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*CONTEMPORARY TRENDS IN SOCIAL
CONTROL OF CRIME*

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(Contemporary trends in the Social Crime Control)

The topic of crime and its control has been continually present on the social, political and research arena and has been also a subject to a number of debates and scientific researches. As the crime and the fear from the crime change on local, regional and on global level, simultaneously the social reactions and the forms of crime control also change.

Their study, especially in the second half of the 20th and the beginning of the 21st century, shows more changes in the reforms of the criminal justice system, which are in line with alternations occurring not only with the state of crime, but also in social, economic, political and security circumstances in other societies.

In the context of the 70's, the crime control was influenced by the so-called Penal coercionist, rehabilitation of offenders and the development of the state of welfare due to the failure of the state to deliver the anticipated justice. Thus two paradigms were developed: first, that nothing helps and the second - justice has been threatened. In that period, influenced by the structural social processes, (we think here of globalization, unequal distribution of wealth at all levels in the world, migratory movements, terrorism and cyclical recessions of capitalism that actually generate crime,) there are conflicts between the objectives of penalties (prevention, deterrence, rehabilitation and second, the realization of justice), the rights of offenders and the public interest, the legal principles, the functions of the police and the objectives of post-penal and social work. These processes produce not only changes in the condition of the crime, or its increase and change, but also represent changes in the social policy as well as in the criminal justice system.

As a result, in the period of late modernism, the problem of crime control is mainly associated with the security of the society as well as the increased risks to the feeling of insecurity that caused the increased repressive policies by the criminal justice system. At the same time the policies of risk management and the application of new technologies are implemented. They are part of the situational approach in the crime control. Basically, the new technologies for monitoring and detection of offenders place the citizens as a potential object of observation.

In this context, the police is less concerned with the Crime Prevention which relies more on new information and telecommunications as well as on other means of technology. This technological development is necessary, but at the same time it shifts away the police from citizens and their security needs, resulting in its reticence towards the public as well as implementation of repressive methods. Relying on the Law enforcement model or on what is now called the establishment of law and order, the police is being militarized growing into a serious threat both to the citizens and to the development of democratic processes. The police has thus transformed itself into the main force in the hands of the powerful for the retention of status quo.

Therefore, such a social control of crime cannot adequately respond to its challenges and there is a discrepancy between the punishment, which remains the prerogative of the State as part of the traditional criminal justice and the crime control that follows the state justice.

According to Garland (Garland, 2001), societies in the period of late modernism are characterized by a rising crime as well as by the perception of it as a normal social phenomenon. Politicization of crime, increased concern for the victim and the public safety, as well as the ineffective response to public justice, increased private security and enabled development of the situational approach as an activity with preference to the crime prevention. Despite the idea of increasing the safety and decreasing the crime, however, due to social and economic costs of 'hard' politics and mass imprisonment of offenders, the criminal policy in the late 20th and early 21st century once again experiences a crisis and is increasingly becoming more a problem than a solution to it.

Having in mind what has been previously mentioned, the questions of development of new culture of crime control are increasingly becoming more actual. They should correspond to the changed social, economic and political conditions, especially globally and in the new view of structural changes that are generating crime. Therefore, the Faculty of Security - Skopje, poses questions about the modern trends of social control of crime in the 7th International Scientific Conference and develops topics and opens discussion about development of the emerging concepts of criminal justice, for the new security challenges and the strategic restructuring of the international political order, relations of the international law, human rights, security, crime control, etc. These topics, needless to say, ought to arise from the main theme of the conference and are imposed by the world forces because the goal of all states and the international community is to create free societies that are free from fear and who can provide safe security environments for living.

Therefore, the 7th International Scientific Conference will be focused on the discussion of the following topics:

1. Security among theory, politics and practice;
2. National and international perspectives of Criminal Justice and Policing;
3. Crime science in the 21 century;
4. Rule of law and security challenges;
5. Media and crime;
6. Economic cost of crime;
7. Human rights and crime control;
8. Migration as a global and security challenge;
9. International Law and security;
10. Geostrategic restructuring in the international political order as a background to the migrant crisis;
11. Private and corporate security;
12. Radicalization on religious and ethnic grounds - the Middle East and the Balkans perspectives.

Table n.1 Countries and number of papers

	<i>Country</i>	<i>Number of papers</i>
1	<i>Macedonia</i>	53
2	<i>Serbia</i>	23
3	<i>Albania</i>	3
4	<i>Croatia</i>	2
5	<i>Bulgaria</i>	1
6	<i>Italy</i>	3
7	<i>Bosna and Herzegovina</i>	3
8	<i>Slovenia</i>	1
9	<i>Monte Negro</i>	1
10	<i>Romania</i>	1
	<i>TOTAL</i>	91

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SECURITY BETWEEN THEORY, POLITICS AND PRACTICE

CONTEMPORARY ASPECTS IN THE PREVENTION OF THE NATIONAL SECURITY

Tatjana Gerginova¹

Abstract

The intensification of transnational threats in the region and wider - global terrorism, organized crime, spreading the weapons of mass destruction, ethnic and religious extremism and refugees from the crisis- directly or indirectly affect the national security in the countries of the Balkans. The effects of these threats and the consequences that they cause (destabilizing the state institutions, endangering the legal order, the rule of law, the economic crime and creating numerous socioeconomic problems), represent a major security risk for the countries. The state authorities need to act preventively to prevent threats of risks and threats to the stability and functioning of the state and its order determined by the Constitution, and also prevent threats of risks and dangers to the goods and the environment, health and life of the people, the property and other larger material goods.

In the introductory part of the text, the author, scientific and theoretical will define the term national security. Further, the contemporary risks and threats to the national security will be determined, and also the causes of their occurrence and the effects and consequences that they cause. In the final part of the text will be determined the measures and activities that need to be taken at national and global levels, for preventing the national security.

Key words: national security, contemporary risks and threats, prevention.

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CONTRIBUTION OF THE REPUBLIC OF MACEDONIA ON THE ROAD TO MEMBERSHIP IN THE NATO ALLIANCE - COMPARATIVE ANALYSIS OF THE FINANCIAL EXPENSES FOR THE DEFENSE IN RELATION TO THE MEMBER STATES AND ASPIRING COUNTRIES FOR MEMBERSHIP

Stojan Troshanski²

Nikola Dujovski³

Latif Latifi⁴

Abstract

Macedonia aspires to join NATO alliance. NATO integration is a strategic decision of the state and the main reason for major reforms faced by the countries of the Balkan Peninsula, in particular the Western Balkans in the last two decades. Macedonia works hard on the implementation to the criteria for membership in the alliance.

The contribution to NATO that Macedonia gives, is at least affected by various analyzes. The first part of the paper will analyze the contribution to NATO that Macedonia has made through the years. It is best reflected by the expenditures of the state budget in section - Integration in NATO. In the central part of the paper, authors will make a comparison of the financial expenses for the defense in relation to the member states and aspiring countries for membership. For better understanding, the comparative method will be used. Of special interest in the research, there will be those countries which are candidates for membership. In this way, it is best to measure the contribution of Macedonia.

Although the aim of the authors of this paper is to show through the statistical data the true contribution to NATO from a financial standpoint, this research will take in consideration certain political moment which is inseparable part of the overall process. Of course, this should serve in addition to the financial part, in order to get a clearer picture of the contribution that Macedonia has achieved in recent years.

Key words: *Macedonia; NATO; Financial expenses; budget; comparative analysis;*

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INCREASING ORGANIZATION COMPETITIVENESS IN EMERGENCIES AVOIDING THE UNETHICAL AND IRREGULAR BEHAVIOUR-GREAT DILEMMA IN RISKY WORLD

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Abstract

In the 21st century the world started to be a risky place for doing business. Emergencies happened all over the globe and due to the globalization process not a single organization could avoid possible consequences. Numerous natural disasters or man-made crises threaten to break the fragile economy which has started recovering after the enormous global financial crisis. No one could predict emergencies in which millions of people suffer daily. The ongoing migration crisis among three continents (Africa, Asia and Europe) have made this situation even more unpredictable. The research in this paper is generated from the work of numerous authors who advocate that every crisis is at the same time a chance for the improvement. The question which we tried to answer in the process of paper preparation is the great dilemma about how an organization can increase its market competitiveness in emergencies and at the same time avoid possibilities to be involved in some illegal or/and unethical activities. The Western Balkans region is marked as the highly corrupted geographic area and there is a need that stakeholders should neglect dishonest corruptive culture. The culture in which “*greed is good*” in relief action should be followed by strict judicial punishment. In this paper the authors pointed that it should be more action in order to present that corporate culture significantly matters in the emergencies. On the one hand, an organization could increase its competitiveness following the ethics and law, since on the other hand, it could be completely devastated by the loss of reputation. The authors present different cases of corruption and illegal behaviours and at the end highlight the importance of keeping an eye on the specific core area in organization. Social spiritual capital should be recognized as the main pillar of organization development. In that way the organization will increase its competitiveness and avoid being a subject of ethical or judicial judgment. Therefore, in the society which is still not fully developed, it is the task for policy makers to provide adequate business climate and legal regulations which are clear and easy for implementation without any excuse.

Keywords: *organization, emergency, competitiveness, ethics, law.*

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STATUS AND CHALLENGES OF DEFENSE REFORMS IN REPUBLIC OF SERBIA FOR EURO-ATLANTIC INTEGRATION

**Andrej Iliev,
Drage Petreski,
Aco Velkovski**

Abstract

The main objective of this paper is to present the results of Serbia as a member of the A-5 group of SEE countries, which on the regional level through the Regional Cooperation Council has achieved good results, but on the national level this country should performed furthers reforms in the field of defense for Euro-Atlantic integration. Concrete steps in establishing the cooperation with the Partnership for Peace, the union of Serbia and Montenegro were submitted on 19.06.2003 year. The Military representatives on Republic of Serbia in NATO for the first time were established on 27.09.2010 year, with the main task to represent the armed forces of Serbia in NATO headquarters in Brussels. Republic of Serbia in 2012 year for the first time participated in crisis management operations in the EU.

The main hypothesis is: Where is and where should be the Republic of Serbia in implementing the necessary defense reforms for Euro-Atlantic integration? The main hypothesis will be proven through the use of historical method and analysis of Serbian defense reforms.

The reform process in some of the SEE countries is well under way. Some of them are waiting for invitation and some of SEE countries have political disagreements or they have national problems which are not yet solved. One of the SEE countries which is on the way for Euro-atlantic integration is Republic of Serbia. But having in mind the current military-political reforms and situation, the consent of NATO and EU accession on the Republic of Serbia in the Euro-Atlantic family and chronological change of public opinion in the Republic of Serbia for membership in NATO and the EU will be the auxiliary hypotheses in this paper.

Keywords: interoperability, defense reform, Republic of Serbia, NATO, EU

THE USE OF KNOWLEDGE IN NATURAL-DISASTER RELIEF MANAGEMENT

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Metodija Dojcinovski⁸

Abstract

Natural-disaster relief management succeeds or fails on the basis of the managers' ability to gather, evaluate, and act on decentralized, informal knowledge, local needs and changing circumstances.

The author in this paper wants to present the security between theory, politics and practice from lessons learned so far with the case of the flooded area and landslide happened in Tetovo. Relief effort suggests that commercial and non-profit networks are inherently suited for grappling with the "knowledge problem", so if we are aware that disasters obtain protracted and long-lasting characteristics we should put more attention on implementation the rules of law and security challenges. The regulation is getting better and better and it is necessary to find the direction for their ongoing or cooperation in all level.

This approach seems multi-disciplinary process, understanding of the nature and extent, and impacts of the risks a community or society is facing, which are associated with unanticipated events and the vulnerability of the exposed community.

Therefore, the author put attention on the importance of using knowledge as an integral part of security disaster management and its implementation should involve and require close collaboration among all the sectors of society, because the education of such processes is an important aspect of good governance.

The goal of a disaster management is to provide objective and transparent information for making decisions on countermeasures to reduce disaster risk.

Key words: *disaster, knowledge, security, relief management*

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DEVELOPMENT, THEORY AND PRACTICE OF THE SECURITY FUNCTIONS IN THE ARMED FORCES OF THE REPUBLIC OF MACEDONIA

Metodija Dojcinovski⁹

Abstract

The security of the armed forces represents an imperative in the realization of the security for the community and the protection from most different factors of threats, risks, and endangerments. Significant role for the realization of the security in the armed forces also has the positioning and functioning of the defense system like a subsystem for the national security. The development, theory and practice of the security in the armed forces in the period of its social, political and economic editing, stems from the strategic goals of the country, the possibilities and capacities of the system, estimates and analysis and the possible disruption of the security, as well as the coordination and cooperation of the safety structures on a national level. Significant challenges in the implementation of the safety functions for the security in the armed forces represent protection of secrecy, the action of foreign intelligence agencies, relations of the members of the armed forces with foreign contacts, activities of the internal forms bearers for endangerment of the national security, the role of the authorities in the security of the armed forces, safety development of the tactical units as well as the role of the officer personnel in the realization of security and protection (Nikolovski, 2003).

Therefore, this labor points to the significant stands for contribution in the defense system in the 21 century, theory for the real concept for the creation and functioning of the safety in the armed forces and the methodological actions and practice in the realization of the safety functions in the armed forces. Through thorough processing of the problem, the areas of safety necessity are determined in relation to smooth functioning and support of the defense system.

Key words: *security (safety), threats and risks, armed forces, theory, practice*

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A PROPOSED MECHANISM FOR ENHANCING THE CONTROL AND OVERSIGHT OF THE SECURITY SYSTEM OF THE REPUBLIC OF MACEDONIA

Ice Ilijevski¹⁰

Abstract

The main object of the paper is to highlight the need for improving the mechanisms of control and oversight of the security system in the Republic of Macedonia by offering concrete solutions. The need to establish a monitoring and supervision of the institutions of the security system was noticed long ago, especially in relation to the obvious dangers of abuse of authorities (of that country who have an opportunity to use force). The control and the oversight of the security system are carried out by various entities through different mechanisms. Their incorporation and placement within the social system does not provide sufficient and correct efficiency and effectiveness in their implementation and requires constant improvement and development.

The purpose of the paper is to offer a concept by creating a separate and independent body (Agency for control and oversight of the security system of the Republic of Macedonia) which will contribute for strengthening the professional capacity and confidence of the public to the bodies of the security system and their members. The following will be discussed about the position of the Agency for control and oversight of the security system of the Republic of Macedonia within the state system, its responsibilities and powers.

Keywords: *control, oversight, security system, Agency.*

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THE DISCOURSE ANALYSIS AS A RESEARCH PROCEDURE

Cane T. Mojanoski¹¹

Abstract

The actualizing of the discourse analysis (analysis of the discourse, debate, conversation) in the researching of the security especially of the security issues is subject of this paper. The name discourse analysis is a common name for different approaches that refer to the critical linguistics, the social semiotics or the critical linguistic analysis, then it is related to the theoretical tradition developed under the influence of the ethno methodology and the 'conversational analysis'. The account is the smallest unit for analysis of the discourse.

The terms in the discourse analysis enable more concrete understanding of what is primarily in the practice and the analysis of the discourse.

This paper actualizes the question whether the analysis of the debate provides a detailed generalization? Then, if it is representative and what is the representation about? The analyst is interested in the text, its function rather than its representation and what is the safety and reliability of the data like?

Key words: *discourse analysis, data safety, security, ethno methodology*

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THEORETICAL FOUNDATIONS RELATED TO NATURAL DISASTERS AND MEASURING THE RESILIENCE OF THE COMMUNITIES BEFORE DISASTERS HAPPENS - ESTABLISHING PROPOSAL VARIABLES

Aleksandar Ivanov¹²
Vladimir Cvetković¹³
Srna Sudar¹⁴

Abstract

Design/methodology/approach

The paper seeks to answer to the fundamental question about the Natural disasters and their unimpeded existence no matter the preferences of Man, their characteristics, some theoretical observations about the consequences from the Natural disasters, the suitable models for Natural Disaster Management, and, in the end, the Model for measuring the Resilience of the Community according to the place is presented.

The paper is divided into 6 parts: 1. Introduction that observes the basic theoretical ground for the material in the paper. Then comes the four major parts: 2. About Natural disasters; 3. Consequences from Natural disasters; 4. Natural disasters Management; 5. Some considerations about determination on the Variables for measuring the resilience based on the location; 6. The model for measuring the resilience according to place; and 5. Final observations and recommendations.

The paper is based on qualitative approach. Namely, based on Literature review the Authors had made the overview of the theoretical findings related to the basic questions and the conceptual determination of the meaning on Natural disasters, the consequences that they made, their management, and the proposed variables for measuring the resilience based on cited model, but also express their own concrete suggestions for amending this model.

Findings

Scientific review of the knowledge related to Natural disasters and the proposal of an amended model for determining variables for measuring resilience of the communities according to place.

Research limitations/implications:

The presented model for determination of the resilience of the communities according to place should be implemented designing a questionnaire and a conducted survey. Not having practical data in this manner represents research limitation. However, this proposal should open a debate in order to formulate model that will be the most applicable in the contemporary societies (at least on regional level).

