western Balkan route accounted for 47% of all migrants attempting to enter Western European countries.<sup>10</sup>



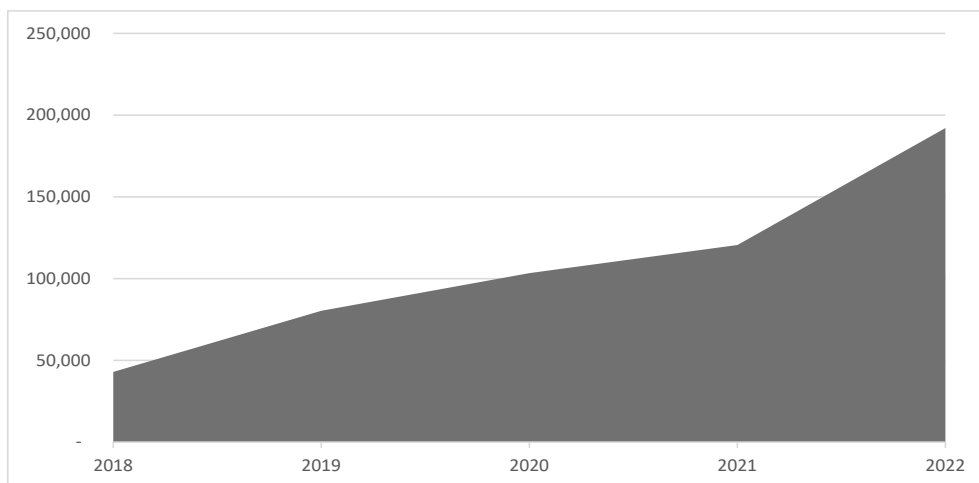
**Figure 1: FRONTEX data on irregular migrants crossing the Western Balkan route.**

<sup>8</sup> Kemp, W., Amerhauser, K., & Scaturro, R. (2021). *Spot Prices: Analyzing flows of people, drugs and money in the Western Balkans*. Global Initiative Against Transnational Organized Crime (p.8). <https://globalinitiative.net/spot-prices-analyzing-flows-of-people-drugs-and-money-in-the-western-balkans/>

<sup>9</sup> Frontex. (2023, January 13). EU's external borders in 2022: Number of irregular border crossings highest since 2016. Retrieved from <https://frontex.europa.eu/media-centre/news/news-release/eu-s-external-borders-in-2022-number-of-irregular-border-crossings-highest-since-2016-YsAZ29#:~:text=of%20Member%20States.,The%20Western%20Balkan%20route,reported%20irregular%20entries%20in%202022>

<sup>10</sup> Frontex, 2016, *Western Balkans: Trends, Routes, and Dynamics*, Frontex

On the other hand, in accordance to the IOM statistics, in 2022, Western Balkans authorities registered 192,266 migrants. This is a 59.5 per cent increase in arrivals compared to 2021, and a 348 per cent increase when compared to 2018. These numbers refer to any registration of a migrant in one of the six countries or territories of the Western Balkans. However, since 2018, authorities in the Western Balkans administrations have consistently been registering more migrant arrivals.



**Figure 2: Number of migrant arrivals in the Western Balkans in 2018-2022**

The number of detections of irregular border crossings at EU's external borders rose by 17% in the first nine months of 2023 to 279,350, the highest total for the period since 2016, according to preliminary calculations.<sup>11</sup> Many irregular migrants reaching the EU via the Western Balkans route, move from the EU member state in which they first arrived to another EU country. This results in a certain number of detections of irregular migrants and asylum applications within Europe.

