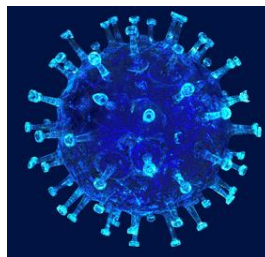
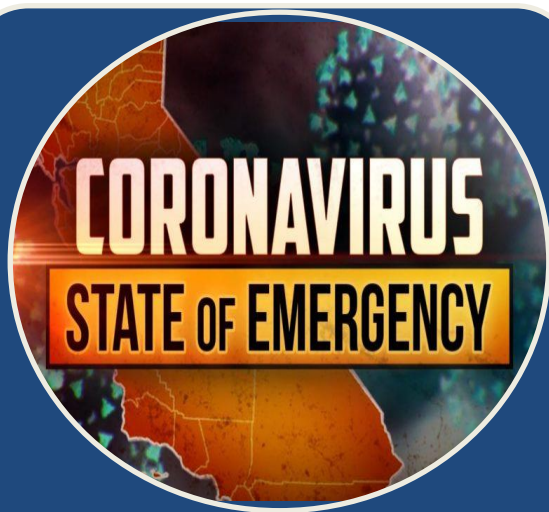


Associate Professor Olga Koshevaliska

# The impact of COVID – 19 on North Macedonia policy for migration and asylum – the story behind the scenes



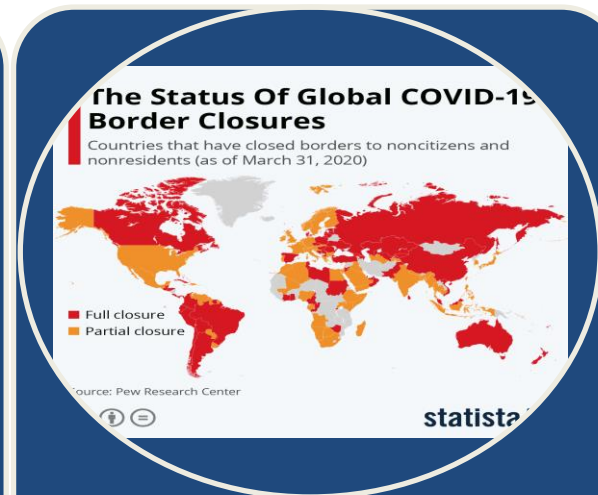
## Introduction: Covid-19 pandemic in North Macedonia