Key words: Natural disaster; Community; Resilience; Sustainability;

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COMPARATIVE ANALYSIS OF THE CONCEPTUAL APPROACH IN CREATING SECURITY POLICY

Marjan Gjurovski¹⁵

Gojko Pavlovic¹⁶

Dragan Djukanovic¹⁷

Abstract

Security policy is a very complex activity and it is difficult to determine which policy is successful and which one is not. From the multitude of factors which influence the success of developing the security policy in the first place should be put those relating to the objective detection of security-related phenomena, mutual cooperation and coordination between the security institutions. Those responsible, competent and obliged to develop security policies should have at their disposal security information timely and objectively. It will enable them to make real security assessment, to determine the security situation and to predict future security events.

A successful or good security policy is the one that is able to resolve the security issues with minimal resources and minimal damage. The contemporary economic, political, legal and cultural conditions in the world determine the need for concerted security policy at world level, and also at the levels of United States or regions, as well as the national state.

The content of the security policy is determined or is a "product" of the real situations and the real life in the particular state, region or in the world. It should be in the function of the society, the state and the citizens so as to provide for safe improvement of the overall community relations.

Keywords: *security policy, risks, threats, security system, security, concepts, theories*

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LONG-TERM IMPACT OF NATURAL DISASTER ON SOCIAL CONTROL: THE CASE OF 2014 FLOOD IN CROATIA

Irena Cajner Mraović¹⁸

Abstract

Despite the fact that natural disasters are increasing and growing scope of their devastating consequences, including the breakdown of social order, there is a lack of sociological and criminological studies about the impact of such events on the community. Data was collected among the inhabitants of eastern parts of Croatia that were flooded in 2014, and in some rural and urban Croatian areas that have not been flooded at all. The statistical analysis included 86 inhabitants from flooded areas, as well as 312 inhabitants from the rest of the country. The smallness of the sample size is the major limitation of the present study which means that given results are representative of the specific community only and cannot be generalized, but could serve as a good foundation for further more complex research. We used the questionnaire for evaluating community policing developed and validated by Adam J. McKee (2001) as the basis for our questionnaire. It consists of four sets of questions: quality of contact between the police and the citizens, perception of crime and disorder, fear of victimization and social cohesion. The first and the second are used in this study. The given results reveal there are no statistically significant differences between observed areas in quality of contacts between police and citizens, but the findings reveal statistically significant differences in perceptions of crime and disorder. The respondents from the flooded areas perceive less crime and disorder than respondents from rest of the Croatia.

Keywords: disaster, social control, flood, Croatia

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**NATIONAL AND INTERNATIONAL PERSPECTIVES OF CRIMINAL
JUSTICE AND POLICING**

COMPARATIVE REVIEW OF LEGAL STATUS OF POLICE IN CRIMINAL PROCEEDINGS - EXAMPLE OF GERMANY AND THE UK

Željko Nikač¹⁹
Boban Simić²⁰
Nikola Artonović²¹

Abstract

Generally speaking, the criminal proceedings in the field of the internal affairs manifests itself through the realization of two mutually conflicting requirements which the legislator seeks to balance: respect for human rights and freedoms on the one hand, and effective crime prevention, on the other. It is thus require certain legal limits to analyze and expose the systematic legal mechanisms to protect society against crime through the prism of the functions and roles of law enforcement agencies. Results of activities of the Interior to serve the needs of the criminal proceedings, which are generally set as a preliminary question of how to ensure the effective implementation of operational and investigative activities and to adjective comply with procedural forms necessary to form the factual criminal matters. The problem ultimately comes down to what the legal force of the documentary evidence and testimony of witnesses or potential suspects, collected by law enforcement agencies, especially before the court proceedings. The problem can be solved in two ways, by giving the powers of law enforcement to work together with other law enforcement agencies conducting the investigation as a whole, or that an investigation conducted by the court and to law enforcement authorities only as an exception to allow evidence taken action. That's why we need this work in comparative law investigate and analyze the procedural forms that are used to these organs provide evidence for the successful launch and completion of the criminal proceedings.

Keywords: *crime, criminal law, police.*

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INTER-INSTITUTIONAL COLLABORATION IN THE FIELD OF BANKRUPTCY-RELATED CRIME IN THE REPUBLIC OF MACEDONIA

Svetlana Nikoloska²²
Pero Boškov²³

Abstract

Bankruptcy crime represents a subset of economic and financial crimes performed by people of status in the period before and continuing throughout the whole bankruptcy procedure, which is itself a court case. As this is a specific form of crime, usually spreading over a longer period of time, its detection, revelation, disclosure and prevention also represent a complex issue and a responsibility of various state institutions and authorities with police jurisdiction.

However, in the course of the investigation, other state authorities with specific jurisdiction and responsibility are also involved in supervising and controlling the activity of the legal person in the course of the bankruptcy process, that is to say the legal person involved in criminal activities to induce insolvency of that particular legal person, or even more precisely, a legal person with debts surpassing by and large the claims.

Pursuant to the provisions of the Law on Criminal Procedure, the criminal investigation of bankruptcy fraud represents the liability of the Public Prosecutor and the Primary Public Prosecutor responsible for eradicating organized crime and corruption, of the Ministry of Interior and its criminalist unit, the Ministry of Finances and its Financial Police Office and sometimes even its Public Revenue Office, which can file a bankruptcy litigation to the court due to unsettled indebted liability vis-à-vis the Macedonian Budget.

This results in the necessity to establish inter-institutional collaboration in close coordination with the Public Prosecutor, in a process of criminal investigation, for the purpose of revealing and disclosing relevant evidence, necessary for successful conducting the penal process and forfeiture of proceeds of crime as well as corresponding sanctioning.

The main topic of this paper is the study of the bankruptcy fraud and the inter-institutional collaboration among the respective bodies in the pretrial procedure in order to provide relevant evidence, indispensable to the successful conduct of the penal procedure and sanctioning.

Key words: *bankruptcy crime, crime investigation, pretrial procedure, proceeds of crime and evidence.*

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SPECIFICS OF THE CRIMINAL PROCEEDINGS AGAINST JUVENILES - SITUATION IN THE REPUBLIC OF SERBIA

Tatjana Skakavac²⁴

Abstract

Juvenile delinquency as a phenomenon is current and inherent in every society and time, and in accordance with the current political, economic and other social conditions and circumstances. Republic of Serbia, like other countries in the region, is characterized by a period of "transition", in which the majority of its inhabitants are mostly failed to adapt adequately, which is especially evident in juvenile population. Given the fact that juveniles are a special category of criminal offenders, they have a criminal justice treatment different from adults.

The development of criminal legislation on minors is accompanied by the acceptance of modern trends in juvenile criminal legislation. These trends involve the avoidance of classical criminal reaction to socially unacceptable behavior of juveniles, and introduce new institutes of criminal law that should meet the best interests of this population.

On combating and preventing juvenile delinquency it is crucial to recruit more social entities, both local and broader – on national level. This phenomenon has long been not just criminal law and social repression on it. Delinquency of young people is increasingly concerning social welfare institutions, educational institutions, NGOs and other institutions of society. When it comes to juvenile delinquency, preventive treatment of this entity should certainly be a priority, comparing to our current system of repression.

As from January 1, 2006 a single regulation in field of juvenile criminal law in Republic of Serbia began to apply. The Law on Juvenile Offenders and Criminal Protection of Juveniles is a novelty in our legal system because the matter of juvenile criminal law is now completely isolated and is in one, single regulation. In this paper, author will analyze characteristics and peculiarities of the proceedings against juveniles.

Keywords: *Juvenile delinquency, educational orders, recidivism, criminal sanctions.*

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PUBLIC TRUST IN THE POLICE AND POLICE LEGITIMACY

Stojanka Mirceva²⁵
Zaklina Prosaroska²⁶

Abstract

The tasks and duties assigned to the police in a democratic society raise the issue of legitimacy, as a generalized perception on whether and to what extent policing corresponds to the established system of legal and ethical norms and values in the society.

The aim of this paper is to report some of the findings from a survey on citizens' confidence with police and satisfaction with police performance carried out in 2014. For this purpose, two sources of data were used, 112 police officers and 197 citizens. Special software for statistical data processing has been used for quantitative processing of the data. The purpose of the survey was to obtain empirical data on the "quality" of interaction between citizens and police, and identify the existence of organizational policies, as well as professional attitudes of police officers towards violation of legal and ethical norms and values.

The basic assumption is that public perception built through direct interaction between citizens and the police, together with procedural justice, constitute important base for building a legitimate platform for policing.

Key words: Police, legitimacy, trust

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COORDINATION AMONG THE MINISTRY OF INTERIOR AND OTHER ENTITIES IN THE CRISIS MANAGEMENT SYSTEM

Toni Stankovski²⁷

Abstract

In conditions of declared crisis, the coordination of all subjects in the crisis management system is one of the key segments for successful managing of it. Considering that the Ministry of Interior has the most human and material-technical resources, it is necessary to develop an adequate system of coordination with other entities in the crisis management system.

The author of the paper deals with the matter of communication at all stages of dealing with crisis situations ranging from monitoring the situation, data collection, analysis, assessment and evaluation of the same, in terms of taking preventive action, early warning, mitigation and rehabilitation of the consequences of the occurrence of the crisis.

Key words: crisis, coordination, communication and others.

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SPECIAL METHODS OF DETECTING AND PROVING ROBBERY AND ROBBERY THEFT

Mladen Vuković²⁸

Abstract

Combating crime is a constant and highly topical and problematic part of the overall security problems and conditions in society. The most serious offenses including robbery and robbery theft, as well as traditional forms of violent property offenses are detected most often by classical methods and means, although in contemporary catches of used and new (special) methods which contribute to more efficient detection and suppression these crimes.

The paper will be presented, analyze and problematize the use of special methods-special investigative actions in discovering and disclosing criminal acts of robbery and theft of the band. In addition, work will comprise part empirical research work in the application of special investigative actions: surveillance and technical recording of telecommunications, access to computer systems and computerized data, surveillance and technical recording of premises, secret surveillance and technical recording of persons, means of transport and objects associated with them, the use of undercover investigators and the use of informants, simulated and controlled purchase of items and simulated bribery and supervised transport and delivery of objects in discovering and disclosing criminal acts of robbery and robbery theft of the band for the time period from 2009 to 2013 in the area of Public Security Centre Banja Luka.

Keywords: *robbery, theft robbery, detection, proving, methods*

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CORRUPTION IN CUSTOMS SERVICES AND MEASURES FOR ITS PREVENTION

Djurica Nikolić²⁹
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Abstract

The Republic of Serbia has a major problem in the fight against corruption in the customs service. One of the most corrupt state services in the Republic of Serbia in the period from the year of 1999 to 2000 was the Customs Service. One of the essential conditions for the entry of Serbia into the European Union is to reduce corruption in general, and particularly in the customs service. The aim is to indicate the level of corruption in the customs service, as well as to take the necessary measures to tear down corruption in the customs service. In order to succeed in the fight against corruption, the Republic of Serbia should develop the institutions that will be successful and effective instrument against corruption in the customs service.

Different kinds of corruption have been observed within the Customs Service by means of organization, and since the customs service is still one of the most corrupted government services, it is necessary to determine the measures to be applied in the fight against corruption at the state level and at the level of the Customs Administration. The Republic of Serbia and the Customs Administration, in order to reduce corruption, have undertaken a series of measures to fight against it, these include the establishment of new organizational units that are fighting against corruption in the customs service, streamlining customs procedures, and actions.

During the research we used the comparative method, which is efficient to the level of corruption in the Customs Service and other government agencies. Through the method of the case, we collected certain information on the forms of corruption that occur in the customs service, either by magazines, daily newspapers or by talking with the customs officials. The aim of this method was to point out the causes of corruption such as low salaries of customs officials that cause the appearance of corruption.

The aim of the work is not the criticism of the Customs Service of the Republic of Serbia, but the desire to measure the level of corruption and to bring in the acceptable social framework so as to reduce corruption in the customs service.

Keywords: corruption, customs service, anti-corruption measures, institutions, customs

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SOME ISSUES IN THE REGULATION OF SUSPECT INTERROGATION IN THE CRIMINAL PROCEDURE LEGISLATION OF SERBIA³¹

Aleksandar Bošković³²

Abstract

In September 2011, the Parliament of the Republic of Serbia enacted a new Criminal Procedure Code which became effective on 15 January 2012 with respect to criminal offences under the jurisdiction of the public prosecutor's office of special jurisdiction (Prosecutor's Office for Organized Crime and Prosecutor's Office for War Crimes), while the remaining parts became applicable as of 1 October 2013. With the enactment of this Code, a number of new features were introduced into the Serbian criminal procedure legislation, one most important being prosecutorial investigation, which is instigated on the order of the public prosecutor, who also manages the procedure. Given the new conception of prosecutorial investigation, a question arises of the legal status of a suspect, primarily in the preliminary criminal proceedings. The subject of this paper is the analysis of the legal provisions regulating the interrogation of a suspect as an evidentiary action in the preliminary criminal proceedings in the Republic of Serbia, where by special focus will be on basic questions, such as which subjects are authorized to perform this action, under what conditions and how, in order for the suspect's statement to constitute, subsequently, in the main proceedings, an evidence on which the court's decision can be based. By methods to be used in this research - critical content analysis, description, comparison, synthesis and deduction - we want to achieve the objective of the research, which is to point to certain deficiencies concerning positive legal provisions, as well as to issues and problems that may arise in their practical application. In the analysis, we shall also point to potential directions of and solutions to identified legal deficiencies and practical problems in the implementation of this evidentiary action. Special emphasis will be on the police activity and its cooperation with the public prosecutor with respect to suspect interrogation in the pre-investigation and investigation procedures.

Key words: *criminal proceedings, pre-investigation procedure, investigation, authority conducting the proceedings, public prosecutor, police, suspect interrogation.*

³¹ This paper is the result of the research on project: "Crime in Serbia and instruments of state response", which is financed and carried out by the Academy of Criminalistic and Police Studies, Belgrade - the cycle of scientific projects 2015-2019.

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THEFT COMMITTED IN A PARTICULARLY DANGEROUS OR BRAZEN MANNER REFERRED TO THE REPUBLIKA SRPSKA

Predrag Popovic³³

Abstract

This work deals with the criminal offense of aggravated theft which was committed in a particularly dangerous or brazen manner. This criminal offense, in addition to their permanent presence, has a long tradition in the criminal law. As a form of aggravated theft, a lot of attention is attracted by the manner of its execution, as well as the determination of the difference and the criteria of demarcation between this crime and the criminal offense of robbery or robbery theft. Also, great attention is paid to situations where it is necessary to determine whether it comes to this form of aggravated theft, or it is just an ordinary theft, or some other form of aggravated theft. In accordance with this, we can say that the above situations are interesting and very important for the theory and practice of criminal law in general.

Keywords: aggravated theft, theft, robbery, robbery theft, criminal act, criminal law.

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FORENSIC ACCOUNTING-MISSING LINK IN THE SYSTEM OF DETECTING AND SANCTIONING FINANCIAL FRAUDS IN MACEDONIA

Frosina Nikolovska³⁴
Mila Zibak-Dimkovska³⁵

Abstract

In recent decades we have witnessed the increasing growth of financial frauds in the field of national economies and on the international level. Financial frauds usually are based on financial statements that are result of creative accounting (financial statements coiffed etc.) and provide a misleading picture of the financial position and condition of the property and resources of the company.

The information presented in the financial statements, stakeholders use for making significant business decisions. Therefore, the accounting should be real and financial reports should be made in accordance with the legislation and financial reporting standards and should not contain material misstatements and objectively show the financial standing of the company.

On the basis of incorrect financial information, investors and other users of financial information make business decisions that adversely affect their performance.

False presentation of facts which is achieved by manipulation, falsification and changes in accounting documentation is a base for deception of information users of financial reports. In fact, by presenting information that is materially defective, financial frauds are concealing.

Forensic accounting, forensic accountancy or financial forensics is the specialty practice area of accounting that describes engagements that result from actual or anticipated disputes or litigation. "Forensic" means "suitable for use in a court of law", and it is to that standard and potential outcome that forensic accountants generally have to work. Forensic accountants, also referred to as forensic auditors or investigative auditors, often have to give expert evidence at the eventual trial.

In the world all of the larger accounting firms, as well as many medium-sized and boutique firms and various Police and Government agencies have specialist forensic accounting departments. This is not the case with Macedonia because there is no forensic accounting at all here.

Paper survey is based on: literature of domestic and foreign authors, both domestic and foreign websites, comparative analysis, qualitative and quantitative analysis, views and opinions of both authors of the paper. Conclusion is made according the real situation of financial frauds and forensic accounting on a global level and in Macedonia.

Keywords: *creative accounting, accounting frauds, forensic accounting*

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CO - OFFENDING AND GROUP CRIME: AN IMPORTANT CHARACTERISTIC OF CRIME AMONG CHILDREN

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Abstract

Association of people in processes of fulfilling their common goals is a characteristic of every area of human's social life. The fact that together people can achieve a greater effect is the main motive why association is used in criminal sphere. But, we should never forget how dangerous concursus delinquentium is.

Co - offending is not only a special form of committing a crime, but also a special crime phenomenon (collective crime) which is much more dangerous than crimes committed by a single perpetrator. Collective crime is an accumulation of criminal energy, as a result of which a conscious and intentional association emerges. In criminal law's theory a crime committed by few persons changes the level of social danger, because co - offending deepens the problem of crimes.

