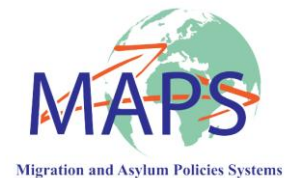


# OUTSOURCING AND COOPERATION WITH THIRD COUNTRIES – DECONSTRUCTING THE FORMAL AND THE INFORMAL IN MIGRATION AND ASYLUM POLICIES

The conference is convened by Ana Nikodinovska Krstevska and Olga Koshevaliska, (University Goce Delchev – Shtip), as part of the MAPS Jean Monnet Network.

EU Cooperation and Solidarity in Migration and  
Asylum with North Macedonia

Ana Nikodinovska Krstevska, Olga Koshevaliska, Elena Maksimova



23.09.2021

# EU solidarity crisis in migration and asylum policy



EU's external solidarity



EU's internal solidarity

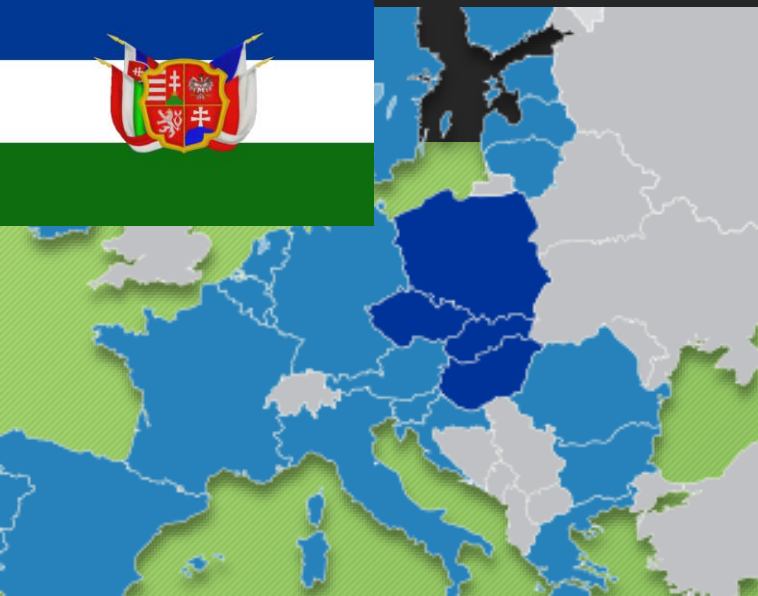


Burden sharing ?

# Police cooperation with the “gatekeepers” of the external borders of the EU



# “Stuck in the middle” with EU



Vishegrad countries



Eu mainstream policy

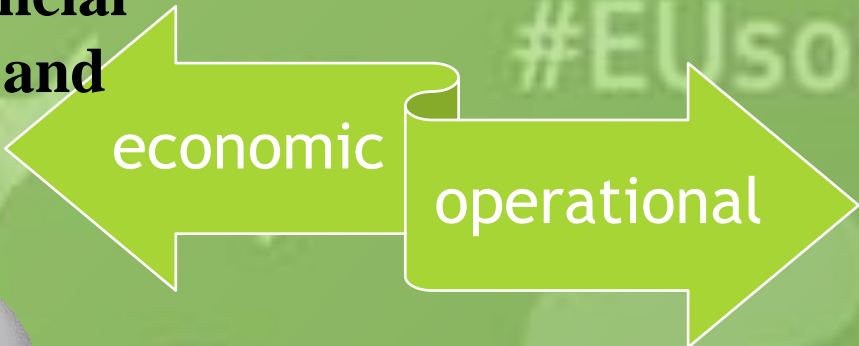




**continuous international co-operation → Czech Republic, Poland, Slovakia, Austria, Hungary, Slovenia, Croatia and Serbia**



**financial support: funding, financial instruments, and monetary resources**



**technical equipment or personnel needed in specific sectors such as border controls or asylum systems - FRONTEX**

1. Republic of Macedonia on January 19<sup>th</sup>, 2009 has signed an Working Agreement with Frontex
2. In July 2018, EU Commissioner and Macedonian Interior Minister agreed on a Status Agreement that would allow Frontex teams to be deployed in Macedonia.