state of emergency  
& state of crisis



Curfew & restriction  
of non-essential  
movement or  
gatherings



closure of all  
borders crossing  
points

# State of crisis on the national borders



## EU to deploy border guards in Macedonia to curb migrants

By Georgi Gotev | EURACTIV.com with AFP

Jul 19, 2018

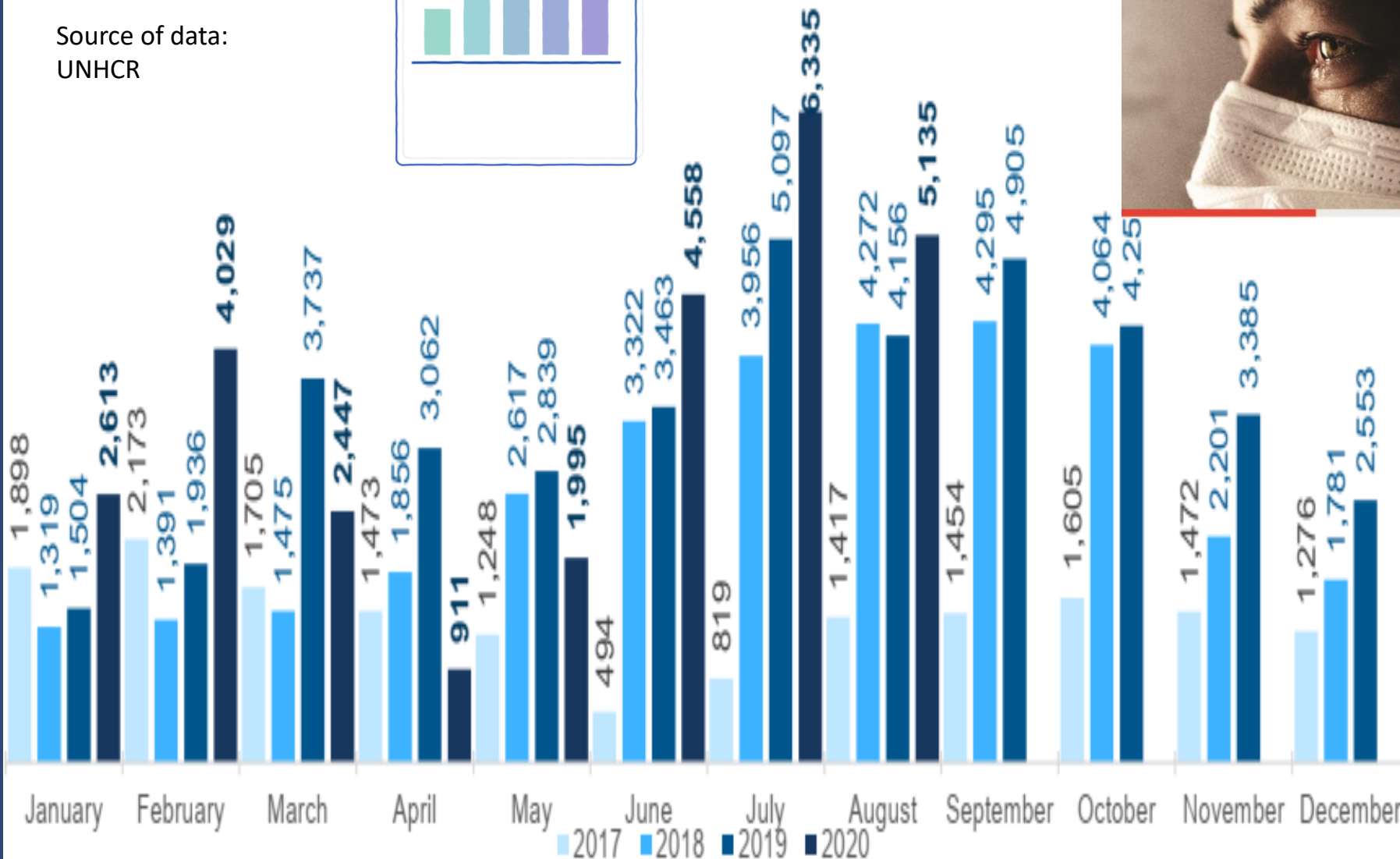
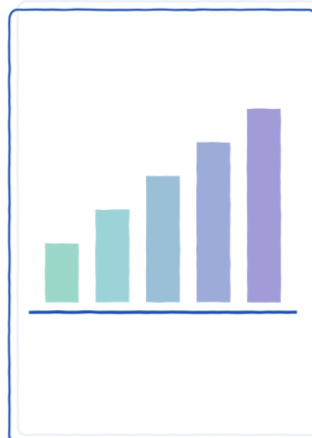
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# North Macedonia