One of most characteristic marks of juvenile crime is co - offending and gang related crimes, under which we understand participation of two or more children in the process of committing the crime.

Methods: The article will analyze data from a research of valid court cases on the area of Primary Court in Bitola. The focus will be on cases against people who did not fulfilled 18 years of age in the time of committing the crime (juveniles), in the period of 2005 - 2015.

Results: The research will show that crimes are mostly committed in groups, by few perpetrators; groups are formed spontaneously, without internal organization and hierarchy. Mostly their goals are associated with committing grand thefts and after being discovered by the police, they fall apart.

Key words: co - offending, gangs, children, phenomenology, social danger.

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TRENDS OF CRIMINAL PROFIT LEGALIZATION – A VIEW FROM SERBIA³⁸

Aleksandar Čudan³⁹
Aleksandar Petković⁴⁰

Abstract

Initiation of such significant and up-to-date issues is important, since based on the review of the situation in various fields of abuse of money and monetary flows and the results reached during the research, it has been proven that it is possible to a certain extent to make prognoses and give prospects of further development of illegal phenomena in the monetary field. This does not refer to the existing forms only, but also to the emergence of new trends and new forms of endangering. The actors of money laundering get further and further away from banking sector, taking into account the overall strict and frequent controls this sector is exposed to.

Scientific and domestic literature in the field of risk assessment and measures against money laundering, financial destructions and monitoring of new trends of integration of capital gained in dishonest manner are rather scarce, so it is rightfully suggested that scientific and expert studies of these issues both in our country and worldwide are too modest considering the significance of the problem. Therefore, it is the essential goal of this paper to show and offer a wide spectrum of information and knowledge on the genesis of the problem of monetary destructions through the form of legalization of criminal profit and based on the available empirical material. The practical goal of the research reflects in acquiring new knowledge referring to the subject of research, which would contribute to solving the current and similar problems related to money laundering. Starting from the previously defined problem, the hypothesis this paper is based on is as follows: the risks of money laundering and new techniques of its integration are not possible to eliminate, but it is necessary to make efforts and undertake adequate measures to minimize them.

Key words: risk, money laundering, criminal profit, economic crime.

³⁸The paper is the result of research on the project titled “Crime in Serbia and the Instruments of State Response”, which is financed and carried out by the Academy of Criminalistic and Police Studies, research cycle 2015-2019

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FORENSIC DOCUMENTS

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Zdravko Skakavac⁴²
Pavle Hadžić⁴³

Abstract

Current problems of forensic investigation are detection of age and origin of documents. Based on available information it is impossible to determine age of documents: Agreement on sale of real estate, of the business relationship, business Agreement. The manuscript and the stamp on paper have the dye tracks, which like any other non-ferrous material, contain a certain percentage of water molecules. The molecules vibrate in shallow pits adhesion potential and therefore evaporation leave the color and go into the environment. This fact can be used to determine the age of a colored mark on the paper: the manuscript and/or stamp. One of the methods consists in a model of accelerated aging of the colored materials in the track. On the basis of artificially induced accelerated aging can determine the age of the colored material in the trail (signature, stamp).

Keyword: Forensics, forgery documents, resonance, court expert.

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CRIME SCIENCE IN THE 21 CENTURY

TRANSNATIONAL ORGANIZED CRIME AS A FACTOR ENDANGERING SECURITY

Elena Popova
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Abstract

Criminality is one of the most vital problems in the modern world, global problem in a major expansion. Criminality, in particular organized crime, represents a significant form of endangering the security of a country. Its effect is manifested differently at all security levels - global, national and individual level. Organized crime is one of the most complex in its inner being it is a deeply contradictory notion. Organized crime, despite its other key elements, is characterized by its transnational nature, that is, its effect outside the national borders. Transnational organized crime, as a socially negative phenomenon, has a tendency to a high level of adaptability, perseverance and persistence in achieving its goals. The purpose of this paper is to explain the term “organized crime”. Thereby, with the mere explanation of the term, for its better understanding, we will also focus on its features that distinguish it from other types of crime that exists in our country and throughout the world. Furthermore, we would explain the conditions that led to the transformation of organized crime in transnational organized crime, as well as the forms of action of organized groups of transnational organized crime, and finally we will indicate the measures undertaken at this level for the prevention of organized crime. Organized crime is increasingly internationalized and interconnected, not choosing a country, religion, race, nation or gender. The results of the fight against this type of crime are not the same everywhere, but one is the common interest of all states and governments in the world using a full range of sophisticated methods and techniques. Transnational organized crime is increasingly manifesting its expansion power and producing new forms and types of criminal activity. From this point, this crime is a problem that must be dealt with coordinated actions taken at national, regional and international level.

Keywords: *organized crime, transnational organized crime, security, international cooperation*

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THE ROLE AND IMPORTANCE OF PHYSICAL SOURCES OF INFORMATION IN THE PROCESS OF INVESTIGATING AND PROVING AN ALIBI

Irma Deljkic⁴⁵

Abstract

The author hypothesizes that within the process of investigating and proving an alibi, in addition to personal, physical sources of information play a significant role. In other words, the objects and clues as a valuable sources of information enable knowledge of the facts that are relevant to the aforementioned process. Finding and collecting objects and clues for the purpose of investigating and proving an alibi is especially important for developing associative evidence, that is, to find the objects and clues that could link a suspect to the crime scene. Furthermore, these physical sources of information in the context of alibi are important for identifying suspects, supporting or refuting the testimony of suspects and witnesses, as well as for directing criminal investigation process towards investigation of an alibi, if this action was not taken earlier. Therefore, taking into consideration the results of empirical studies that suggest that the personal alibi evidence is often unreliable, the intention of this paper is to emphasize that finding and collecting objects and clues as holders of evidentiary information should necessarily be in the function of investigating and proving an alibi.

Key words: *alibi, criminal investigation, physical sources of information, material evidence*

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THE DIFFERENCES IN THE NONVERBAL BEHAVIOR OF PEOPLE WHO LIE AND THOSE WHO SPEAK THE TRUTH

Valentina Baić⁴⁶

Igor Areh⁴⁷

Sanja Batić⁴⁸

Abstract

In assessing the statement's credibility of a suspect, a witness or a victim of crime, in the addition to the analysis of the statement's contents, the analysis of the nonverbal behavior is significant too. Giving of a decision about the deceptive behavior based only on the observation of the nonverbal cues is complicated for several reasons. Firstly, there isn't the typical deceptive behavior and the typical nonverbal signs that are associated with deception. Secondly, persons during laying would exhibit different patterns of behavior. The deceptive behavior is influenced by many factors that are not related only to one person, her ability and motivation, but also apply to the so-called situational factors such as: the complexity of lies, the height of punishment and style of interviewing. The patterns of behavior also very depending on the objectives expectations and relationship with the target and its level of suspicion. And finally, when in the nonverbal behavior of persons who lie and those who speak the truth differences appear, they are really small and because of that it is difficult to detect them.

In this paper is represented the research which the main goal was established the differences in the frequency of the objective nonverbal cues in the situation of the false and the truthful testimony establishing the basic norms-personal forms of the nonverbal behavior. The study included 98 subjects of both gender (49 males, 49 females) aged 21-24 years, students of The Police Academy, who were tasked by observing the videos of persons who were interviewed, mark the frequency of occurrence of each nonverbal sign. Firstly, in the first experimental situation (basic form), and then in the other two experimental situations (the true statement, the false statement). For this research, the list of nonverbal signs with descriptions of them, basic on the recent scientific findings was made. List included the following nonverbal signs: smiling, blinking, looking away, illustrators, adapters head movements, hand movements and leg movements.

The results of the research show that there is a great variation in the assessment of the presence of the certain nonverbal cues. In the all three experimental situations blinking is the most usually occurred, and the highest incidence of this sign was seen in the false testimony. Besides blinking, illustrators are also more frequently seen in the false testimony. In the first experimental situation which is the

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reference level is more often observed: smiling, eye movements, movements of the arms and legs, while in the true testimony the most frequently recorded the movements of the head and the adapter.

Based on the above mentioned we can conclude that there are the significant individual differences in the nonverbal behavior of persons who lie and those who speak the truth. Also we conclude that there isn't the typical deceptive behavior, but that some nonverbal signs more often occur in the false testimony, precisely because of the dominance of emotion over other mental processes.

Key words: *objective, nonverbal signs, basic-personal behavior pattern, false testimony, true testimony.*

POSSIBLE IMPROVEMENTS IN THE FIELD OF EDUCATION AND TRAINING OF SECURITY PERSONNEL? - THE CASE OF THE REPUBLIC OF SLOVENIA

Mojca Rep⁴⁹

Abstract

In 2013 a project called The Competence Center for Training Of The Security Personnel was started and was completed in August 2015. The main purpose and objective of the project was to increase the knowledge of the private security personnel since their work duties are related to human rights and fundamental freedoms of other people. For this reason, it is all the more important for the security personnel to perform their work duties in accordance with the relevant legislation. For the successful implementation of the project it was first necessary to identify the lack of competences of private security personnel. To achieve this goal a research was carried out in which a questionnaire was given to the experts from private security companies (12.1% of all employees in partner enterprises), school part-time members and members who participate in periodic trainings of security personnel. The questionnaire was designed to precisely identify the lack of competences of the security personnel. The identification of the lack of competences of the security personnel showed the areas where their knowledge needed to be improved as well as the actual needs for specific knowledge in practice. Based on the results of the research, a new and updated training program was prepared (mainly related to internal trainings for security personnel) as well as its quality implementation. During the implementation of the trainings the participants were tested in order for their progress to be monitored (all 1251 persons included in the research). The analysis in 2013 showed considerable improvement of knowledge of the security personnel since between the test performed at the beginning and the test performed at the end of the training courses their level of knowledge increased by 19,57%. Each year the participants also completed an anonymous survey about their satisfaction with the trainings. The lowest average score was 3.57, while the highest score was 5. With regard to its content and its sample, this kind of research in the field of private security has been conducted in Slovenia for the first time. The results of the research serve as useful guidelines for all who work in the field of education and training of security personnel. Undoubtedly, this area still has room for improvement since the whole project was primarily focused on the needs of 16 project partners. However, with the help of such projects it is possible to accurately define those competences of security personnel that are necessary for a legitimate and quality performance of security guard services as well as for the implementation of such trainings that are truly relevant for the security personnel. Consequently, this certainly contributes to a higher level of security in the Republic of Slovenia.

Keywords: *legislation, competence, security personnel, training, education*

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THE FORENSIC SCIENCE IN THE LEGAL SYSTEM AND THE EXPERTISE AS A BASIS FOR A CRITICAL EVALUATION AND ANALYSIS OF THE PHYSICAL EVIDENCE

Slobodan Oklevski⁵⁰
Zorica Zdravkovska⁵¹

Abstract

The systematization of the investigations into the methodology of the forensic expertise has its own peculiarities which are determined as of the objects of research, such as of the diverse ways of analysis and interpretation of the results on the basis of the three basic categories of the expertise working: description of the group identification, identification and individualization, regardless whether the object of study is a person, document or another item.

If during the research the right question is not posed, the right answer won't be received, irrelevantly how complex the provided analysis is. Therefore, the goal towards which is aimed to provide a positive solution of a crime case is in setting a closed system for objectification or a possibility for the analysis results to be verifiable. In this study, efforts are made to show off the practice of the forensic science, focusing on the interpretation and the expert working in the criminal procedure, focusing on the analysis of the physical evidence throughout the authenticity or the denial of the null hypothesis based on the conception process of individualization.

Key words: forensic science, analysis, physical evidence, expertise, expertise of evidential material

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THE IMPORTANCE OF DIGITAL EVIDENCE IN REVEALING MANY TYPES OF CRIMES

Tanja Kaurin⁵²
Predrag Alargić⁵³

Abstract

The invention of computer networks, their expansion and integration into the system of global network – internet, as well as the increasing number of digital devices in everyday use results in constant generation of enormous amount of digital information. Technology, which has become globally available, is the powerful tool which can be potentially misused, so stored digital information can become digital evidence significant for revealing many types of crimes. The fact that total number of mobile subscribers has surpassed the world population goes to show that digital evidence' very existence and analysis are becoming ever more important for the investigations and criminal prosecutions for the crimes committed, suspects tracking as well as criminal groups' existence.

The aim of the present paper is to primarily point out the usability of digital evidence in revealing of many types of crimes and therefore by clarifying the notion of digital evidence and its proper acquisition, with the aim of the admissibility in court, indicate the presence and wide usage of digital evidence.

Keywords: digital evidence, crime, digital forensics.

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CONTRIBUTION OF THE FIELD TRAINING IN CAMPS IN ACQUIRING PRACTICAL KNOWLEDGE AND SKILLS BY THE STUDENTS FROM THE FACULTY OF SECURITY

Jonche Ivanovski⁵⁴
Aljosa Nedev⁵⁵
Angel Vitevski⁵⁶

Abstract

Within the framework of the educational process at the Faculty of Security, planned educational activities are performed, which contribute to the development and broadening of the knowledge in the area of security, and stimulate the application of that knowledge in the everyday life and professional life. Because of the important role of the education in the further social and professional adjustment of the students, it is very important to implement educational program of high quality that would help students to acquire basic (fundamental) and applied knowledge and skills. And this can be achieved by implementation of different types of instructions (theoretical lectures and exercises, practical work, field training), which help in establishing connection between theoretical and practical knowledge. Within the framework of this paper, only the contribution of the field training in camps was analyzed and taken into consideration, because it is a special form of extracurricular activity that provides acquisition of practical knowledge and skills in specific working conditions. In order to obtain credible indicators about the reflexive effects caused by field training in camps, we carried out testing and analysis of the students' attitudes about questions which help making assessment (evaluation) of the notional field model. The questions in the questionnaire are a reflection of the complete effort that was put on high quality field work preparations and implementation. After the data were analyzed, it is established that the field training in camps helps students, in a short period of time, to acquire new knowledge and skills which are closely related to the profession they have chosen.

Keywords: *field training, students, knowledge, skills, Faculty of Security, attitudes, statistical procedures.*

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A RELATIONAL DATABASE APPROACH TO EVALUATING CRIME-RELATED KPIS

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Nikola Rendevski⁵⁸

Abstract

Key performance indicators (KPIs) are a cornerstone of the contemporary quality management, especially performance measurement. They are aimed at supporting professionals in various segments all over the world in making the best decisions for the growth of their operations and activities. The assessment and evaluation of crime-related KPIs are, consecutively, crucial parts of any security organizations that opt to cope with modern challenges successfully. Having minded the fact that all effective organizations fund their 'know-how' on the analysis of vast amount of data being stored in databases, in this paper, we consider the usage of relational databases as a platform suitable for evaluating crime-related KPIs. The approach we propose is based on a proposed Entity-Relational (E-R) diagram and a corresponding relational database schema, a physically implemented resulting database, and development of SQL scripts that cover the most important crime-related KPIs. Such practical approach can serve as a solid basis for implementation within current relational databases, which are already in use, as well as for further improvements and inclusion of more sophisticated crime-related KPIs.

Keywords: *crime, key performance indicators, relational databases*

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THE MOST IMPORTANT THEORIES EXPLAINING RECIDIVISM

Aleksandra Gruevska-Drakulevski⁵⁹

Abstract

In the paper the author elaborates the most important theories that explain recidivism. The review of the most important criminological theories that completely or partially explain the problem of crime in general and recidivism in particular, is designed primarily to indicate the complexity of the problem of recidivism, both in its definition and in its phenomenological and etiological explanation and are aimed at successful prevention, suppression and prevention. Moreover, in the theory it is emphasized that criminology will perform its main task when the problem of successful prevention of recidivism will be solved. The fact that these theories complement each other, but they do not address critical remarks to each other, explains the complexity of the problem, as well as the lack of exact advances in criminology regarding this issue. Hence, the purpose of this paper has a multilayered meaning. It aims to present the whole complexity of this phenomenon and to encourage efforts for clarification. This approach aims to outline the development of scientific thought in criminology for recidivism and to introduce the latest developments in criminology. Finally, this review aims to encourage new research on recidivism.

Keywords: criminological theories recidivism.

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CULTURAL CRIMINOLOGY: ABOUT THE INTERCONNECTION BETWEEN CULTURE AND CRIME

Vesna Stefanovska⁶⁰

Abstract

Criminological scientific thought is constantly looking for new ways of understanding and perception of crime and its control. In the process of continuous review of crime and the fight against it emerge the cultural criminology as part of critical criminology. To understand and to present its views and approaches to crime and crime control, we previously must to elaborate the characteristics of late modernity and the similarities or differences in attitudes on which the previous subcultural theories are based. In this sense, the article is divided into several parts. The first part refers to the characteristics of late modernism and the consequences that it generates, which are associated with crime. Those consequences are actually the macro and micro factors which feed the soil that gives birth to crime as seeds, whose growth is conditioned primarily by the transition process in late modernism. The second part addresses the issue of culture and its relation with crime and its control. It is closely linked to the next, which refers to how the cultural criminology actually understands crime and how it should be understood? This stems from the subject of the paper examination: what cultural criminology study? what are the empirical data to support its thesis and what objectives it strives to meet?