When it comes to the demographics of the migrants, during the migration wave that occurred between 2015 and 2016, the largest group of assessed migrants in Europe traveling via the Western Balkans consisted of Syrians, followed by Afghans and Iraqis. This aligns with the general migration trends towards Europe at that time.<sup>12</sup> Syrians were the largest group of migrants in both years, representing 47% in 2015 and 37% in 2016. Afghans and Iraqis followed as the second and third largest groups, with some variation in their proportions between the

<sup>11</sup> [https://www.google.com/search?q=frontex+illegal+border+crossings+2023&oq=frontex+illegal+crossings&gs\\_lcrp=EgZjaHJvbWUqCAGDEAAYFhgeMgYLABBFdKyCAGBEAAYFhgeMggIAhAAGBYHjIICAMQABgWGB4yCggEEAAYhgMYigUyCggFEAAYhgMYigXSAQoxNTQzNmowajElqAlAsAlA&sourceid=chrome&ie=UTF-8#ip=1](https://www.google.com/search?q=frontex+illegal+border+crossings+2023&oq=frontex+illegal+crossings&gs_lcrp=EgZjaHJvbWUqCAGDEAAYFhgeMgYLABBFdKyCAGBEAAYFhgeMggIAhAAGBYHjIICAMQABgWGB4yCggEEAAYhgMYigUyCggFEAAYhgMYigXSAQoxNTQzNmowajElqAlAsAlA&sourceid=chrome&ie=UTF-8#ip=1)

<sup>12</sup> REACH. (2016). *Migration to Europe through the Western Balkans: Consolidated report on migration to Europe through the Western Balkans 2015-2016* (p. 10). Retrieved from [https://www.impact-repository.org/document/reach/f9c3fc6b/reach\\_report\\_consolidated\\_report\\_on\\_migration\\_to\\_europe\\_through\\_the\\_western\\_balkans\\_2015-2016\\_july\\_2016\\_0-1](https://www.impact-repository.org/document/reach/f9c3fc6b/reach_report_consolidated_report_on_migration_to_europe_through_the_western_balkans_2015-2016_july_2016_0-1)



two years. In 2015, Afghans made up 21% of the total while Iraqis accounted for 9%; while in 2016, the figures changed to 19% and 12%, respectively.<sup>13</sup>

In 2021, the largest group of migrants were from Afghanistan, accounting for 38.2% of all migrants. Syrians came in second, making up 19.4% of the total migrant population. Pakistanis constituted 17.4%.<sup>14</sup> In 2022, the largest group of migrants remained Afghans, making up 28% of all migrants entering the Western Balkan borders, followed closely by Syrians at 26.1%.<sup>15</sup>

The changes in the profile of migrants over the years can be attributed to various factors such as geopolitical developments, conflicts, economic situations, and border control measures.

In the 2015-16 wave of migration a considerable number of irregular migrants did not have a concrete destination in mind when they decided to leave their country. Their overriding aim was to make it “to the European Union”. However according to statistical indicators at that period of time, the main destination countries for migrants have been Germany, Sweden, France, United Kingdom, Austria and the Netherlands.<sup>16</sup> In 2022, different nationalities have different preferred countries of intended destination. Most Pakistanis state that Italy is their country of intended destination, whereas Afghans largely want to travel to Germany and to a lesser extent Italy and France. Nationals of the Syrian Arab Republic want to travel to Germany.<sup>17</sup>

According to the International Organization for Migration (IOM), 2022 was “a paradigm shifting year” for migration in the Western Balkans: the number of irregularly travelling migrants rose, however the length of their stay in each transit country before attempting to enter the EU became shorter.<sup>18</sup>

### **Regional cooperation as a means of tackling illegal migration**

All the partners in the region have a Stabilization and Association Agreement with the EU that sets the overall framework for their relations with the EU.

On 5 December 2022, the European Commission presented an EU action plan on the Western Balkans<sup>19</sup> which identifies 20 operational measures structured along 5 pillars: (1) strengthening border management along the routes; (2) swift asylum procedures and support reception capacity; (3) fighting migrant smuggling; (4) enhancing readmission cooperation and returns as well as (5) achieving visa policy alignment. The measures are focused on support to or actions by Western Balkan partners, and action in the EU.