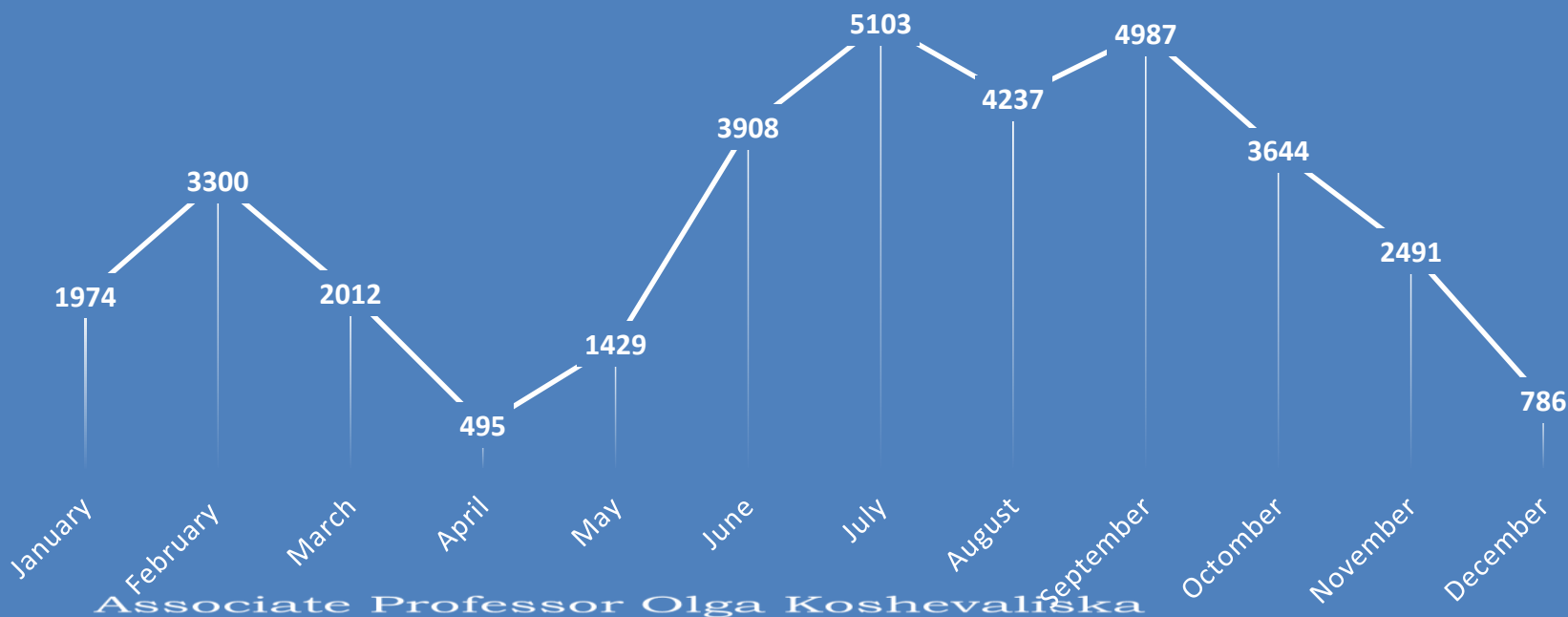
Source of data:  
UNHCR



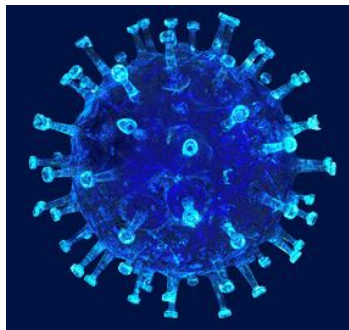


## NUMBER OF MONTHLY ARRIVALS FOR 2020

— Number of monthly arrivals for 2020



Associate Professor Olga Koshevalińska



Shelter conditions  
and time length of  
isolation



access to medical  
care, health  
restrictions

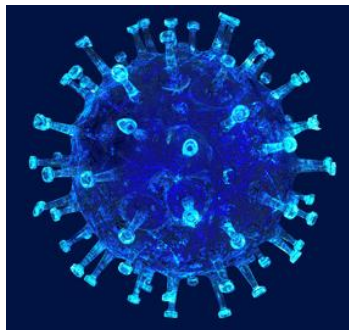


tightening and/ or  
suspending rules  
regarding freedom  
of movement,  
**PUSHBACK**



Asylum rights

← conditions in residence facilities (issues related to quarantine) →



Access to legal aid



Covid – 19 information in multiple languages



providing health protocols and supplies of prevention



dealing and treatment of positive cases with Covid – 19

← conditions in residence facilities (issues related to quarantine) →



Immigration detention



Unconstitutional provisions for limitation of freedom of movement



Administrative body to decide regarding the freedom of movement?



Associate Professor Olga Koshevaliska



According to the ICCPR, the deprivation of liberty is only permissible “...when it occurs ‘on such grounds and in accordance with such procedure as is established by law’ and when it is not arbitrary (The concept of arbitrariness includes elements of injustice, unpredictability, capriciousness, and disproportionality)

THE PROHIBITION OF ARBITRARY DETENTION  
IS **ABSOLUTE** EVEN DURING TIMES OF  
PUBLIC EMERGENCIES.