In the last part of the paper, we give certain critics of the cultural criminology in order to develop fruitful debate within the criminological scientific thought.

Key words: cultural criminology, crime, culture, marginalization, construction

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THE DISCOURSE AND CHANGING FACE OF ORGANIZED CRIME

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Abstract

The aim of the present study is to provide a summarizing qualitative analysis of some of the trends that are likely to mark the evolution of organized crime. Research question is what is the connection among the ‘actual threats’ posed by organized crime, the ‘demonstration of the threat’ made in discourse and its perception? However, in order to answer the research question, the paper will examine the contemporary face of organized crime which present an even bigger security risk and threat. Organized crime presents an immense security challenge to state integrity both internally and externally. International political discourse on organized crime has shifted from focusing primarily on the structure of the criminal group (a prevalent approach during the 1950s–1980s) to being concerned more with the commodities traded and their market power (since the 1990s). Organized crime is expected to remain main concern of European societies for the near future. The definitional disagreement concerning the nature of organized crime and the activities that characterize it is a primary weakness of the attempt to secure a unified position against organized crime internationally. The discourse on organized crime has a high political value and the decisions on the resources, the practices and the priorities of criminal and police policies are the outcome of political choices, which are to be labeled as values and ideas driven. However, as the nature of crime changes and as new threats appear, policies against crime will need to adjust.

Key words: *organized crime, discourse, market power, policy.*

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NARCO-TERRORISM IN THE CONTEMPORARY CONDITIONS: FINANCING OF THE TERRORIST ACTIVITIES BY ILLEGAL DRUG TRAFFICKING

Zlate Dimovski⁶³

Kire Babanoski⁶⁴

Ice Ilijevski⁶⁵

Abstract

The concept of narco-terrorism combines and incorporates in itself two phenomena: illegal drug trafficking and terrorism. Narco-terrorism represents a threat to a global security, especially because of strengthening the links between narco-criminal groups and terrorists around the world.

Scientific purpose of the article is on a scientific and theoretic way to analyze the relationship between narco-crime and modern terrorism, through the identification and differentiation of their similarities and differences. Drug trafficking is a very lucrative business, which earn large sums of money, money that can later be used to finance illegal criminal activities and financing of certain terrorist organizations. When will be combined drug trafficking and terrorism, terrorist organizations have benefited from drug trafficking in terms of funding, and the persons involved in drug trafficking that have established an alliance with terrorists become more dangerous, more threatening and receive power in political decision-making. In this regard, the paper will be reviewed and shared interests, motives and goals of the terrorist networks and drug criminal groups in order to come to the nature of their mutual action. Special emphasis will be placed on the financing of terrorism through drug trafficking, in order to indicate the position of the narcotics operational terrorist organizations and their activities.

Key words: narco crime, terrorism, narco-terrorism, illegal drug trafficking, terroristic organization, financing of terrorism

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CORRELATION BETWEEN DELINQUENCY AND VICTIMIZATION AMONG PUPILS OF PRIMARY AND SECONDARY SCHOOLS

**Natasha Jovanova
Oliver Bacanovich**

Abstract

In criminology literature can be found theories that explain the relationship between delinquent behavior and victimization, especially among children. Researches show that victimization of children can lead to their delinquent behavior and vice versa. Especially this connection is emphasized on violent crimes. In this context, this paper attempts to determine the relationship between them, based on the results from the international research (ISRD-3) conducted in the Republic of Macedonia in 2014, which is focused on juvenile delinquency and their victimization. In establishing the connection between victimization and delinquent behavior of children, some of their personal characteristics are taken into account. In addition, this paper aims to determine the influence of other factors such as drug and alcohol abuse, family bonding, school bonding, delinquent peers, negative life events and neighborhood disorganization, on the delinquency and victimization among pupils from primary and secondary schools from Skopje and Kumanovo.

The research that is a source for paper data includes 24 schools (primary and secondary) on a sample of 1195 students from 13 -15 (16) years from Skopje and Kumanovo. Field data collection was conducted from April to December 2014. The study used a survey technique and structured questionnaire as a tool, which students filled electronically on Fluidsurveys.

Key words- children, delinquency, victimization

GLOBALISATION IMPACT AND CRIMINOLOGICAL APPROACH TO THE DETERMINATION OF THE CONCEPT OF ORGANISED CRIME

Dragana Jovanovikj⁶⁶

Abstract

Organized crime threatens peace and human security, violates human rights and undermines economic, social, cultural, political and civil development of societies around the world. It manifests in many forms, such as trafficking with drugs, firearms and even persons. At the same time, organized crime groups exploit human mobility to smuggle migrants and undermine financial systems through money laundering. The vast sums of money involved can compromise legitimate economies and directly impact public processes by 'buying' elections through corruption. It yields high profits for its culprits and results in high risks for individuals who fall victim to it. Every year, countless individuals lose their lives at the hand of criminals involved in organized crime, succumbing to drug-related health problems or injuries inflicted by firearms, or losing their lives as a result of the unscrupulous methods and motives of human traffickers and smugglers of migrants. Organized crime has diversified, gone global and reached macro-economic proportions: illicit goods may be sourced from one continent, trafficked across another, and marketed in a third. Transnational organized crime can permeate government agencies and institutions, fuelling corruption, infiltrating business and politics, and hindering economic and social development. And it is undermining governance and democracy by empowering those who operate outside the law. The transnational nature of organized crime means that criminal networks forge bonds across borders as well as overcome cultural and linguistic differences in the commission of their crime. Organized crime is not stagnant, but adapts as new crimes emerge and as relationships between criminal networks become both more flexible, and more sophisticated, with ever-greater reach around the globe. In short, organized crime transcends cultural, social, linguistic and geographical borders and must be met with a concerted response.

Key words: *Globalization, organized crime, Shape of organized crime, Strategies for organized crime.*

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INTERNATIONAL LAW AND SECURITY

ISIL, WAR CRIMES AND INTERNATIONAL CRIMINAL COURT

Vladimir Ortakovski⁶⁷

Abstract

The Islamic State in Iraq and the Levant (ISIL) has caused considerable loss of life, bodily injury, and destruction of property and infrastructure in Iraq and Syria since its emergence in 2013.⁶⁸ ISIL has used terrorism as a tactic to gain control over large portions of territories.⁶⁹ There have been allegations of ISIL's indiscriminate attacks against civilians including religious and ethnic minority groups, widespread and systematic sexual enslavement and rape, recruitment of child soldiers, and extrajudicial killings, abductions and torture. On August 15, 2014, the UN Security Council adopted Resolution 2170 requesting member states to take "all measures as may be necessary and appropriate and in accordance with their obligations under international law to counter incitement of terrorist acts ... perpetrated by individuals or entities associated with ISIL" and bring them to justice.⁷⁰ In the Report of the UN High Commissioner for Human Rights, published on March 13, 2015, members of ISIL have been alleged for committing crimes against humanity, war crimes against civilian population, and genocide by perpetrating killings, serious bodily harm, and the forcible transfer of members of the Yezidi community aimed at the destruction of the group.⁷¹

This paper deals with and comments on the questions: How ISIL has become an unprecedented threat to international peace and security? What are possible responses of the international community, to be consistent with international human rights law? What is the role of international criminal law in bringing members of ISIL to justice? What is the procedure before the International Criminal Court in such cases?

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⁶⁸ Smith, Samuel, *UN Report on ISIS: 24,000 Killed, Injured by Islamic State; Children Used as Soldiers, Women Sold as Sex Slaves*, The Christian Post (October 9, 2014),

⁶⁹ Laub, Zachary & Masters, Jonathan, *The Islamic State*, Council on Foreign Relations (May 18, 2015),

⁷⁰ See: S/RES/2170 (2014), 15 August 2014,

[http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2170\(2014\)](http://www.un.org/en/ga/search/view_doc.asp?symbol=S/RES/2170(2014)) .

⁷¹ UN Human Rights Council, *Report of the Office of the United Nations High Commissioner for Human Rights on the Human Rights Situation in Iraq in the Light of Abuses Committed by the So-Called Islamic State in Iraq and the Levant and Associated Groups*, UN Doc. A/HRC/28/18, at 5-14 (March 13, 2015).

PROPORTIONAL PRAGMATISM AMONG THE RIGHT TO PRIVACY AND THE PUBLIC AUTHORITY IN EUROPEAN LAW AND THE LAW OF THE REPUBLIC OF MACEDONIA

Mirjana Ristovska⁷²
Natasa Pelivanova⁷³

Abstract

The right to privacy as one of the fundamental human rights represents wide-ranging concept which is expressed through four dimensions: protection of the private life, protection of the family life, protection of the home and protection of the correspondence. Accordingly, any unauthorized intrusion into the privacy of a person, means a violation of his personality, dignity and reputation. However, the right to privacy in contemporary national and international law is not determined in an absolute frame. Namely, it is allowed for public authority, on the grounds of pre-defined legal basis to intervene in the privacy of a person as a necessary measure for the interests of national and public security. The subject of this paper is to scrutinize the relationship among the right to privacy and national and public security protection through the principles of legality, proportionality, subsidiarity and necessity. The paper consists of an introduction, three parts and a conclusion. It begins by presenting the theoretical definitions of the right to privacy. In the first part the legal framework and judicial practice for the right to privacy in European law is analyzed, while in the second part the legal and institutional framework for the right to privacy in the Republic of Macedonia is considered. The third part includes an empirical data on the right to privacy, published by the competent authorities, as well as certain assessments and recommendations regarding that empirical data.

Keywords: public authority, proportionality, security, the right to privacy.

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RULE OF LAW AND SECURITY CHALLENGES-LEGAL AND INSTITUTIONAL REFORM IN THE REPUBLIC OF MACEDONIA

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Abstract

„Injustice anywhere is a threat to justice everywhere” – Martin Luther King

In the ending decades of the last century and the earlier of the new one, the modern legal and democratic society has fallen upon a legal, political and economic crisis. On account of this, the rising tide of the criminal threatens to engulf us all. Through this, all the legal-normative and institutional shortcomings are floating on the surface, seeking a way to destroy the basic structure in the law -the rule of law. These happenings have both, international and national effects. Republic of Macedonia is not immune to these tendencies. The rule of law as a fundamental concept that should guarantee and respect the natural (rights given by birth) rights and also as a concept that has to make legal boundaries and limits to the potential usurpators of those rights by making them responsible for doing that, nowadays is in state of great disturbance. The law, together with justice, fairness and equality as ideals that have historical, philosophical and cultural worthiness, must be included in all legal norms. On the other hand, the security in one particular state, is not just security pro forma or „naked security”, but also is law, ethics and moral. The institutions that have the primary objectives such as prevention of crime or repressive function towards it, have fallen upon lethargy, commodity, that is always inevitable when they are working in routine without qualitative competition between them.

The main security challenges in Macedonia are the political and migrant crisis. Through them, there are few dilemmas that are coming in mind, such as: Is there new legal-normative and institutional reform waiting for us? Are the legal norms in the Law on Police, The Criminal Procedure Code, the Penal Code and the law on Public Prosecution enough for crime prevention and repression? Is there maybe a new institution that has to be formed in this chain of institutions for controlling them? This paper will give interesting answers to the above mentioned questions and will encourage the auditorium and the readers to think in terms of new wave of changes. Finally, we should also note that the majority of laws are excellent on paper, but we need their consistent implementation in practice.

Keywords: *rule of law, security challenges, reforms*

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ENVIRONMENTAL AND SOCIAL MANAGEMENT FRAMEWORK (ESMF) FOR FOSTERING ENVIRONMENTAL PROTECTION AND SECURITY IN DRINA RIVER BASIN RIPARIAN COUNTRIES

Srna Sudar⁷⁵
Aleksandar Ivanov⁷⁶
Vladimir Cvetković⁷⁷

Abstract

The transboundary nature of the Environmental issues is recognized as a fact, as in Science, so in practice and in politics. On a global level efforts are being made towards making the Communities resilient on Natural Hazards and Catastrophes that arises from them. This is most due of the fact that the Political borders between states are absolutely irrelevant for the Geography and the Natural processes that happens on Earth. One of the most challenging processes that the Human race is facing is the Climate change issue. Also, the level of drinking water, and most of all, the Water management which is being divided between two or more states is one of the most common mentioned argument towards the understanding of the Environmental Security Doctrine. Thus, meaning that the access to drinking water especially as a result of water management of another Country could be a reason even for war.

That is why this paper tries to answer some of the questions that arises from the fostered international waterway management between three Countries – Bosnia and Herzegovina (BiH), Montenegro (MNE) and Serbia (SRB), through the West Balkans Drina River Basin Management (WBDRBM) actions. These countries, Bosnia and Herzegovina (BiH), Montenegro (MNE) and Serbia (SRB) undoubtedly must strengthen the capacity to plan and implement integrated, cooperative management of the trans-boundary Drina River Basin (DRB) and address climate change adaptation throughout the DRB – based on “global best practices” and within the framework of integrated water resource management (IWRM) involving extensive stakeholder consultations to ensure adequate public participation.

The two main questions that this paper is trying to answer are:

- The need for Multi-state cooperation to balance conflicting water uses in trans-boundary Drina waters is enhanced, while climate adaptation measures in policy and planning frameworks is mainstreamed.
- A shared vision and technical cooperation frameworks agreed with sustainable financing identified, including a strategic action plan for more sustainable and balanced investments, including identified investments that would be the subject of the GEF Drina follow-up actions.

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TACKLE INSECURITY IN MARGINALIZED AREAS – MARGIN PROJECT: INDICATORS AND MEASURES OF INSECURITY

Silvia Ciotti⁷⁸
Filippo Balistreri⁷⁹

Abstract

The purpose of the paper is to present a transnational and multi-sector research on the factors influencing perceptions of (in)security among different demographic, socioeconomic and victim's groups. MARGIN involves some of the leading EU institutions in Crime Victimization Surveys from Spain, Italy, France, Hungary and the UK. The research provides policy makers with evidence-based tools for developing and accessing strategies targeted at the reduction of insecurity among different groups.

Keywords: *perception of (in)security, crime victimization surveys, victimology, policy making*

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JUDGED FIGURE AUTHORITIES AND DIFFICULT KNOTS ASSOCIATED WITH THE PRINCIPLE “*NE BIS IN IDEM*”

Lorenc Danaj⁸⁰
Lisien Damini ²
Skender Damini

Abstract

Ne bis in idem is a well-known phrase, although Latin, which translated literally in English means: "not again about the same" - terminology preserved by modern definition which is made to this principle by different legal tools, nationally and internationally. The issue invokes one of the most prominent principles of law in general and human rights in particular, that of *ne bis in idem* (known also as *non bis in idem* or double jeopardy - the latter is about the right in *common law*).

Ne bis in idem principle is well known principle of international criminal law and strongly rooted in its internal law of all countries with modern legislation. Currently it is also one of human rights, protected by the main legal instruments regulating relations in this field. The paper which follows, took encouragement from a matter registered in the Constitutional Court recently, by requesting the Court of Shkoder, the object ad unconstitutional the expression "more than once" of the fourth paragraph of Article 278 of the Criminal Code.

The paper that follows, took encouragement from a matter registered in the Constitutional Court recently, by requesting the Court of Shkoder, the object ad unconstitutional the expression "more than once" stated in the fourth paragraph of Article 278 of the Criminal Code. The paper take into account the respective legislation, a theoretical treatment envisaged by all the elements of the principle in question, as well as its concretization through case law, which is supposed to facilitate the understanding and shows that paper is not only interesting but also valuable for the future.

Keywords: *International law; human right; respective legislation;*

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BRIEF ANALYSIS OF THE ENVIRONMENTAL PROTECTION THROUGH CRIMINAL CODE OF THE REPUBLIC OF SERBIA

Darian Rakitovan⁸¹

Abstract

Nowadays, environmental protection is one of the most important tasks of human society, at national and international level. There are various ways of environmental protection. One of the most important ways of protection of human environment is legal protection, where beside civil and administrative protection, which are the oldest forms of legal protection, in contemporary conditions criminal protection has high importance. This paper analyses criminal environmental protection in terms of legislation of the Republic of Serbia, more precisely, this paper analyses and briefly comments on Chapter XXIV of the Criminal Code of this country which regulates eighteen criminal offenses against the environment.