<sup>13</sup> *Migrants from Pakistan, Eritrea, Nigeria, Iran, Gambia, and other countries accounted for the remaining percentages.*

<sup>14</sup> *The proportions of migrants from Morocco and Bangladesh were 3.2% and 6.7%, respectively, the remaining 15.1% were from other countries.*

<sup>15</sup> *International Organization for Migration. (2022). Migration Trends in the Western Balkans in 2022 (p. 10). Retrieved from [https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/WB\\_Annual\\_Report.pdf](https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/WB_Annual_Report.pdf)*

<sup>16</sup> *European Commission, DG Migration & Home Affairs. (2015). A study on smuggling of migrants (p. 27). Retrieved from [https://www.icmpd.org/file/download/54169/file/A%2520study%2520on%2520smuggling%2520of%2520migrants\\_full%2520study.pdf](https://www.icmpd.org/file/download/54169/file/A%2520study%2520on%2520smuggling%2520of%2520migrants_full%2520study.pdf)*

<sup>17</sup> *International Organization for Migration. (2022). Migration Trends in the Western Balkans in 2022 (p. 9). Retrieved from [https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/WB\\_Annual\\_Report.pdf](https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/WB_Annual_Report.pdf)*

<sup>18</sup> *“Migration Trends in the Western Balkans in 2022”, International Organization for Migration (IOM), 2023, p.3*

<sup>19</sup> [https://ec.europa.eu/commission/presscorner/detail/en/ip\\_22\\_7447](https://ec.europa.eu/commission/presscorner/detail/en/ip_22_7447)

The plan identifies a series of operational measures to strengthen the partnership with the Western Balkans, in light of their unique status with the EU accession perspective and their continued efforts to align with the EU standards, as well as key actions to take inside the EU. The European Union works closely with the Western Balkan partners on all areas of migration management to develop and align their systems with the EU standards. In addition to assisting the region in border management, the EU therefore supports the Western Balkan partners in developing effective migration management systems, including strengthened asylum procedures, additional reception facilities and further efforts in relation to voluntary and non-voluntary returns, in accordance with EU rules.

Through this support, the EU wishes to ensure that the Western Balkan partners are equipped, as possible future EU member states, to respond constructively to the shared migration challenges and assume responsibility and ownership for all aspects of migration.

There is also a need to increase cooperation on re-admission of irregular migrants with the countries of origin, in line with international and EU standards.

An effective and humane return policy is an integral part of a comprehensive migration and asylum policy. Cooperation with third countries on return and re-admission is a crucial aspect of the whole return process. Return is not possible without the cooperation of the country of origin.

The EU cooperates very actively with the non-EU countries of origin of irregular migrants, in particular through re-admission agreements and arrangements. They set out clear obligations and procedures for the authorities as to when and how to readmit people who do not fulfil the conditions for entry into the EU or who are irregularly residing in the EU. These agreements also include a so-called third country nationals' clause, which obliges Western Balkans partners to readmit third country nationals who transited through their territory before arriving in the EU.

Returning illegal migrants to their countries of origin is also a challenge for the Western Balkans partners, and the EU also supports them in these efforts.

The Instrument for Pre-accession Assistance (IPA) is the means by which the EU has been supporting reforms in the enlargement region with financial and technical assistance. Migration challenges in the Western Balkans are addressed with the support of the IPA III funds, designed for the period 2021-2027.

Other organizations crystalizing around Migration Management in the Western Balkans are:

International Organization for Migration<sup>20</sup> (IOM) as the leading intergovernmental organization in the field of migration is committed to the principle that humane and orderly migration benefits migrants and society. IOM supports migrants across the world, developing effective responses to the shifting dynamics of migration and, as such, is a key source of advice on migration policy and practice. The organization works in emergency situations, developing the resilience of all people on the move, and particularly those in situations of vulnerability, as well as building capacity within governments to manage all forms and impacts of mobility.

European Agency for the Management of Operational Cooperation at the External Borders of the Members States of the EU - European Border and Coast Guard Agency<sup>21</sup> (FRONTEX) supports EU Member States and Schengen-associated countries in the management of the EU's external borders and the fight against cross-border crime. It is a centre of excellence for border control activities at the EU's external borders, sharing intelligence and expertise with all Member

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<sup>20</sup> <https://www.iom.int>

<sup>21</sup> <https://www.frontex.europa.eu/>

States and with neighbouring non-EU countries affected by migratory trends and cross-border crime. Frontex deploys specialized officers and border surveillance vehicles and other equipment in the EU countries most affected by the migratory flows on the Western Balkans route. At the same time, Frontex can carry out deployments and joint operations in the Western Balkans region, subject to the prior conclusion of a status agreement between the European Union and the partners concerned. Status agreements with Albania, North Macedonia, Montenegro and Serbia are currently in force. The agreement with North Macedonia was signed in October 2022. An enhanced agreement with Montenegro, which will replace the one currently in force, was signed on 16 May 2023, and has been provisionally applied since July 2023.

