PREVENTION OF ILLEGAL MIGRATION AND FIGHT AGAINST SMUGGLING OF MIGRANTS: QUESTIONING POLICIES AND PRACTICES IN NORTH MACEDONIA

Authors: Ana Nikodinovska Krstevska, Olga Koshevaliska, Elena Maksimova Faculty of Law, University Goce Delcev – Stip

Main discussion points:

- The framework of policies and practices implemented in North Macedonia in subject of prevention of illegal migration and fight against smuggling of migrants, having in mind the different types of police collaboration that have been established in the country with EU Member States through the deployment of foreign police officers on the southern border with Greece and of course the cooperation with Frontex in joint operations in the county.
- Explore to what extent the different policy regimes are efficient and effective in preventing illegal migration and fight against smuggling of migrants and assuring the country's border security.
- Explore to what extend these policies and regimes are compliant with human rights law that is if they are respectful to human security of migrants.

Conclusions:

- The prevention of illegal migration and smuggling of migrants from the aspect of border security is not as much effective and efficient as it has been claimed, considering the big number of illegal migrants that has been registered in the country over the years.
- The big number of illegal migrants is a direct consequence to organized criminal groups that are operating in North Macedonia, on the norther border with Serbia, in the villages of Lojane and Vaksince.
- The practices of border control in the country whether performed by the Macedonian border police or foreign police officers (guest police officers) (and alleged violations coming from Frontex officials) are connected to pushbacks and border violence towards migrants in particular on the border with Greece, and illegal detention.

Raising issues and concerns:

- Is the rule of law in North Macedonia observed?
- Are border control practices in North Macedonia compliant to international human rights standards?
- To what extent are the EU and EU Member States responsible for violation of human rights of migrants in North Macedonia?
- Can the instruments of externalization of EU policies in prevention or illegal migration and fight against smuggling of migrants out of the EU be considered as unlawful?