***Key words:** criminal environmental protection, criminal offences against the environment, Criminal Code of the Republic of Serbia*

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INTERNATIONAL LEGAL ASPECTS OF PROTECTING CULTURAL PROPERTY IN THE EVENT OF AN ARMED CONFLICT

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Abstract

The purpose of this paper is to analyze the current international regime for protecting cultural property in the event of an armed conflict. Effectiveness of the the current international law in regulating this sphere is the key research issue here. The protection of cultural property in event of an armed conflict has been an issue of legal concern since the rise of modern international law. The current international regime, in the context of cultural property, has two aspects – first, to protect cultural property during war times; second to regulate international trade in cultural property. But WWII events were followed by major destruction and removal of cultural goods, which was pivotal for the development of international regulation regarding this matter and which culminated with the adoption of the Hague Convention for the Protection of Cultural Property in the Event of Armed Conflict with Regulation for the Execution of the Convention 1954. Armed clashes in the early 1990s in Iraq, Kuwait, and former Yugoslavia, showed that the Hague Convention of 1954 had some weakness. For this purpose, in 1999 the Second Protocol to the Hague Convention was adopted. The Second Protocol aimed to overcome some of the shortcomings of the 1954 Convention, and it was designed to supplement, not supplant, the provisions of the Convention. Through a comparative analysis of The Hague Convention and its two Protocols this paper will attempt to demonstrate how the Second Protocol of 1999 contributed to the improvement of the provisions of the 1954 Convention. Recent developments in the Middle East, which has often been referred to as the Cradle of Civilization, where the Islamic State of Iraq and Syria (ISIS), destroyed cultural heritage for political and religious reasons, thereby doing a crime against humanity, have raised the question whether existing international regulation alone is sufficient to prevent such situations. It needs to be underlined that international customary law has developed a solid framework for the protection of cultural property sites in states participating in armed conflicts, but it does not provide any protection from radical religious militants who target such sites. If WWII was the overture for adoption of the Hague Convention, and the armed events from the early 1990s resulted in the upgrading of this Convention by adopting a Second Protocol, one cannot help but wonder if the phenomenon of destruction of cultural property by religious fanatics and militants in the Middle East, should be an introduction, to upgrading existing international frameworks for the protection of cultural property. This is another aspect that will be considered in this paper.

Key words: international law, cultural property, Hague regime, the 1954 Hague Convention, the 1999 Second Protocol to the Hague Convention of 1954;

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**RADICALIZATION ON RELIGIOUS AND ETHNIC GROUNDS - THE
MIDDLE EAST AND THE BALKANS PERSPECTIVES**

A NAME DISPUTE BETWEEN MACEDONIA AND GREECE: A MATTER OF INTERNATIONAL LAW OR ANOTHER BALKAN POLITICAL GAME - A CHALLENGE FOR A REAL LEADER

Zoran Todorov⁸³

Abstract

The subject of my research is intended to focus on the International Law and Security. The paper would concentrate on analyses of the dispute/bilateral issue of the name of Macedonia, but observed from an, in my view, “unusual perspective” i.e. how a potential, hypothetical leader should approach this question and propose appropriate solution. The whole problem will be treated from the perspective of the International Law, as well, bearing in mind its sensitivity in the context of regional and international security. First and foremost, I will precisely define the problem in its entirety and complexity. Different methods and methodology of research, already applied in the modern theory and practice would be pursued, among which the case study would be a dominant one. Numerous quotations and data will be included in the work. The sources used in the research will be listed and presented in the Bibliography as integral part of the paper. The phenomena of the leadership and different methods and examples of leadership would be presented and systematized. However, the paper does not have intention/goal to give preference to any of different kinds of leadership which would be foreseen. Based on various experiences, it would endorse the approaches, which, in my opinion, would pave the way to the desired resolution of the identified problem. At this point, without any ambition, prejudice or speculation regarding the outcome of the research, I identify the International Law as a cornerstone of the whole research. International relations and diplomacy are intended to have significant participating role, as well. The conclusion of the work would precisely point out the proposed solution of the problem and steps which, in my opinion, should be overtaken in order to overcome the present unsatisfactory situation. The most important reference, in this regard, would be the context of International security and accomplishment of mutual confidence and cooperation among the different players and factors in international politics.

Keywords: *Dispute, Macedonia, resolution, leader, International Law, International security.*

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THE IMPLEMENTATION ON THE INTERNATIONAL RESTRICTIVE MEASURES ACCORDING TO THE MACEDONIAN LAW ON INTERNATIONAL RESTRICTIVE MEASURES: CHALLENGES AND SUGGESTIONS

Ivica Simonovski⁸⁴
Kristina Misheva⁸⁵

Abstract

Determining the rules of the game in international law and international relations from the point of view of all stakeholders, means establishment and maintenance of collective security on an internal and an external plan. Any violation, any distancing and denial of the existence of these rules is to be followed by adequate consequences. But, in conditions of existence concentration of power, inherent and characteristic for the vertical and hierarchical structure of the state domestic laws, which is the mechanism through which sanctions in international law are introduced, binding for the all states. These rules do not depend on the desire of the entity in international law. They rules are provided with an international instrument (resolution) or legal custom and they must be respected and implemented by the entity.

After declaring independence, the Republic of Macedonia has started the process of establishing and positioning on the international platform. The country created profile of active and responsible factor in the promotion of international security, especially in the South-East Europe region. The membership in the United Nations which is based on the basic principles and tenets of the UN Charter imposes an obligation for the Republic of Macedonia to respect and implement the obligations deriving from one side, and the aspiration to give a contribution to collective security by respecting the decisions of the Security Council, on the other side.

Hence, this paper aims to provide an analysis of the current Law on international restrictive measures, the manner of introduction, implementation and controlling of decisions and the objectives and principles on which these decisions against entities that violate international rules are based. Further more, the conclusions of this paper would be a driver in the creation of amendments to the already existing law in order to fully respect international obligations and contribute to international security.

Keywords: *restrictive measures, international security, collective security, resolutions, international law*

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CRISIS MANAGEMENT OF THE EUROPEAN UNION AND THE HUMAN RIGHTS ASPECT – CASE STUDIES

Ivica Josifovic⁸⁶

Abstract

The promotion and protection of human rights is one of the primary objectives of the European Union's foreign policy – and thus of the European Security and Defence Policy (ESDP). It is a guiding principle in the military operations of the EU, and with the strengthening of the civil-military co-operation and the development of purely civilian instruments for crisis management, human rights protection should and will increase in importance for crisis management of the EU. This paper examines the role which human rights protection plays today in ESDP operations. It reaches the conclusion that, from a normative perspective, a solid set of human rights rules and guidelines for ESDP operations have been developed. In practice, however, the integration of human rights components in ESDP missions has only just begun. This paper considers the strengthening of the civil component and the integration of human rights as well as the implementation of fundamental steps for successful EU missions in conflict regions. For this purpose, case studies are included which have exclusive importance for the region and its security (Concordia and PROXIMA in Macedonia and ALTHEA and Police mission in Bosnia and Herzegovina). The study concludes with a set of recommendations for strengthening human rights as an element of the ESDP.

Key words: *European Union, security, human rights, cases.*

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INTERNATIONAL MISSIONS IN RULE OF LAW OF THE EUROPEAN UNION

Marjan Arsovski⁸⁷

Abstract

Following the Kosovo war in 1999, the European Council agreed that "the Union must have the capacity for autonomous action, backed by credible military and police forces, the means to decide to use them, and the readiness to do so, in order to respond to international crises without prejudice to actions by NATO. The creation of an EU capacity for crisis management has been set by the European Councils of Nice and Göteborg in order to be capable of covering a full range of police missions from training, advisory and monitoring missions to executive missions. To meet these EU goals at the Police Capabilities Commitment Conference in 2001 the Member States of the Union undertook responsibility to provide 5000 police officers by 2003, out of which 1400 police officers could be deployed within thirty days. Thus from 2003 EU's ESDP began to function effectively by conducting its first military, police and rule of law missions in the European concretely the Balkans, and at international level beyond the European continent, such as middle east. The ongoing EU Rule of Law mission in Kosovo (EUPLEX), EUBAM: European Union Border Assistance Mission to Moldova and Ukraine present test of EU crisis management capabilities. They were established for monitoring, mentoring and advising the countries' police and administration thus helping to fight organized crime as well as promoting European democratic standards.

In this context the research paper aims to show the positive and negative experiences of the EU Rule of Law mission in Kosovo (EUPLEX), European Union Border Assistance Mission to Moldova and Ukraine (EUBAM) thus serving to point out the perspectives for future developments and improvements in conducting rule of law missions at the international scene by the European Union.

Keywords: rule of law, European Union, crisis management missions.

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LISBON TREATY AND THE PROTECTION OF PERSONAL DATA IN THE EUROPEAN UNION-NEW REFORM

Snezana Nikodinovska-Stefanovska⁸⁸

Abstract

The protection of personal data is one of the basic values in Europe, for the Member States of the EU and for the EU institutions. The protection of persons in relation to the processing of their personal data is a fundamental right laid down in the Charter of Fundamental Rights of the EU (Article 8) and in the Treaty on the Functioning of the European Union (Article 16).

Lisbon Treaty brings fresh air not only to the future of the EU in general, but also to the relevance of fundamental rights-and in particular the right to the protection of personal data. Also, rapid technological developments and globalization have brought new challenges for the protection of personal data. The entry into force of the Lisbon Treaty provides a much needed opportunity to reflect on the main challenges for the protection of personal data and on how the European Commission intends to address these challenges in the future. In January 2012 European Commission proposed a comprehensive reform of the EU's data protection rules. The data protection reform is a legislative package to update and modernize the rules of the 1995 Data Protection Directive and the 2008 Framework Decision on data protection in judicial cooperation in criminal matters and police cooperation. It concerns two legislative instruments: The General Data Protection Regulation (intended to replace 1995 Directive on Data Protection) and the Data Protection Directive in the area of law enforcement (intended to replace the 2008 Data Protection Framework Decision). The Commission introduced again two sector-specific instruments rather than one of general application.

In these paper will be discussing briefly the EU legal framework on data protection before and under the Lisbon Treaty. Than the draft General Data Protection Regulation and Police and Criminal Justice Data Protection Directive will be comment and analyzed. Finally, a summary and some concluding remarks will be present.

Key words: Lisbon Treaty, protection of personal data, General Data Protection Regulation, Police and Criminal Justice Data Protection Directive.

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INSTRUMENTALIZATION OF HUMAN RIGHTS FOR THE LEGITIMACY OF INTERVENTIONISM

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Abstract

Decades before the end of the Cold War, it was presumed that there was a debate on the important issues of social relations and also it was discussed about international disputes. Of course, the protection of peace in the society was an undivided interest of all the people living in it. However, with the end of the Cold War and the end of bipolarity, the world has realized the new nature of social relations. The expected spread of freedom and democracy has denied ideological opposites as the old security dilemma, and the actions of democracy advocates have introduced human rights as a new security dilemma. In theory and in practice a huge space for interpretation and for dealing with this dilemma has been opened. In contrast to the international law in which the states are exclusive entities, human rights are in this security dilemma one time personal - individual and another social and collective. Secondly, in processes of installing democracy and liberating people from dictatorship, at the beginning of XXI century, there is frequent and harsh violation of international law wherein human rights appeared in duality: as a paravane for someone's actions and also as a victim of someone's actions. The authors' intention is that in this paper, through the definition of human rights and a brief overview of the new security challenges after the Cold War, look for an answer regarding legitimacy of the speech act in the "securitization" of human rights. This is used in "legitimizing" actions for protection of human rights in order to achieve their instrumentalization⁹⁰ in the interests of economic expansionism of strongest capital groups.

Keywords: *human rights, humanitarian law, security dilemma, the European Union*

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⁹⁰ Instrumentalization – to convert an epiphany , regulation , etc. into the means to achieve a goal

HUMAN RIGHTS AND CRIME CONTROL

JUDGES' ROLE IN THE EVALUATION OF THE DEFENDANT'S PLEA WITHIN THE SENTENCE BARGAINING PROCEDURE

Boban Misoski⁹¹
Divna Ilic Dimoski⁹²

Abstract

Authors elaborate the Judges' role in the evaluation of the defendant's plea within the sentence bargaining procedure held between the public prosecutors and the defendants and their defense attorneys, primarily having into consideration the provisions of the Code of Criminal Procedure. First role of the judge is practically the obligation for prevention of her interference within the bargaining procedure, while the second judge's role is situated within the judge's obligation for evaluation of the legality of the submitted draft-settlement. In this occasion the authors are accentuating the judge's active position while evaluating the draft-settlement. The authors consider that the judge besides evaluation whether the draft-settlement is voluntarily and intelligent has to address this draft-settlement to its factual basis and to the quality of the submitted evidence which are supporting the draft-settlement. Authors conclude that only through this type of active role within the procedure for evaluation of the defendant's plea, the judges can promote themselves as proper guardians of the human rights and specifically as protectors of the defendant's rights during the criminal trials.

Key words: *judge's role, sentence bargaining, guilty plea, illegally obtained statement, voluntariness, awareness, evidence;*

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SPECIAL INVESTIGATIVE METHODS AND HUMAN RIGHTS

Zeljko Nincic⁹³

Abstract

Modern forms of crime manifestation demand change and adjustment of investigation means to new circumstances. That is, simply, conditioned by organized forms of criminal organization's actions with its complex criminal operations in which participate more individuals with different "criminal profile". In such conditions, so called traditional investigative methods, which imply investigation after crime is committed (reactive investigation), doesn't accomplish good enough results in uncovering, prevention and proving most difficult criminal acts. Because of that proactive approach to investigation is imposed as "additional" mechanism, particularly implementation of special investigative resources. These new "special" methods of investigation are measures of secret (covert) evidence collection and are applied without the knowledge of the persons against who are targeted. However, usage must mean compliance with certain principles, with what lawfulness of their usage is guaranteed and misuse is prevented.

In that sense, essay indicates the importance of creation of legal framework for implementation of special investigative methods and emphasizes the need to respect certain principles and conditions for the application, as a warranty for their legal usage. Particular indication is on specifics of the relationship between application of special investigative methods on one side and basic human rights and freedoms, which are temporarily limited by their application, on the other side. That sort of "relationship" must be in balance if there is a desire to "make peace" between two conflicted requests: comprehensive fight against criminal and respect of basic human rights, which are guaranteed by highest legal acts, and individual freedoms.

Key words: *crime, opposition, special investigative methods, human rights*

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STEPS TOWARDS COMBATING TRAFFICKING IN HUMAN ORGANS IN SOUTH EASTERN EUROPE, WITH PARTICULAR REFERENCE TO THE CASE OF "KOSOVO"

Vanda Božić⁹⁴

Abstract

Trafficking in human organs, trafficking in human misery, is one of the worst crimes of our time and a growing global problem. Due to the constant discrepancies between the available and required organs, illegal and criminal acts of trafficking in human organs are increasingly associated with living donors. What is the actual "dark figure" of this crime? A special emphasis in this paper relates to the case of "Kosovo", where in 2011 based on the adopted report by Dick Marty, the Council of Europe representatives ordered an investigation against the Kosovo authorities for organ trafficking and adopted a resolution (Resolution 1782) (2011) Investigation of allegations of inhuman treatment of people and illicit trafficking in human organs in Kosovo. Taking into account the international legal documents to combat trafficking of persons, the author will work to explore the extent to which a system is built to combat trafficking in human organs with regards to the criminalization of the sale and purchase of organs and the threat of punishment for donors and recipients as the major measure to stop the illegal market. Is the statutory sentence sufficient and proportionate enough to the committed criminal offense with regard to the consequences that the victim will have for a lifetime? An analysis of the criminal legislation *de lege lata* at the national level compared to other countries of South Eastern Europe that are most faced with the above problem, Serbia, Macedonia, Kosovo and Albania, will try to indicate possible further perspective towards more effective action against trafficking in human organs.

Key words: Trafficking in human organs, organ transplants, trafficking in human beings, crime

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MISDEMEANOR LAW IN REPUBLIC OF MACEDONIA - FROM CONCEPT TO REALITY

Iskra Akimovska Maletic⁹⁵

Abstract

Starting from the point that there are differences between criminal offenses and misdemeanors long time interest in science is whether the misdemeanors as less dangerous acts contrary to the law should be studied in the framework of criminal law or in the framework of administrative law. It is not disputed that institutions, norms and principles of criminal law and criminal procedural law apply in misdemeanor law and misdemeanor procedure. But starting from the normative - legal, formal approach, the misdemeanor is also defined as an administrative delict, pure disobedience towards administrative legal prohibition.

For a long time the misdemeanors in the Republic of Macedonia causes greate interest in the scientific and professional public taking into consideration primarily the interdisciplinary nature of misdemeanor law in the system of legal sciencies. Namely, according to our positive law, authority conducting misdemeanor proceedings and who may impose sanction are competent courts and for certain misdemeanors defined by law misdemeanor procedure can be conducted and misdemeanor sanction may be imposed by misdemeanor body when the law prescribes exclusive jurisdiction for that. This competence is based on Amendment XX of the Constitution of the Republic of Macedonia, which amended Article 13 of the Constitution, under which for the misdemeanors determined by law, sanction may be imposed by a state administrative body or organization or other body exercising public powers. This concept was realized with the Law on Misdemeanors from 2006. In 2015 a new Law on Misdemeanors was adopted which generally continues this concept, but also introduces some novelties that arises the question about their viability, particularly in terms of achieving legal protection in the misdemeanor procedure as well as defined possibilities for the existence of exceptions which makes it impossible to establish a uniform system of misdemeanors.