The EU is currently negotiating enhanced agreements with Albania, Bosnia and Herzegovina, Montenegro and Serbia to reflect the new Frontex mandate.

The new agreements will allow the Agency to assist these partners in their efforts to manage migratory flows, counter illegal immigration and tackle cross border crime throughout their territory.

The European Union Agency for Asylum<sup>22</sup> (EUAA) is an agency of the European Union mandated with supporting Member States in applying the package of EU laws that govern asylum, international protection and reception conditions, known as the Common European Asylum System (CEAS). It acts as a resource for Member States in the field of international protection, with the ability to provide practical, legal, technical, advisory and operational assistance in many formats. The Agency does not replace the national asylum or reception authorities, which are ultimately entirely responsible for their procedures and systems.

Regional Cooperation Council<sup>23</sup> (RCC). The Strategy and Work Programme (SWP) 2023-2025 'Regional Response in Times of Uncertainty' of the Regional Cooperation Council (RCC) Secretariat was endorsed at the RCC Annual Meeting, on 9 June 2022 in Thessaloniki, Greece. The overarching goal of SWP 2023-2025 is to promote the prosperity of South East Europe by supporting sustainable and equitable economic growth policies to enhance regional economic integration, green and digital transformation, while reducing the poverty and narrowing the existing social, economic, and environmental divergences with the European Union.

The International Center for Migration Policy Development<sup>24</sup> (ICMPD) is an international organisation with 20 Member States and more than 487 staff members. Active in more than 90 countries worldwide, it takes a regional approach in its work to create efficient cooperation and partnerships along migration routes. Priority regions include Africa, Eastern Europe and Central Asia, the Mediterranean, Silk Routes, the Western Balkans and Türkiye. Its approach to migration management – structurally linking policy & research, migration dialogues and capacity building – contributes to better migration policy development worldwide. The Vienna-based organisation has a mission in Brussels and is locally represented in 30 countries worldwide. ICMPD receives funding from its Member States, the European Commission, the UN and other multilateral institutions, as well as bilateral donors. Founded in 1993, ICMPD holds UN observer status and cooperates with more than 715 partners including EU institutions and UN agencies.

<sup>22</sup> <https://euaa.europa.eu/>

<sup>23</sup> <https://www.rcc.int/>

<sup>24</sup> <https://www.icmpd.org/>

**Migration, asylum, refugees, regional initiative (MARRI)**

MARRI is a good example where regional cooperation can be seen in a nutshell. It is a laboratory for ideas and a resource centre for information and analysis called “Knowledge Hub”. It is a regional structure dedicated to promoting closer co-operation and common, comprehensive and harmonized approaches to border and migration management. MARRI Regional Centre was founded on 2 July of 2004 with institutional advice from the Ministries of Foreign Affairs under the umbrella of the South-East European Cooperation Process (SEECF)<sup>25</sup>, and has its seat in Skopje. MARRI works at ministerial and expert level on:<sup>26</sup>

- Completion of Participants’ Migration Action Plans
- Exchange of information and lessons learned for reducing irregular migration
- Supporting negotiations with source and transit countries and countries of destination to reduce irregular migration
- Developing a region-wide information technology system to manage population movements

- Promoting and developing access to high quality country of origin information
- Aiming at free movement of persons, goods and capitals and a harmonized visa policy

In a negotiated process 2018 - 2023, MARRI’s objectives have been defined, inter alia, as follows:

- 1) Supporting the implementation of MARRI Participants’ strategic concepts related to MARRI’s mandate,
- 2) Supporting MARRI Participants in the EU accession process,
- 3) Supporting MARRI Participants in engaging in regional dialogue on migration management and establishing regional mechanisms for cooperation towards reducing irregular migration,
- 4) Supporting cooperation among MARRI Participants in border/boundary management and the sharing of best practices in the field of integrated border management,
- 5) Supporting the enhancement of capacities of MARRI Participants in the areas of return, readmission and protection of migrants, particularly vulnerable migrants,
- 6) Supporting harmonisation of asylum procedures and the improvement of harmonisation of visa regimes regionally,
- 7) Enhancing cooperation among MARRI Participants in combating trafficking in human beings and smuggling of migrants,
- 8) Encouraging a dialogue on intra-regional legal migration,
- 9) Engaging in Migration Governance and other areas thematically interlinked with one or more of the areas mentioned,
- 10) Enhancing the exchange of reliable data, supporting fact and science-based analyses, making the Regional Centre a resource for information and knowledge.

Among many other activities over the last years, MARRI prepared social workers, nurses and doctors to recognize victims of trafficking in human beings.

On the other hand, the foundations of the MARRI Migration management police network laid back in 2009, at the Workshop on “Establishment of network for cooperation among border police on international airport BCPs in MMS”. The overall objective was to improve regional

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<sup>25</sup> <https://marri-rc.org.mk/wp-content/uploads/2015/09/MoU-on-establishing-MARRI-Regional-Forum-2004.pdf>

<sup>26</sup> <https://marri-rc.org.mk/wp-content/uploads/2015/09/MoU-on-establishing-MARRI-Regional-Forum-2004.pdf>

migration management system to address issues of combating irregular migration on sustainable and permanent basis, thus contributing to the regional efforts to channel irregular flows to regular ones. Specific objectives of the MARRI Workshop were to establish more effective cross border co-operation among border police on international airport border crossing points in the MARRI region, to increase efficiency in movement of persons and goods as well as to prevent/reduce crime and irregular migration.

Through the years, MARRI RC succeed to provide continuation of activities related to border/migration management and sustainability of the MARRI Border Management Police network, previously recognized as Chief's of Border Police network. The regional meetings, trainings and study visits organized within the projects implemented by MARRI, significantly increased the capacities of the border/boundary management authorities in the Western Balkans and provided an excellent opportunity for regional exchange of modus operandi and solutions for the challenges that have been changed through the years.

In addition to being a platform for regional cooperation, MARRI succeed to address some of the concrete challenges identified in the previous years, particularly to strengthen the capacities of police women in Border Police in MARRI Participants and encourage their greater representation on all levels. In this regard, the research (surveys/interviews) on the state of play of women in Border Police authorities in MARRI Participants is ongoing and comparative analysis with the EU Member States – exemplified by Italy will be performed. The results will be presented at a regional conference where relevant national, regional and international stakeholders will be present, with the aim of developing joint solutions and creating synergies for mitigating gender inequality in border police structures.

In the years to come, MARRI will continue to be a platform for regional cooperation that provides opportunities to migration management authorities for exchanging good practices, lessons learned, as well as jointly identifying and defining regional priorities in the Western Balkans. It will dedicate itself to finding possible ways forward with the aim of improving data collection and drafting analytical reports, including migration forecasting through the regional platform for migration Data Exchange in the Western Balkans (WB-MIDEX) and the upgrade of the Regional Remote Interpretation Service (RRIS), as well as making it available for other migration management authorities. MARRI will strengthen migration management authorities by empowerment of women in border police and create synergies with other relevant organizations active in the Western Balkans.

### **Republic of North Macedonia on the crossroad of the migration route**

Republic of North Macedonia is cooperating closely with the countries in the region on migration issues and as part of the European family, sharing the same values as the other European countries. However, it also faces the same global challenges and threats.

The geographic location of the country in the region, makes the Republic of North Macedonia the shortest way between Western Europe and Asia, thus becoming the main direction of the Western Balkans route as part of the Eastern-Mediterranean route, and being exposed to constant migration pressure. These routes have been used by refugees during the conflicts in Syria and Iraq, and are still used for illegal movement of people from Asia and Africa, as well as for smuggling migrants and other types of cross-border crime, and the movement of illegal migrants who are already present in the region.