**The need for solidarity for combating transnational organized crimes**



# History repeats and the problem continues?!

## Could it go wrong?



Number of reports of violent pushbacks increased in recent years, even while Frontex “present”.

This problem in the past stimulated the migrants to seek for alternative ways of continuing their path – smuggling migrants



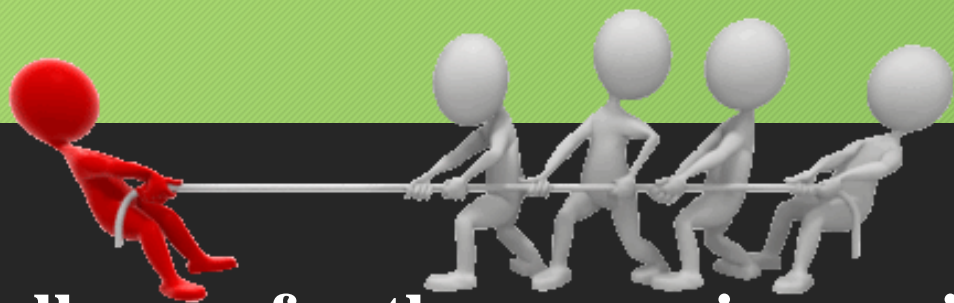
BVMN & Statewatch, 8<sup>th</sup> June 2021 → **Letter of concern** to the head of Frontex’s Fundamental Rights Office and all Members of the Consultative Forum on Fundamental Rights - with listed cases of pushbacks and fundamental rights violations documented over the past two years at the North Macedonian-Greek (One from 2019, three from 2020 and one from 2021)



Response from FRONTEX - **had no activities at the land border from the North Macedonian side, and were only operating on the Greek side**

- 2020 - testimonies from migrants

- **NGO Border Violence Monitoring Network**



# Challenges for the upcoming period



increase border control and surveillance  
a market for irregular migration, including human trafficking and other abuses  
restrictive approaches, they believe that border procedures, detentions and forced returns will be serious risk factors

More than 150 police officers' officials from EU states did not managed previous wave, risk - still not overcome -Afghanistan.

**New migration wave**



the Pact risks exacerbating the focus on externalization, deterrence, containment, and return

fueled hate speech, public outrage, disinformation campaigns

Proper deployment

**transit country for migrants  
major security challenge for the country**

Concerns

increase the risks of exploitation and human trafficking, as well as violations of exploited and trafficked persons' rights  
greater cooperation with third countries, however, cooperation is not obliged (conclusion of formal agreements)

For Balkans -most important co-operation with Frontex, the European Coastal and Border Agency, in the fight against "human trafficking" and "illegal migration".

**EU's new Pack on Migration and Asylum**

flexibility is left in expressing solidarity -how to express it, states can decide for themselves

# Conclusion remarks

## Migrants



- crossing the Balkan route aim to reach EU countries
- All possible ways to continue a journey, migrants lean their confidence towards organized criminal group - dark figures in migrant smuggling and human trafficking
- Systematic push-backs of refugees and the absence of propriate, effective procedure and related guaranties deprived the persons concerned of any remedy

## Macedonia



- To prevent a repeat of the past scenario - Government of Macedonia - opens the borders for admission and accommodation of persons.
- the intensity of this migration wave will depend on the other countries through which migrants will have to pass
- The wave is expected in a few months - lots of people who are now in Afghanistan do not have the opportunity to withdraw money

## EU



- cooperation between the EU and Macedonia is necessary, especially with registration and timely detection of possible serious crimes that mean violation of the vital human rights
- EU should make efforts closer to home - in the past here, quite disappointing results
- The New Pact - does not solve this problem for the third countries, calls for greater cooperation is not obliged

without proper cooperation and greater help from EU problems could go even worst, no possibility of realization of rule of law in the country in near future



# Thank you for Listening!



**Ana Nikodinovska**  
Krstevska, Associate  
Professor, International  
Law department, UGD  
ana.nikodinovska@ugd.ed  
u.mk



**Olga Koshevaliska,**  
Associate Professor,  
Criminal Law department,  
UGD,  
olga.gurkova@ugd.edu.mk



**Elena Maksimova,** Assistant  
Professor, Criminal Law  
department, UGD –  
elena.ivanova@ugd.edu.mk