Keywords: *misdemeanor law, administrative law, criminal law, misdemeanors, misdemeanor procedure, Republic of Macedonia*

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HUMAN RIGHTS DEROGATION IN THE STATE OF EMERGENCY - CASE OF BOSNIA AND HERZEGOVINA –

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Nikolina Grbić Pavlović⁹⁷
Gojko Pavlović⁹⁸

Abstract

Human rights and their protection are a key segment of the constitutional order in Bosnia and Herzegovina. Article II of the Constitution of Bosnia and Herzegovina, as well as the Annex I to the Constitution of Bosnia and Herzegovina comprise an impressive list of human rights and international instruments to be applied in Bosnia and Herzegovina. However, in nowadays Bosnia and Herzegovina human rights grow to voice like empty platitudes used very often for daily political purposes, without the real understanding of that notion and with no awareness on effective mechanisms for their protection. In addition to that, the Constitution of Bosnia and Herzegovina includes neither provisions on human rights restriction nor provisions on the state of emergency or the state of war. Therefore, this paper aims at showing the certain specific features with regard to the possible human rights derogation in Bosnia and Herzegovina, arising from the mandatory direct applicability of the European Convention on Human Rights and Fundamental Freedoms in Bosnia and Herzegovina.

Key words: *human rights, state of emergency, derogation, the European Convention on Human Rights and Fundamental Freedoms*

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TYPES OF ALTERNATIVE DRUG COURTS IN THE UNITED STATES

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Abstract

Alternative drug courts are a specific type of courts first established in the United States for non-violent criminal offenders who are drug abusers at the same time. During the 1980s the justice system in the United States was overloaded with drug-related arrests and prosecutions, and prisons were overcrowded by drug offenders. As they realized that prisons cannot make any positive influence on drug offenders in order to quit using drugs, many jurisdictions in the US established drug treatment courts which would process drug addicted offenders. Drug courts are not designed as specific separate courts, but as a phase in criminal proceedings. During this phase the offender is exposed to an intensive treatment and judicial monitoring with the aim of encouraging him not to use drugs anymore and not to commit any other criminal offence. It is presumed that the offender will not commit any other criminal offence if he stops using drugs. The consequence of this treatment depends on its outcome. Namely, if the offender completes the treatment successfully - criminal proceeding against him will be terminated, meaning that charges will be dismissed. Otherwise, if the offender does not complete the treatment successfully - the criminal proceedings will be continued. Drug courts were firstly established only for adult non-violent offenders, but as outcomes of their functioning were very positive, many types of these courts were developed over time. For example, juvenile drug courts, drug courts for offenders charged with driving while impaired or driving under the influence, campus drug courts, veteran's treatment courts etc. As drug courts have shown good results in reducing drug-related offences, and therefore in reducing criminality in general, they have spread all over the United States, and over some other countries. The aim of this paper is to present types of drug courts and to show all benefits they can bring to a judicial system in order to encourage European countries to establish some similar types of courts related only to drug-addicted offenders and to reduce drug-related crimes which definitely exist as a problem in these countries.

Keywords: *alternative courts, drug, treatment, monitoring, crime reduce.*

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THE FUNCTIONING OF THE LAW IN TERMS OF SOCIAL CONFLICTS

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Abstract

The law is a social phenomenon with its entity, individuality and specificity, a phenomenon with deep roots in the tissue of the social organism which has special existential functions for the society and the human. The law is part of the social normative reality. Its goal is to provide a social life in its reality, to regulate the complex social processes. That means that the social life becomes possible with right. As the law is complex category it cannot survive without the many functions that are part of it. We will mention the regulatory function, the function of the social control, the interactive function, the organizational function, the function of realizing the social, the group and the individual goals and interests etc. The disruption of the realization of any of these functions influences the realization of the values that the law exercises. In this context we will emphasize the values as are the order and the peace in the society, the justice, the fairness, the truth, the validity, and the human dignity, the efficiency of the social system, the safety and the appropriateness.

This papers' goal will be making an analysis of the functioning of the law in Republic of Macedonia, especially of its regulatory function. This is so especially because the law in Macedonia more often is not a mean for realizing the common existential social interests which is a necessary precondition for the existing of a society but it is a mean for realizing the group and the individual interests. These tendencies influence the disruption of the democratic character of the society and the creation of disagreements and conflicts in society that contribute to social instability and impede the realization of the objectives of the law.

The paper 'The functioning of the law in terms of social conflicts' consists introduction, four parts and conclusion. The first part is named 'Theoretical basis of the law', the second part refers to 'The functions of the law in the modern society', the third part is 'About the conflict and the regulatory function of the law in the Macedonian society', and in the fourth part are presented some empirical data that are in favor of the conclusion that the destruction of the regulatory function of the law in the Republic of Macedonia.

Key words: law, the law functions, social conflict

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FORENSIC ASPECTS OF THE POLLUTION OF WATERS FROM LAKE MAVROVO

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Stojan Troshanski¹⁰²

Abstract

Although water has ultimate and universal significance of the existence of life, two of its aspects are most highlighted: its use value as the primary medium in physiological processes and its role as a living medium that unites a high percentage of biodiversity. In current conditions pollution of water presents serious environmental issue not only in Republic of Macedonia, but also in global frames, especially in conditions of limited approach to natural resources. The legislator must incriminate behavior that pollute drinking water, water for livestock and irrigation, because number of penalties, crimes and misdemeanors are permanently increasing.

Environmental forensics is significant element for detecting causers of polluted water, and the same presents the subject of interest for this scientific work. However, the authors performed forensic water expertise from Lake Mavrovo and thereby gave reference to the actual state of polluted water with special accent on oxygen parameters. These one year examinations were realized in order to prevent and suppress this phenomenon leading to the pollution of water in this region, positive practice which could be applied to the waters in other regions, as well.

Examinations were realized in order to define the environmental status (according European Union Directive for surface water) of the lake, through monitoring biological and physicochemical parameters of water and, also expertise in the area of water pollution were performed.

Keyword: *water, pollution, environment, expertize, EU Directive*

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IMPLEMENTATION OF THE LAW ON PREVENTION ON VIOLENCE AND MISBEHAVIOUR AT SPORTS EVENTS IN THE REPUBLIC OF MACEDONIA – OPPORTUNITIES AND CHALLENGES

Petrevski Blagojce,¹⁰³

Abstract

Republic of Macedonia follows up European practice and policy, the European approach to solving some specific problems and challenges. It is a signatory of the European Convention on Spectator Violence and Misbehavior at Sports Events. As a country, recognizing experience from neighboring countries, for the first time in 2004 passed a special law that applies and that determines the appearance and the phenomenon at sports events. Recent amendments to the act of 2014 favored the fulfillment of certain seems stricter criteria for organizers a sports game. Necessary is to compare and analyze infrastructure conditions available to Macedonia as a country and obligations arising from the legal decision. It is important to identify obstacles "on the road" to full implementation of the legal provisions. Access to finding criminal policy which will be based solely and exclusively on the legal framework in this area is an issue that deserves priority attention. The implementation of the legal solution does not only mean strict and formal application of the provisions of the law, contrary to the legal solution must be seen as a basis from which to derive or which imposes guidelines for all entities that are directly or indirectly related to the problem of violence at sporting events. Joint, and above all coordinated cooperation of all "interested and involved" actors will pave the way to finding a way to prevent the occurrence of violence. Intervention in infrastructure for sports facilities is a serious challenge for the country, but that intervention and improving the conditions of sports facilities, will produce increased level of safety matches.

Key words: *Challenges, experience, conditions, obstacles, coordinated cooperation, implementation.*

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USING THE INDICIAL METHODS AS A STRONG POINT AGAINST THE DEFICIENCY OF INFORMATION OF THE ORGANIZED CRIME

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Mirjana Manevska¹⁰⁵
Aleksandar Nacevski¹⁰⁶

Abstract

The dynamics and modern lifestyle, the increased mobility of the population and trade, have provided the spreading of the organized crime – worldwide. One of the factors that could help in prevention and stopping the organized of course is the indicial method. In this thesis is elaborated the process of the indicial method, its meaning, operative functioning and the deficiency of information about the organized crime.

Keywords: organized crime, clues, operational performance

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TOWARD IMPARTIALITY, RELIABILITY AND EFFICIENCY OF COURT EXPERT TESTIMONY

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Zdravko Skakavac¹⁰⁹

Abstract

When the solution of a court dispute depends on technical or other specific knowledge, the courts use court experts. Importance of court expert testimony is obvious from the fact that judge has no specific experience from different area of everyday life or technological processes. However, the role of an expert witness is confined only in assisting the trier of facts to understand the factual evidence. In this report, the court expert testimony is discussed from the standpoint of its reliability and impartiality, and also from the standpoint of human rights of people involved in court trials. Human rights are in connection with expert report as much as anybody has a right to have a realistic court expert testimony. Court expert witness system should be standardized in line with EU standards so that an expert witness testimony maximizes efficiency of judicial case in total. As an inventory of mode of use of expert testimony, the expert appointing system in different countries is discussed. It seems that expert appointing system in different countries, with plenty of variation in the process, allow for straight improving of expert system in west Balkans countries. In general, expert system and expert testimony in west Balkans countries is a subject of some controversy, in line with generally low confidence in the judiciary in general. Especially, the principles of chain of custody implementation are weak point in Balkan countries court expert system. Besides, a tendency of appointed court experts to act if they give final judgment seems to be an obstacle to court efficiency, too.

Keywords: Court expert, Expert testimony, Court expert role

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PRIVATE AND CORPORATE SECURITY

MANAGING RISKS OF CORPORATIVE SECURITY

Ljupco Stankovski¹¹⁰
Risto Muchev¹¹¹

Abstract

The style of living nowadays demands increased challenges for the security manager who must develop and manage a cost - effective program to protect the assets of the corporation. To successfully achieve this goal, security manager must recognize threats, critical points of the corporation and risks values of the corporation. Risks must be managed effectively, providing a minimum amount of funds for protection in case they are accepted risks.

Security manager should offer a solution to the corporation in order to reduce costs and enable the corporation to be more competitive and hence, to help ensure the resilience of the corporation.

The security in the private sector, and consequently in corporations, should not be seen as an expense, rather, it should be seen as a necessity. Providing quality securement of the corporations values, should be given a high position and a respectable place, because the established functional corporate security system can and will make a major contribution to the preservation of the values of the corporation 's reputation, image and will also enable its further growth and profit increase.

In this paper risks management will be presented in terms of protection of corporate values and risk assessment, risk analysis, the goals of the process of managing risks, management and risk reduction and management program risks.

Key words: *corporative security, corporative security manager, corporation resilience, analysis, threats, risk management program.*

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PERSPECTIVE OF PRIVATE SECURITY IN CRIME PREVENTION IN COORDINATION WITH PUBLIC SAFETY IN THE REPUBLIC OF SERBIA

Ljubo Pejanović¹¹²

Abstract

With this paper author want to draw attention to the perspective of the private sector and its effective activity in detection and prevention of crime occurrence, with unique powers of state and private sector, especially in developing and transition countries such as the Republic of Serbia.

In order that this activity can be achieved, adequate cooperation is necessary as well as coordination of public and private sector in prevention of crime. Preventing crime in the private sector market is done by private security sector, and that means providing adequate and necessary conditions for this promising industry.

In order to effectively confront this dangerous phenomena, the state must create adequate conditions for the timely operation of the joint forces, and these conditions are common among other actions of the state and the private sector in this field.

In order to achieve joint cooperation between public and private sector, there must be equality with special conditions prescriber in legal documents.

Keywords: perspective, cooperation, public, private, business, prevention, crime.

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CYBERCRIMES AND NETWORK GOVERNANCE

Anna Lucia Valvo¹¹³

Abstract

In the concept of cybercrime, you can be identified many behaviors relevant from a criminal law; such conduct coincide with offenses that can be committed through the use of technology.

These may be crimes purely "computer" that can be made exclusively through the network, and in this case the network is the means to commit the offense, or common crimes whose configurability dispenses with a close link with the network and which become such, that cybercrimes, when and if implemented by means of internet.

In the US, part of the doctrine identifies as part of the broader category of computer crimes, and three sub-categories, namely: crimes where computer systems are the specific target of criminal actions; crimes that are committed through the Internet which therefore constitutes the essential instrument and, finally, crimes that can be committed either by the network or not.

The spread of information and communication technologies and the consequent spread of illegal activities that can be committed through them, has simultaneously raised the problem of protecting both the same systems and both unsuspecting users of those systems as potential victims of crimes.

In Italy the legislation on cybercrime has been introduced by the Law of 23 December 1993, n. 547 ("Modifications and integrations according to the Penal Code and the Code of Criminal Procedure on the subject of computer crime"), which provided certain types of crimes that are characterized by the fact that the criminal activity relates to a computer system, or that this' last is the tool used to commit the offense.

Law no. 547/93 expressly provides for certain types of offenses in consideration of the objective difficulty to adapt the traditional norms of the Criminal Code to conduct entirely new whose repression difficult to reconcile with the existing regulatory framework.

Keywords: cybercrimes; Convention of Budapest; criminal law.

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PUBLIC OVERSIGHT OF PRIVATE SECURITY IN THE REPUBLIC OF SERBIA

Vojin Pilipović¹¹⁴

Abstract

This paper focuses on the course which further reforms of the security sector will take, a course in which the private security sector will have a significant role and position. A basic legal framework has been established for the sustainable development of the private security sector in terms of contemporary and global understandings of security. The security of the Republic of Serbia is facing new challenges (accession negotiations with the EU, the migrant crisis, terrorism, etc.) which require the development of new approaches and strategies, for all security subjects, as well as the activities of legal entities and entrepreneurs in private security. The measure used to assess security as a public good is the level of security of each citizen and society as a whole. That is the reason why public oversight, and democratic and civilian control of the private security sector are significant, as they concern a general understanding of strategy and the system of security and the total subordinate legislation of this field, which are important for the overall completion of privatization processes in Serbia.

***Key words:** public, oversight, private security, subjects, cooperation*

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PRIVATE SECURITY IN PROTECTION OF CRITICAL INFRASTRUCTURES – LEGAL AND PRACTICAL ASPECTS: COMPARATIVE STUDY OF MACEDONIA AND SLOVENIA

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Andrej Sotlar¹¹⁶
Miha Dvojmoč¹¹⁷

Abstract

Critical infrastructures usually include those assets and services which are essential for the country, and the disruption or destruction of which would have a significant impact on the national security, economy, vital social functions, health, protection as well as social well-being, as assessed by the criteria of the government of the state. Owners or operators of critical infrastructures are state bodies, companies, institutions and other organizations responsible for investing in or responsible for the operation of a particular infrastructure capacity, system or part thereof. Since many of assets and services are not of state property or organized by the state, governments usually regulate the protection of critical infrastructures by legislation, defining who and in to what extent is obliged to carry out measures for the protection of critical infrastructures. This is the opportunity for private security firms since rare institutions, companies and even state bodies are capable to organize security on their own. In the article, a comparative study of Macedonia and Slovenia regarding the protection of critical infrastructures with special emphasis on the role of private security is presented. The paper comprises comparative analysis of the legal documents and practices of critical infrastructure protection in both countries. Although the critical infrastructure protection in Macedonia is relatively new field of work within private security, a steady growth and development in the last decade can be observed, while Slovenian private security has played quite important role in critical infrastructure protection long before Slovenian government designated both, the European critical infrastructure located in Slovenia, as well as critical infrastructure of national importance.

Keywords: *critical infrastructures, private security, Macedonia, Slovenia*

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ECONOMIC COST OF CRIME

ECONOMIC NATURE OF THE ORGANIZED CRIME ACTIVITIES¹¹⁸

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Nenad Radović¹²⁰
Velibor Lalić¹²¹

Abstract

The danger which comes with modern organized crime does not appear only in specific criminal acts, but much more as a possibility to, directly or indirectly, affect the state decisions in the sphere of its economy or politics and even in international relations as a whole. Namely, criminal profits which are generated by organized crime and the criminal market and its infiltration into the legal economic flows represent a potential danger for corrupting the legal and economic relations and undermining the integrity of financial institutions. In this way, eventually the basic fundamentals of the financial system may be disrupted, and there is a danger for functioning of state institutions, economic prosperity and national security. The great economic power of organized crime is used to acquire political power, and it is in turn used to pursue criminal objectives. The authors in the paper point to the area and dominant negative consequences of the infiltration of organized crime into legitimate economic relations, as well as the implications of these processes in order to gain a better understanding of their importance for defining the model of fighting against organized crime.

Key words: organized crime, economy, illegal market, impact.

¹¹⁸ This paper is the result of research on the project *Crime in Serbia and the instruments of state reactions*, funded and implemented by The Academy of Criminalistics and Police Studies in Belgrade, the cycle of scientific research from 2015 to 2019.

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METHODS AND TECHNIQUES OF INTER-INSTITUTIONAL COOPERATION IN THE PROCESS OF CREATING A SUCCESSFUL SYSTEM FOR PREVENTION OF MONEY LAUNDERING

Svetlana Nikoloska¹²²
Ivica Simonovski¹²³

Abstract

Establishing a successful system for prevention of money laundering and enables prevention and detection, monitor and secure of evidence for the money laundering as a second-degree criminal activity with which criminal money and other proceeds of crime are legalized by the perpetrators of crime. The legalization of illegally acquired funds and other proceeds of crime is a complex process in which perpetrators of crime use simple or complex schemes, but and tactics and techniques in order to cover illegally funds and proceeds. As the perpetrators use appropriate tactics, techniques and schemes of money laundering, and institutions that build System for prevention of money laundering should use appropriate methods and techniques of cooperation, monitoring and detecting suspicious transactions related with money laundering. This paper will make a simulation of the institutional settings in the different Systems, methods and techniques of their cooperation, exchange of information, and methods of data analysis in order to detect money laundering, and the provision of relevant evidence in the interest of successful conduct criminal procedure against perpetrators of crime and enable confiscation of criminal proceeds and property.