According to official statistics of the Ministry of the Interior, a total of 5,280 attempts at illegal crossing were prevented in the first six months of 2023, the vast majority of them at

the Southern border with Greece. That is a drop of 43% from the same period last year and is largely due to the European Border and Coast Guard Agency (FRONTEX) launching a joint border patrol operation with local authorities.

North Macedonia is on one of the main transit routes for migration movements. The country continues to play an active role in the management of mixed migration flows. Efforts continued to ensure basic living conditions and services for all migrants in the country. There is, however, a need to enhance institutional and administrative capacities for all aspects of migration management. More staff and additional material and technical resources are required to increase capacity to a satisfactory level. Systematic registration of migrants is needed, and protection-sensitive profiling needs to be improved. The country should establish a proper system for managing irregular movement and stopping the practice of returning migrants outside a legal framework. A contingency plan for management of large migratory flows needs to be finalised and adopted. The Status Agreement for operational cooperation in border management with the European Border and Coast Guard Agency (FRONTEX) entered into force on 1 April 2023, allowing the launch of a joint operation with the deployment of officers from EU Member States to provide support with border control and the management of irregular migration and cross-border crime.<sup>27</sup>

### Conclusion

To successfully implement those commitments, WB administrations have agreed to promote the sharing of good practices in migration management, as well as to support civil society organizations working to prevent and combat torture and other cruel, inhuman or degrading treatment.

The securitization lens and the debate about the legal status of migrants (legal/illegal, regular/irregular, lawful/unlawful) nebulize the – on the long run - relevant question “How can a migrant – any migrant - become a lawful - and rightful, productive, loyal and self-sustained member of a guest community?”<sup>28</sup>

Successful migration management in regional context is one of the key components for improving security in the region and the countries should dedicate its capacities to preventing and combating illegal movements of migrants, smuggling of migrants and other criminal activities. Acting jointly in the process of identification and return of the illegal migrants in their countries of origin, can contribute to the improvement of regional and international security.

Cooperation with EU agencies dealing with migration issues can contribute to strengthening national capacities and thus lead to efficient and effective tackling of imminent threats and challenges related to migration flows.

Regional cooperation is implemented through active participation in projects, programs and initiatives in different formats:<sup>29</sup>

- most of them aim at strengthening national capacities of the countries in the region and improvement of regional border security, where the end consumers are the Western

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<sup>27</sup> [https://ec.europa.eu/commission/presscorner/detail/en/qanda\\_23\\_5627](https://ec.europa.eu/commission/presscorner/detail/en/qanda_23_5627)

<sup>28</sup> See Christoph von Harsdorf, *BORDER SECURITY REPORT, Volume 29, March / April 2023, Cover Story: ‘Pushbacks between necessity and Illegality’*, pp. 6-10

<sup>29</sup> *National Strategy on Integrated Border Management of the Republic of North Macedonia 2021-2025, adopted in March, 2022*

Balkan countries, and the activities present a platform for regular exchange of information and experiences, coordination of activities, joint operative activities, and the like.

- the other part of regional cooperation is the implementation of different formats with different participating countries depending on current challenges and priorities. In the last period the main challenge were threats related to the mass flow of migrants and included the countries of the so-called Western Balkans route, the final destination countries in the EU and other EU countries, and was executed in informal initiatives or within some of the existing platforms and processes, such as the Prague Process, the Salzburg Process, the Budapest Process, and the like.

The abovementioned stresses the need for the Republic of North Macedonia to increase its efforts for cooperation with neighbouring countries and international security organizations and institutions in order to find solutions for tackling new migration challenges and increasing the level of security over the migration processes, especially having in mind the intensity of migrations.<sup>30</sup>

In terms of regional cooperation in the Western Balkans, the Regional Initiative for Migration, Asylum and Refugees – MARRI, which is the only regional structure comprised of the six administrations from the Western Balkans, plays a significant role.

In conclusion, one should stress that good cooperation, regular communication, coordination and exchange of experience with other Western Balkan partners and the relevant EU partners in the area of return and readmission is of utmost importance and the key to success for the whole region.