*UN WORKING GROUP ON ARBITRARY DETENTION*



**Law on Foreigners:** For the purpose of safeguarding in the removal procedure, a foreigner may be detained by the Ministry of Interior for maximum 24 hours. (art.158)

The foreigner shall be temporary detained in the Reception Center until the termination of the reasons which have prevented his/her removal from the territory of the Republic of Macedonia, but not longer than **six months**.

As an exception to paragraph (1) of this Article, the detention may be extended for **additional 12 months at the longest**,

provided that the foreigner:

- refuses to give personal or other data and documents that are necessary for his/her removal or has given false data,
- hinders or prolongs the removal in any other manner, or
- if it is justifiably expected the travel or any other documents that are necessary for removal and that are requested from competent bodies of other countries to be delivered. (art.161)



### **Law on International and temporary Protection**

In exceptional cases, asylum seekers may have their **freedom of movement limited**, if other less coercive alternative measures, in accordance with the national legislation (seizure of identity documents, regular reporting) cannot be effectively applied.

Since the refugees are usually held into detention in order to be used as witnesses in criminal proceedings, we ask ourselves does this represent a violation of the basic rules of the Criminal procedure law?



# 2020 LOADING...



Number of detained persons because of immigration reasons	317
Number of detained persons in the RC for Foreigners	100
Number of detained persons in TC Vinojug	217
Average length of detention in TC Vinojug:	17 days
Longest detention in TC Vinojug	55 days
Number of Decisions for deprivation of freedom of movement to asylum seekers	11



# Smuggling business

price for smuggling went sky-high to approximately to 800 - 1000 euros per person



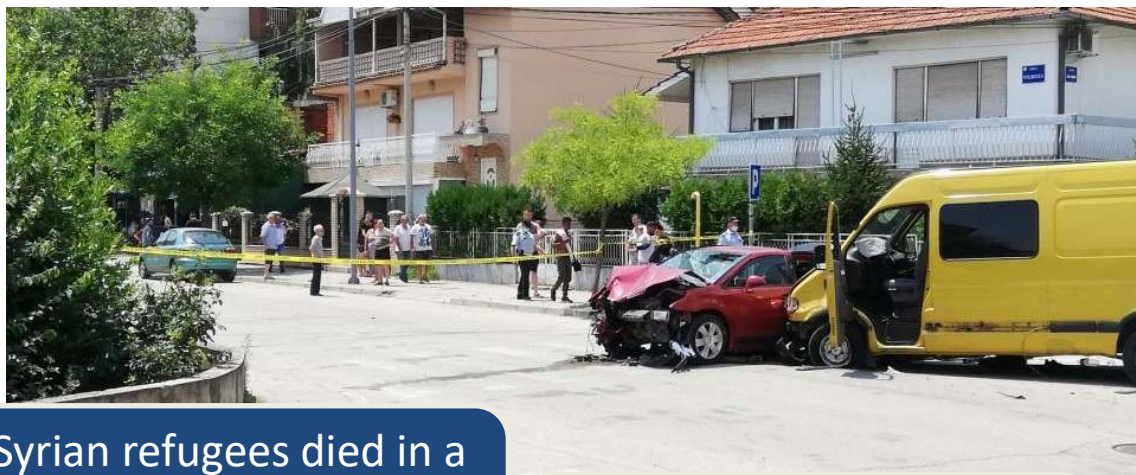
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# Smuggling of migrants





THIRTY SERIOUSLY INJURED,  
OF WHOM 11 MIGRANTS IN  
A SERIOUS TRAFFIC  
ACCIDENT NEAR STIP



Two Syrian refugees died in a  
traffic accident; one police  
officer suffered heavy injuries

JUNE, JULY AND AUGUST NEARLY 10  
TRAFFIC ACCIDENTS - MIGRANTS INJURED  
OR DEAD



MIGRANTS FROM PAKISTAN, SYRIA,  
AFGHANISTAN, BANGLADESH - COVID 19  
CHECK

RUNNING AWAY FROM THE POLICE, OVERTURNED  
VEHICLE, DIRECT COLLISION - DRIVERS USUALLY ON THE  
RUN

# Issues to be resolved

- Respect the legislative & respect the rights of migrants
- Stop with the detention of migrants for the purpose of securing witnesses in criminal proceedings







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