Key words: money laundering proceeds of crime, suspicious transactions, and techniques of cooperation.

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THE ROLE OF THE ADMINISTRATION OF FINANCIAL INTELLIGENCE IN PREVENTION OF MONEY LAUNDERING IN THE REPUBLIC OF MACEDONIA

Marijana Jakovleska¹²⁴

Abstract

The Administration of Financial Intelligence of the Republic of Macedonia is the authority act upon the requests of law enforcement, or the requirements of the Public Prosecutor's Office as authority that has a central role in the research process, which have grounds for suspicion that the perpetrators of certain crimes have acquired unlawful gains which has already been involved in the financial system, or money from committed crimes are placed on the account in a financial institution in the country or abroad.

In this paper we will see the role of the Administration of Financial Intelligence, through analysis of its responsibilities and powers, as well as the measures and actions taken by the Administration of Financial Intelligence and through analysis of statistical data for the reference period 2006 - 2013 year.

The protection of the financial system as a pillar of any democratic society is primary purpose of Administration of financial intelligence. Respecting international standards, promotion of human and technical capacities, the Department has a key role in dealing with cases of money laundering and terrorism financing, through timely information to the competent authorities, of persecution and repression

Keywords: Administration of Financial Intelligence, unlawful gains, responsibilities and powers, the measures and actions.

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FISCAL OFFENCES – NOTION AND COMPENSATION

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Abstract

Tax evasion and other charges contribute to the budget deficit, and thus unbalance the budget. This has a negative effect, both on the economy and on the social status of the citizens. Based on an analysis of the court judgements in the Republic of Serbia for the past five years, it can be concluded that the courts in the case of tax offenses did not automatically award restitution claims. They do so only at the request of the Public Attorney's Office. In relation to these offenses, the said authority is representative of the injured party. However, it cannot be expected that restitution claim will be filed in a timely manner in all cases of fiscal offenses. The biggest problem is the inadequate cooperation of the competent authorities. In practice, such a procedure is generally time consuming and delays the procedure itself. In this paper, the authors try to identify the problems which arise in practice and try to give suggestions to overcome them. For that purpose, they use the method of content analysis of data from the reports of the Ministry of Finance, but also the contents of court judgements in the Republic of Serbia.

Keywords: fiscal offenses, budget, damage, restitution claim.

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FINANCIAL REPORTING AS A FACTOR OF CORPORATE CRIME

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Abstract

Corporate crime is a phenomenon that marked the XX century. The first half was marked with two major world economic crises (The Great Depression) and the second with an increasing number of massive corporate scandals.

Corporate crime stems from business activities and although there were financial scandals in previous centuries, corporate crime was in full swing in the last two decades. Modern business has significantly dematerialized and transformed into virtual reality, which on one hand represents a significant breakthrough, but on the other hand it opens a wide space and offers modalities for perpetrating crimes in the field of finance. Nevertheless, regardless of the conditions of modern business, the basic reason for corporate crime derives from human greed, namely, the wish to acquire resources which are limited by nature. What is significant is the fact that this type of fraud is spreading, and as a consequence there has emerged a need to study this concept from the scientific and professional perspectives, so as to find a solution and enable corporate crime prevention.

This paper will analyze corporate crime, errors, victims and financial statements as possible key points in meaning corporate crime. So, to point the corporate crime we also point out need of knowledge of accounting and rules for making financial statements, sufficient experience in coping with corporate crime incidents, the protection of interests in business is still not perfectly clear, starting from the fact that it is hard for creditors to protect their interest and collect their receivables to the fact that the interest of a certain party prevails over the common interest, management or owners, often establish a big number of small companies, directly or indirectly connected and thus break their business into pieces with an aim to avoid the audit of financial reports and overall fraudulent financial statements cause substantial damage to economy. Further will be offered the essentials that fraud examiners who investigate should be good and experienced experts in this field who will recognize the symptoms of modified financial statements.

Key words: corporate crime, fraud, victims, financial statement, mistakes.

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THE PHENOMENON “MONEY LAUNDERING” IN NON-BANKING FINANCIAL MARKET

Ina PETRAJ¹²⁹

Abstract

Recently, the development of non-bank financial markets has become increasingly important, to the extent this development directly influences the development of the country. The insurance, securities and private voluntary pension plan market has a significant impact not only in enhancement and growth of social welfare in general, but also in the performance of the public operator in particular. The public operator should not only regulate these markets, but it should first and foremost provide guarantee for all the transactions carried out within such markets and ensure that the users of financial services are protected against illegal phenomena that would damage their revenues. One of the most problematic issues in the performance of these markets is money laundering and financing of terrorism.

From the organisational viewpoint, the Financial Supervisory Authority is almost fully regulated. Nevertheless, as of today, its organisational chart does not have a special directorate in charge of money laundering and financing of terrorism. According to the recommendations of the World Bank, as well as European Union Directives, a directorate performing such functions should be part of the FSA structure. Currently, in our institutional system, there is a directorate subordinate to the Ministry of Finance, which is called the General Directorate for the Prevention of Money Laundering (GDPML) whose mission is the fight against money laundering and financing of terrorism, but this unit does not serve FSA. A contact person at the Financial Supervisory Authority is in charge of keeping continuous contacts with this directorate, but this is still inefficient. This Authority should be reformed with this regard, by establishing a new department within its governing structures, in order for the financial markets to feel safe and sound. This paper will attempt, through the analysis and comparative method, to present a detailed overview of this phenomenon in Albania.

Keywords: financial market, law, security, money laundering, financing of terrorism, tax evasion.

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CRIMES' CIVIL COMPENSATION AS PART OF RESTORATIVE JUSTICE IN ALBANIA, AN EFFECTIVE WAY TO PREVENT THE CRIME

Dorina Ndreka Asllani 130

Abstract

When harm is done, it creates obligations and liabilities. This is a very important principle of civil law that accompanies criminal acts. The criminal behavior infringes the law, but at the same time, it violates and harms the victims, which have the right of civil restitution. The Code of Criminal Procedure in Albania has specifically determined the possibility of the civil part damaged by a criminal act, to actively attend the criminal process, by requesting the civil damage suffered. Exploiting the possibility granted by the Code is a good alternative to prevent criminality, because in certain cases, paying the civil reparations can be more effective, towards the victim, than serving the criminal sentence of the court. The victims of criminal offence suffer financial losses, for several causes: hospital bills, losing time from work, mental or psychological disorders, damaged or stole goods, funeral expenses, etc. The offender is obliged to pay the property and moral damages he has caused to the victim. The court is the competent authority to decide the sum of restitution. The latest international studies in the field of victimology show that civil restoration of the damage caused by criminal acts is more satisfactory for the victims. The civil restitution is in some cases the only way to make a person responsible for the criminal acts, especially in the case of juvenile offenders. In these cases, considering that the minor has no criminal responsibility and the lack of correction institutions for juveniles in Albania, the only way to punish is through the civil restoration of the damages. The purpose of the paper is to analyze the Albanian judicial practice regarding the civil damage during the criminal process, as a way to reduce court and procedural expenses. From the data collected by the Albanian courts, we conclude that the number of civil claims, during criminal proceedings is limited. Taking in consideration that the majority of the civil petitions for criminal acts damage restoration are done in separate judicial processes, the paper aims to highlight the main reasons for this occurrence and to suggest more effective ways for the civil compensation of criminal acts.

Key words: *Civil compensation, criminal acts, crime prevention, Albania*

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FINANCIAL INVESTIGATIONS OF THE FINANCIAL CRIME

Xhemail Limani¹³¹

Abstract

Financial investigations against the financial crime is one of the most effective means of fighting organized crime since the common denominator of all organized crime is the pursuit of profit. The soundness, integrity and stability of credit and financial institutions and confidence in the financial system as a whole could be seriously jeopardized by the efforts of crimes and their associates or concealing the origin of property acquired through crime or for sending money in a legal way but for terrorist purposes. Parallel to this, the PM needs to build a network, check the investment of capital in the financial structures of the country, especially the so-called investment cash payments. It is especially important to establish a center for intelligence with good international communication to identify lists of companies, names and channels where capital should be checked at its venture in the country.

Keywords: police, crime, psychology, financial crime, organized crime

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**GEOSTRATEGIC RESTRUCTURING IN THE INTERNATIONAL
POLITICAL ORDER AS A BACKGROUND TO THE MIGRANT CRISIS**

DEFENCE STRATEGIES OF CHINA AND UNITED STATES WITH SPECIAL REVIEW ON NORTH KOREA

Jelena Dinic¹³²

Dusko Tomic¹³³

Predrag Lecic¹³⁴

Abstract

Large number of security problems within the People's Republic of China are defined in the new Defense strategy with a shift towards more offensive policy towards countries and other factors that threaten China's national interests. The current US defense strategy emphasizes the need for extended fight against terrorism and countries such as North Korea which obstruct international law, endangering world security. North Korea developed nuclear arsenals which became a medium of intimidation in international relations, forcing neighbors and big powers to prepare an adequate response to military threats of North Korean authorities.

Keywords: *China, United States, North Korea, defense strategy, power;*

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ISLAMIC STATE - THE CAUSES OF GENESIS AND INFLUENCE OF REGIONAL POWERS

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Katarina Jonev¹³⁶
Igor Barišić¹³⁷,

Abstract

The region of Middle East has been for centuries space of interweaving of interests of power holders, both within the countries of the region, as well as the interests of regional and major world powers. The favorable geographical position and significant reserves of natural resources, principally oil, make the Middle East, in terms of security, very sensitive. Clash of civilizations and religions in the region and the locations of the most important holy places for both Christianity and Islam were historically a stumbling rock and a great obstacle to peace and prosperity.

The aim of this paper is to point out and to attempt to answer the question 'What causes contributed to the occurrence and development of the Islamic state?'. Considering the complexity of the security reality in the Middle East, it can be said that the importance is reflected in the fact that it provides a contribution to its knowing the aspect that arises from the problem issues. We can say that this paper is important because it points to the groundlessness of identification of the ideology of Islamists as the narrow views of individuals or groups of people with learning official Islam as one of the three major world religions.

Key words: *Middle East, Islamic state, civilization, religion, natural resources*

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THE ISIS AS A CHALLENGE TO INTERNATIONAL SECURITY AND THE INITIATIVES OF THE INTERNATIONAL COMMUNITY: LEGAL PROFILES

Valentina Ranaldi¹³⁸

Abstract

Since the international community has perceived the *Islamic State of Iraq and Syria* (ISIS) as a threat to international security, many initiatives that are relevant for the legal analysis have been taken. First of all, the paper deepens the aspects of international legality related to the use of force against the ISIS. In fact, the international military operation led by the United States has raised many doubts as to its compatibility to the international law. Military attacks of the US-led coalition against the ISIS have taken advantage from a growing number of participants. Four Gulf States (Bahrain, Saudi Arabia, Qatar, United Arab Emirates), as well as Jordan, have in fact participated, from the beginning, to the raids of the American armed forces (raids began on the night between 22 and 23 September 2014 in order to hit the Islamist organization that, within three months, had conquered a significant and growing part of territory between Iraq and Syria).

A few days later, also Denmark and the UK have joined the coalition. British Prime Minister Cameron, who on September 26, 2014 has won the vote of confidence of the Westminster Parliament for the mission in Iraq, responded to criticism from the opposition, both Labor and Conservative, to the mission, stating that the military operation against ISIS differs from previous British missions in Iraq because this time “there are legal basis for the intervention, as we have asked the Iraqi government”.

Turkey too joined the coalition since it approved, on October 2, 2014, a parliamentary resolution that decided operations in Iraq and Syria and authorized the transit through the Turkish territory of foreign military forces committed against ISIS jihadist militants.

About these attacks, Russia has accused the US from the beginning to point to geopolitical goals without worrying about violating the sovereignty of the States involved and destabilizing the already strained situation in the Middle East. The Russian position was to consider air strikes in Syria, without the consent of Damascus and in the absence of decisions of the UN Security Council, as “an aggression and a gross violation of international law”. Consistently with this position, Russia has decided to launch air strikes only under request of “military assistance” by Syrian President Assad.

In addition to the initiatives taken by States or coalitions of States, several Resolutions of the UN Security Council have been taken, in order to prevent any activity of the IS. Finally, the Resolution n. 2253(2015), adopted unanimously by the Security Council on December 17, 2015, has expanded and strengthened the Al-Qaida sanctions framework in order to include ISIS, in a sweeping move to suppress the financing of terrorism.

Actually, other Resolutions had been previously taken, including the n. 2170 and 2178 - respectively of August and September 2014- and many others, which the paper deals with in order to understand to what extent the efforts of the international community are really effective and what tools the international law offers to face the outstanding challenge to international security represented by ISIS.

Keywords: *ISIS, security, legality*

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MODERN TERRORISM AND GLOBAL SECURITY

Zdravko Skakavac¹³⁹

Abstract

2015. years will be remembered, from security aspects, by two major global problems. The first one is related to the expansion of migrant movement that began with the exodus of Albanians from Kosovo in early February this year, and during the year led to an unprecedented refugee wave from the north Africa and the Middle East to the European Union. Another, more serious problem is related to the escalation of terrorist acts around the world. In this regard, this work will point to the most important aspects of these two significant security problems.

Key words: *Migrants, refugees, terrorism, European Union, Islamic state.*

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CONTEMPORARY SECURITY THREATS AGAINST REPUBLIC OF MACEDONIA IN THE LIGHT OF SYRIA- IRAQ WAR CONFLICT

Tome Batkovski¹⁴⁰

Abstract

This paper elaborates issues related to possible security threats against Republic of Macedonia which come out of the Syrian-Iraqi war conflict. The starting point is the nature of this war conflict, i.e. the interests of the major military forces on the territory of Syria and Iraq which show clear sign of geopolitical reign on this territory in Asia and realization of the vital economy interests. The author emphasizes the opposing sides in the war conflict and their political and religious determination which is an essence to the polarization of the forces. The author tries to point out the real and potential security consequences to Republic of Macedonia, especially those related to spreading of radical Islam and the ideas of Islamic state as a basis of development for terrorist activity on the one hand, and widening of the refugee crisis before and after closing the Balkan route on the other. The author discusses not only the outside threats but the inside confrontations as well, and their impact on politics (political crisis). This paper also sets the necessary obligations to the security system organs in Republic of Macedonia in order to cope with the new security challenges in a successful manner.

Keywords: *war conflict, crisis, terrorism, extremism, refugees, security*

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GLOBAL MIGRATION CRISIS AND TERRORIST THREATS TO EUROPEAN COUNTRIES (GEOPOLITICAL AND GEOSTRATEGIC ASPECTS)

Tihomir Lichev¹⁴¹
Katia Licheva¹⁴²

Abstract

In recent years, the most rapidly developing field of political geography is closely related to geopolitics and geostrategy. The present study makes a theoretical and chronological analysis of these concepts and their contemporary manifestations.

The object of this study is the theory of the development of different civilizations and fundamental Islam and its projection of radicalization in various organizations, countries and continents. In recent years, there have been breakthroughs in the fight between civilizations and societies, as well as in the interpretation of various religions. The events in North Africa, the Middle East and Afghanistan led to the radicalization of the situation in the Islamic world. This study makes a coherent analysis of the Arab revolutions, which have opened the "Pandora's box" and sharply increased terrorist attacks in Europe, the USA and elsewhere, organized by various Islamic terrorist organizations. Special attention is paid to the emergence and development of the "Islamic State" and its differences with "Al Qaeda".

Logically the military actions in Libya, Syria, Iraq and Afghanistan intensified the wave of migration to the EU. The study indicates the path of migrants by sea and land, and their main goal - their settlement in the rich countries of the EU-Germany and the Scandinavian countries. The Balkan Peninsula, due to its geopolitical position, is exactly the "pathway" of the bulk of migration flows. Moreover, the political wave of migration is economic in nature, which also must be distinguished. In addition, the wave of migrants from the region "Sahel" in Africa to Europe is constantly increasing. This study also analyses the insufficient and short-sighted policy of the EU which cannot cope with the wave of migration. On the other hand, the neo-liberal policies of Europe show a complete collapse - the majority of terrorist attacks involve Muslims who have been settled in Europe for a long time. The experience of the Republic of Bulgaria has also been stated and how it has been coping with the wave of migration and terrorist threats. The conclusion outlines recommendations for solving the Middle East crisis, which are likely to decrease the migration wave and terrorist threats.

Keywords: geopolitics, migration, terrorism, "the Islamic state", Middle East crisis

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THE INFLUENCE OF THE OIL RESOURCE ON THE GLOBAL SECURITY CHALLENGES

Lazar Gjurov¹⁴³
Drage Petrovski¹⁴⁴
Nikola Siligunis¹⁴⁵

Abstract

Crude oil is the most important natural resource of the industrialized countries. The oil components have been used for production of almost all chemical products. The world spends almost 14 milliard liters per day and because of this the contemporary life is unimaginable without the crude oil. Being a strategic energy resource, it enables the development of the industry and the economy of each country. Therefore, there is an enormous interest by all the crucial global actors (countries and organizations) to control this crucial resource.