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<sup>30</sup> Nikoloski, Z., (2018), Migrations and Security, (Migracii i bezbednost), Civica Mobilitas, Skopje, p. 18

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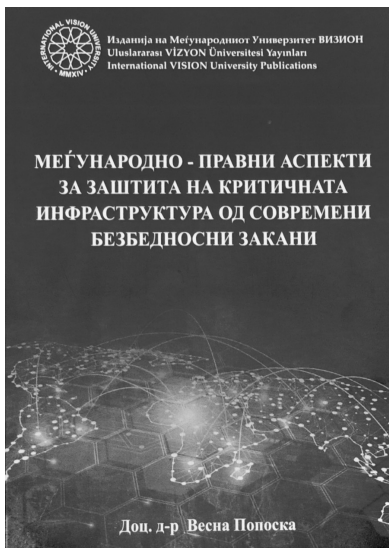
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National Strategy on Integrated Border Management 2021-2025, March, 2022



**Book review**  
**Goran ILIC**

## **"INTERNATIONAL LEGAL ASPECTS OF THE CRITICAL INFRASTRUCTURE PROTECTION AGAINST CONTEMPORARY SECURITY THREATS" – VESNA POPOSKA**



The monograph entitled "International Legal Aspects of the Critical Infrastructure Protection Against Contemporary Security Threats" by the author Assistant Professor Vesna Poposka, PhD represents a serious contribution to the international legal and security scientific thought, especially taking into consideration the clear, structured and precise definition of the key features and concepts of the critical infrastructure in the context of the approaching security threats in contemporary international society.

The increasing number of attacks on critical infrastructure and the "creativity" of their conduct, raise a legitimate question: how to increase security without reducing freedom? Increased security needs are manifested through the response of the legislator and the evolution of attitudes and approaches to the threats of the new age. Indeed, the designation of critical infrastructure as a separate category is the result of a doctrine, not a law, but such designation generates the creation of new legal norms or interpretation of the existing into a new light. Critical infrastructure is often subject to research in

an operational, security and strategic context, but not in a normative one; and the legal framework is precisely the basis to draw on in the process of operationalizing protection, allocating responsibility and generating resilience. The survey aims to identify the applicable legal norms for protecting critical infrastructure from modern, worrisome threats in the changing world; to explore the approaches of international organizations; to identify the causal links and the main drivers of change, as well as to examine development trends, possible solutions and potential risk factors or factors of improvement in the context of setting the appropriate normative infrastructure in an international context.

In the monograph, special attention is paid to the legal framework for critical infrastructure as the basis to draw on in the process of operationalizing protection, allocating responsibility and generating resilience. During the preparation of the monograph "International Legal Aspects of the Critical Infrastructure Protection Against Contemporary Security Threats", the author Assistant Professor Vesna Poposka, PhD used extensive, contemporary and relevant foreign professional and scientific literature. The author used an analytical approach, accompanied by other conventional methods, such as inductive and deductive methods, the method of qualitative and quantitative analysis, the comparative method, content analysis, normative analysis, etc.

This monograph is characterized by special methodological-didactic values. The findings presented in the monograph are systematic, logically related and concise. This confirms the methodological-didactic orientation of the author. The order of the topics provides the readers with a systematic acquisition of knowledge. The subject of the monograph is properly developed. The writing style is academic, clear and understandable.

The views, as well as the theoretical concepts are scientifically grounded with confirmed knowledge from relevant and contemporary foreign literature. The way of preparing the monograph and the selected topics provide a quality approach to the essence of the main subject.

This monograph is the first of its kind in the Republic of North Macedonia. Its relevance and originality is reflected in the topic itself through the way of analysis and elaboration of the subject of interest of this monograph, the scientific approach to the elaboration of the problem, as well as the recommendations, thoughts and ideas arising from this work.

The monograph undoubtedly makes a significant contribution to the scientific thought in North Macedonia and beyond. As it can be seen from the used literature, the author uses a number of quality and contemporary references, which undoubtedly give additional academic and scientific weight to this book.

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*Skopje, 24.11.2023*

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