The parties interested in controlling this resource undertake various activities in order to achieve that purpose such as: conducting political propagandas; supporting(financing) illegal structures; taking actions to conquer the territories rich with oil, hidden under alleged efforts to democratize the societies; and interfering with the particular state governance and changing the certain regimes. All of the mentioned activities create huge global security challenges.

Within this paper, we will analyze the current distribution of oil. We will present the global production and consumption of this key resource, as well as the fluctuation of changing prices in accordance with the dynamics of supply and demand. As follows will be carried out historical overview of the security challenges resulting from oil. Also we will include the oil crises which were intentionally created.

Furthermore, in the framework of this paper we will analyze the power of the oil of the Islamic state as a dominant global security problem. It will be elaborated the connection between ISIS and the oil and to what extent it gives power to the Islamic state in order to sustain the primacy of a serious “player “in implementing it’s "mission" through the Islamic fundamentalism and radicalism as a working platform.

Finally, it will be put an accent on the alternative solutions to the oil dependence, as an addition to the analysis of the challenges that the humanity is facing with due to the connection between oil and security. This section will suggest solutions for overcoming the long strategic game played around oil and its dominant role as a resource that caused major security disturbances.

Keywords: Resources, Oil, Conflicts, Economy, Security

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MIGRATION AS A GLOBAL AND SECURITY CHALLENGE

“DEVIANT” STATES OR DEVIANT MIGRANTS: BETWEEN THE DISCOURSE OF “CRIMMIGRANTS” AND CLOSED BORDERS IN TIMES OF REFUGEES’ CRISIS

Stanojoska Angelina¹⁴⁶

Abstract

Syria was and still is one of many examples where human destinies are just pawns in chess games played by mayor forces. Being pushed under the rain of barrel bombs, Syrian citizens, using already established paths by organized crime groups, started their movement to the European Union. Every day we are witnessing rivers of people walking the Balkan route with only one thought on their mind...get to their destination and save their life.

On the other hand, EU and its partners on the Balkans did not show anything, but immaturity. It looks like no one is ready to find a possible solution or even worse does not want to find any. EU once again has shown how weak are its structures, how member states don't care for common interests, how all 28 are working for themselves.

Methods: Using comparative method and document analysis, an analysis of the EU's and Macedonia's legal solutions in the area of Asylum Law regarding existing problems, will be undertaken. Also, using data from the Ministry of Internal Affairs and State Statistical Office a parallel between legal and illegal immigration will be made.

Key words: asylum, crimmigrant, globalization, illegal migration, smuggling of migrants.

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MIGRANTS: NEW CHALLENGES FOR THE EU

Sinisa Domazet¹⁴⁷

Vesela Radovic,¹⁴⁸

Abstract

Bearing in mind the negative aspects of climatic changes, the increase of the number of natural and technological catastrophes worldwide as well as the wars in Africa and in the Near East, a large number of migrants have appeared who struggle to get to wealthy West European countries searching for safety and better life. In addition to economic migrants, as well as the refugees from war-devastated territories, there appears to be a new form of refugees: environmental refugees. Considering the studies of both many international organizations and scientific circles related to climatic changes, which suggest that the negative effects of climatic changes will be even more pronounced in the future, the problem of environmental refugees becomes even more significant. Current migrant crisis shows all weaknesses of the Dublin system, as well as the weaknesses of the entire system of migration management in the European Union in general. Moreover, European solidarity that has been emphasized on countless occasions before has almost completely failed in case of the current migrant crisis, showing all its shortcomings. The lack of desire to face the problems of migrants “storming” the Union borders more seriously has deeply disturbed long built neighborliness among the member-countries. As the consequence of that the fences are being raised on both external borders and on the borders between the Union Member States, which has seriously brought the Schengen system into question. In this paper the authors have attempted to suggest in which way the migrant crisis might be solved. The paper, therefore, suggests to the serious problem related to the precise defining of the concept of environmental refugees at the international level, the growth of their number, as well as the negative consequences that will lead to the increase of their number in the EU. It has also been suggested to the weaknesses of the existing regulations on migration management in the Union and the need to change the existing legal framework. Statistic and normative methods have been used in the paper, as well as legal-logic methods of induction and deduction.

Keywords: environmental refugees, law, security, catastrophes, migrations

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THE CHALLENGE TO REMAIN HUMANE IN THE REFUGEE CRISIS WITH SECURITY RISKS -STORIES OF THE REFUGEES-

Cane Mojanoski¹⁴⁹

Elena Dimovska¹⁵⁰

Abstract

Since the beginning of the riots in Syria in 2011, the Syrian civil war has culminated into major refugee crisis. According the estimates of Amnesty International, more than 50% of Syria's population is currently displaced. More than 4 million refugees from Syria are in Syrian neighboring countries, but most of them are trying to get in Europe to achieve their goal for safe and peaceful life. But not only Syrians are participating in this refugee influx. There are also Afghans, Iraqis, Moroccans, Iranians, Libyans, Pakistanis, Palestinians and other nationalities from the Middle East who are fleeing from their homes. Due to past terrorist acts that occur on European soil, and due to threats of Islamic state of Iraq and Levant (ISIL) that they will attack in Europe, some states change their policy toward refugees because of fear that ISIS members may be infiltrated among them. Even though they know that most of them are fleeing precisely because ISIS. In struggle to protect their country and their citizens some states forget that inhumane treatment may negatively reflect upon security of the state.

This paper aims to show descriptive analysis of the situation in Syria through the prism of Syrian refugees, as well as to show suffering experienced by refugees on their route to Europe.

Key words: *refugee crisis, security, threats, humanity*

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MIGRANT CRISIS, A SECURITY CHALLENGE FOR THE REPUBLIC OF MACEDONIA

Muhamet Racaj

Abstract

The migrant crisis is an imposed problem that requires a thorough solution. The complete understanding of the reasons for migration, as well as the situation in the Mediterranean basin and in the Middle East is a precondition for finding appropriate solutions. Eradication of poverty and disparity, the fight against terrorism and the ISIS extremism as well as the fight against other similar groups are just a fraction of the necessary preconditions for a successful dealing with the current challenges. The solution to the drama with the infinite wave of migrants from Syria and the Middle East, to which we are sad observers, seems is not to be seen soon¹⁵¹. First of all, if we look at the European political elite and the general lack of a reliable and clear strategy for solving this problem, all we will see is helplessness and mutual accusations. The migrant or the refugee crisis is followed by a large number of incidents or series of events. The massive arrival of refugees in the European Union, usually illegal migrants from Asia, Africa and parts of Southeastern Europe, started in the mid of 2010 and escalated in 2015. The reasons for the mass arrival are traditionally associated with the chronic unemployment and poverty in these countries, but lately, are also result of the war, especially in Syria, where the civil war caused massive exodus of the population. The situation is similar in Libya, where the fall of Moamer Gaddafi's regime led to anarchy, used by the well-organized networks of human traffickers.

By mid-2015, the refugee crisis mainly took place on the Mediterranean coast of Italy, where refugees were arriving by ships and boats. In many cases, such attempts were futile and led to mass deaths. Lately, there has been a massive influx of refugees and migrants in the Balkans, using Greece and Croatia, EU member countries on the periphery of the Union, as entry point. But also, The Republic of Macedonia and the Republic of Serbia, candidate countries for the EU, are not bypassed. Although the European political establishment met the refugees with sympathy and as victims of the horrors of war that EU needs to provide shelter for, in time, the attitude toward the refugees became subject to fierce criticism by part of the European public. Concerns about the additional burdening of the social services, worsening of the security situation or the possible disappearance of the Christian identity of Europe due to the massive influx of Muslims from war areas in the Middle East arose. Recently, the attitude toward the migrants became the subject of a heated debate - dispute between some European countries, especially between Germany, which insists on "open door" policy and Hungary, Slovakia and Poland, which claim that their countries will suffer consequences due to such policy.

The refugee-migrant crisis is a threat in several aspects and already has influence on the economic and social stability as well as internal security in the countries through which the migrants transit or remain, including the Republic of Macedonia. The busiest western – Balkan route used for

¹⁵¹<https://vecernji.org/>

arrival in the Schengen zone, especially in Germany, Sweden and other western and Nordic countries, brings negative influence visible in the social aspect, genuine threat to the national identity (culture, language, religion) and such endangerment inevitably will lead to an increased incidence of xenophobia, nationalism and racism. At the end, conditions for emergence of social disintegration will be created in the countries through which the migrants transit or remain, including the Republic of Macedonia. The economic stability, being crucial for a social stability, but also, for internal security, will be affected due to the use of additional resources and capacities (accommodation, health, communal services, transport and education) that the affected countries, including the Republic of Macedonia, should provide and set in function due to the newly arisen situation.

Key words: migrants, refugees, challenge, security, stability.

TREND OF CRIMES RELATED TO ILLEGAL MIGRATION IN THE REPUBLIC OF MACEDONIA

Toni Mileski¹⁵²
Zoran Joveski¹⁵³

Abstract

In the contemporary context, illegal migration becomes a challenge for both national and regional security and the first order priority. Illegal migration is only part of a wider range of non-conventional threats to peace and stability in Republic of Macedonia which does not recognize restrictions, it is transnational and without any respect for state borders. In the same context, crimes related to illegal migration, represent only side effect of this kind of social deviation. Also, assessing the relevance, illegal migration represents the logical consequence of the enormously large number of illegal migrants located on the southern border of the Republic of Macedonia.

This paper primary attempt to display and analyze the trend of crimes related to illegal migration and secondary attempmts to display and analyze the way of dealing with illegal migration through legislative changes in the area of dealing with illegal immigration.

Key words: illegal immigration, crimes related to illegal migration, trend, deal

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RADICALIZATION AND DERADICALIZATION - THE CASE OF REPUBLIC OF MACEDONIA

Dragan Lazarevski

Abstract

Globalization and modern relationships in the world lead to a situation where certain communities and groups have been favored at the expense of others that remain on the margins and not sufficiently integrated into society. Due to this unsuccessful integration or alienation from society, certain individuals and groups from these communities express their dissatisfaction through a radicalization, that is, accepting extreme political, social, or religious ideals, that in large extent, lead to violence and terrorism. Exactly in the region of the Balkans, that is, the countries that emerged after the disintegration of former Yugoslavia, this problem of radicalization is strongly expressed. In these areas exists radicalization on religious and ethnic grounds, which could be seen from the Balkan wars in the 90s. Over time the process of radicalization has evolved, that is, if once for one person to be radicalized, it was necessary to be in direct contact with radicalized individuals or members of terrorist organizations, now radicalization is commonly done online, through easily available materials on the Internet. This paper will attempt to provide answers to several key questions such as: how one person is radicalized, that is, can we set up model of radicalization, what are the stages of radicalization of individual, toward what the radicalization might lead. That the radicalization is a global problem, which is largely present in the Republic of Macedonia, speaks the research made on students from two faculties in Macedonia, through a survey. From this research can be seen, how Islamic State global campaign for radicalization and recruitment of individuals to perpetrate terrorist attacks or to participate in the battles in the Middle East, affects the citizens in Macedonia. By analyzing the international experience and guidance on DE radicalization, arise the conclusions of this paper, on which way the DE radicalization process of radicalized individuals should go, that is, which methods the law enforcement agencies may apply for easier detection of such persons as well as prevention of possible violent acts through DE radicalization.

Keywords: *radicalization, terrorism, deradicalization, Islamic State.*

RADICALIZATION OF ISLAM IN THE MIDDLE EAST AND THE BALKANS: ISLAMIC THREAT OR THREAT TO ISLAM?

**Vasil Arminoski,
Goran Dimovski¹⁵⁴**

Abstract

One of the basic human rights and freedoms is the right of free choice of religion and faith. This right ensures that each individual can practice any religion of their choice or to worship God or Being. However, can a misinterpreted or misused religion raise questions about security problem in a country or community? After numerous and monstrous terrorist acts committed by the "true fighters of Islam" worldwide, the global scientific community increasingly had begun to talk about "bloody borders" of Islam who openly threaten humanity and all non - Muslim nations. Such events in the world do not represent the opposition between Christianity and Islam, but rather, the root of conflict lies in the clash inside Islam itself, that is the deep conflict between radical Islam and traditional Islam. For serious and experienced analysts there is no equality sign between Islam and terrorism, because Islam is one of the three major world religions with fourteen centuries of history, embedded with an extremely diverse culture and population counting billion and three hundred million people. At the same time, another important note should not be missed - the influence and financial power is inversely proportional to the number of followers of this movement. The attitude of political scientists on this issue is unique and they believe that the greatest impact of Wahhabism shows the line between the two worlds – the one who is in constant expansion and one that is in the process of disappearing. This thesis about Wahhabism not only confirms the terrorist attacks in New York or Paris but also, undeniable is his involvement and influence in recent developments in the North Caucasus, Dagestan and Chechnya who are part of Russia. Wahhabis today, except in Saudi Arabia, they are more numerous in the United Arab Emirates, Pakistan, Sudan, Afghanistan, Iraq, Syria, and recently in Turkey, Chechnya, Bosnia and Kosovo. This "ground" is not random if we know the fact that political, religious and ethnic elites in these countries operate in extremely antagonistic societies with radical views - to say the least. Therefore, the main question is - whether radical Islam is an Islamic threat or a threat to Islam itself?

Keywords: religion, security, radical Islam

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LEGALITY AND LEGITIMACY IN THE IMPLEMENTATION OF THE SPECIAL INVESTIGATION MEASURES FOR THE DISCLOSURE OF CRIMINAL ACTS IN THE AREA OF ORGANIZED CRIME IN THE REPUBLIC OF MACEDONIA

Marjan Nikolovski¹⁵⁵
Frosina Tasevska – Remenski¹⁵⁶

Abstract

In a democratic and organized society, the individual's awareness and the consciousness should be on top of all other norms. If the organized crime is a serious threat for the citizens of the contemporary democratic world, with the implementation of the special investigation measures, the fundamental human rights and freedom shall not be violated, but on the contrary, they should be the greatest warranty in the function of protection of the citizens and their property generally.

The principles of legality and legitimacy are the best warranty in terms of implementing the special legal investigation measures. Also, they are the condition for the development of a specific democratic society where the human rights and freedom are being respected.

Key words: organized crime, special investigation measures, Legality, legitimacy

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COMPARATIVE OVERVIEW OF STATISTICAL ANALYSIS OF DISMISSAL OF CRIME REPORTS IN THE REPUBLIC OF CROATIA AND BOSNIA AND HERZEGOVINA

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Nedžad Korajlić¹⁵⁸

Driton Muharemi¹⁵⁹

Abstract

The article comparative analyses the statistical findings of the crime reports dismissed by the State Attorney in the Republic of Croatia and Bosnia and Herzegovina, in the period from 2008 to 2012. Introductory, short comparative overview of the legal basis for making the decision on dismissal of police crime report under the law on criminal proceedings of both countries is given. Greater attention is dedicated to the non-legal reasons (internal and external) that affects on the: a) submitting of crime report to the State Attorney, and b) making the decision on dismissal of crime report; which are on the side of a police officer and state attorney in the criminal prosecution system. Following to this, statistical data on dismissal of crime reports in the Republic of Croatia and Bosnia and Herzegovina are analysed in order to determine the basic structure of the dismissal of crime reports in relation to the total number of people reported for the offense. Finally, conclusions are drawn regarding the conducted statistical analysis of the dismissal of crime reports in both countries. The article also points to the need for further research of legal grounds for dismissal of crime reports, especially on legal grounds of: a) the absence of a criminal offense and b) the absence of a reasonable suspicion or evidence of the committed criminal offense.

Key words: crime report, police, State attorney, prosecution, dismissal of crime report

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Lessons learned from response to soft-target attacks (France and Belgium)

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Abstract

The attacks of September 11, 2001, marked a change in terrorist attitudes in that the aim is no longer merely to threaten and get public attention, but also to kill as many people as possible. To paraphrase famous terrorism studies researcher J R White, killing was once an outcome of an operation, now killing is a terrorist operation itself.

Soft targets are generally understood as being those that have no state, military, security or political affiliation. Analyzing some of the recent soft target attacks, we see that this phenomenon is becoming even more dangerous in that barriers are being lowered for new terrorists to become more destructive. There has been a growth in ‘commando-street’, or so-called ‘Mumbai’ scenario attacks. Attacks on soft targets give terrorists an obvious tactical advantage: for law enforcement it is easier to intercept the preparation to hard target attacks because they need considerable financial and technical preparation, and more people involved. Meanwhile, soft targets attacks may be performed by lone-wolves or small cells.

On 13 November 2015 three suicide bombers struck near the Stade de France in Saint-Denis, followed by suicide bombings and mass shootings at cafés, restaurants and a music venue in central Paris. The attackers killed 130 victims and injured more than 350.

On 22nd of March 2015 two attacks on the airport Zaventem and the city's metro system killed more than 30 people and injured more than 300. The attacks were claimed by the Islamic State (IS) militant group.

The research is going to give full events map: it will be a look at the preparations leading up to the attacks and the attacks themselves. The presentation will also take a look at the perpetrators. After that it will be look at the targets and tactic rationale, with an assessment of the impacts of the attacks.

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