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THE CONTRIBUTION OF THE REPUBLIC OF NORTH MACEDONIA TO THE PREVENTION AND FIGHTING OF MIGRANT SMUGGLING

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Abstract: *The Republic of North Macedonia, as a country with a central geographic location on the Balkan Peninsula, represents a transit state through which the main road passes, where nearly a million migrants passed in recent years. This is also why many gangs and criminal groups that operate in an organized manner in the territory of the Republic of North Macedonia are allowed to commit criminal offenses related to the smuggling of migrants, which is also the research problem of this paper. With the content analysis method, we offer an overview of the criminalization of the offense of "migrant smuggling" in the Republic of North Macedonia. In contrast, through the statistical method, we offer a statistical analysis of criminal offenses of this type to create a good overview of the number and manner of committing these criminal acts. Based on the results of official statistical data from 2017-2021, it has been established that the number of smuggling migrants is increasing, while the number of persons convicted for the criminal offense "smuggling of migrants" is increasing slightly. We conclude that the Republic of North Macedonia has raised its capacities following international standards and has made a legal and institutional contribution to the prevention and fight against migrant smuggling.*

Keywords: *Organized Crime; Migrants; Smuggling; Crime; Victims*

INTRODUCTION

The migrant crisis is a complex problem that necessitates radical solutions. A comprehensive understanding of the reasons for migration and the situation in the Mediterranean basin and the Middle East is essential for finding appropriate solutions. Migrant smuggling results from people from different backgrounds migrating through the Republic of North Macedonia for a better future. Migration is not only a national issue but also a global problem today. It is influenced by various factors such as political, economic, social, and military circumstances. Illegal migration is a phenomenon that demands significant attention from our country's authorities, as well as from Western countries and the European Union.

The Republic of North Macedonia, located centrally on the Balkan Peninsula, serves as a transit state through which millions of migrants have passed in the last five years, earning the label of a transit country. Additionally, the Republic of North Macedonia is one of the main routes migrants travel in pursuit of a better future. Consequently, numerous organized gangs and criminal groups operate within the territory of the Republic of North Macedonia, engaging in criminal offenses related to migrants, particularly the smuggling of migrants. The increasing

number of such crimes perpetrated by national and international criminal organizations underscores the urgent need for robust and immediate measures to reduce and prevent this type of criminal activity.

This paper aims to provide a comprehensive overview of migration and the routes migrants traverse, the *modus operandi* of the criminal offense of migrant smuggling, and the response of competent state authorities in preventing and combating this issue. Its objective is to offer an in-depth analysis of the number and patterns of these criminal offenses, specifically those committed between 2017 and 2021, and to highlight the Republic of North Macedonia's contribution to preventing migrant smuggling as a form of organized crime. Therefore, the fight against smuggling should be understood within the legal and institutional framework of the Republic of North Macedonia when addressing this phenomenon.

DEFINING "SMUGGLING OF MIGRANTS"

To discuss the smuggling of migrants, it is necessary to define the terms "illegal migration" and "illegal migrant". The concept of "illegal migration" encompasses movement outside the established regulatory procedures, both from countries of origin, transit countries, and the countries that receive the migrants themselves. The term "illegal migrant" refers to an individual who lacks legal status upon entry to the host country due to illegal entry or an expired visa (Training Manual 2002/2003, 19). Based on these definitions, it can be inferred that the smuggling of migrants involves facilitating illegal border crossing and unlawful entry. Consequently, smuggling inherently has a transnational element primarily targeting the interests of the state rather than the smuggled person (Labović and Nikolovski 2010, 442).

During its third session on crime prevention and criminal law in 1994, the United Nations recognized the escalating activity of transnational criminal organizations profiting from the illegal smuggling of migrants (Stanojoska and Aslimoski 2019, 159). This situation necessitated an international legal response to combat such criminal activities, where individuals are treated as commodities with their dignity being disregarded.

In 2000, the Republic of North Macedonia signed the UN-approved Convention against Transnational Organized Crime, along with the Protocol to Prevent, Combat, and Punish Trafficking in Persons, Especially Women, and Children, and the Protocol Against the Smuggling of Migrants by Land, Sea, and Air. According to these protocols, "smuggling of migrants" refers to the act of receiving a financial or material benefit, directly or indirectly, from facilitating the illegal entry of a person into a country where they are not a citizen or permanent resident (Protocol against Smuggling of Migrants, Article 3a).

The Smuggling Protocol specifies that the smuggling of migrants involves procuring the illegal entry of another person into a different country to gain financial or material benefits.

In 2004, the Assembly of the Republic of North Macedonia introduced Article 418b to the Criminal Code, which addresses the issue of migrant smuggling through amending and supplementing the legislation.

According to Macedonian legislation, a migrant smuggler is defined as an individual who, through violence or serious threats to life or bodily harm, robbery, fraud, abuse of their official position, or by exploiting another person's vulnerability, illegally transports migrants

across the state border. Additionally, those who produce, supply, or possess false travel documents for this purpose are also considered smugglers and will be sentenced to a minimum of four years of imprisonment. Anyone involved in recruiting, transporting, carrying, buying, selling, sheltering, or accepting migrants will face imprisonment ranging from one to five years. If the commission of the crime of migrant smuggling endangers the life or health of the migrants, or if they are treated disrespectfully, rudely, or prevented from exercising their rights under international law, the perpetrator will be sentenced to a minimum of eight years imprisonment (Official Gazette of RNM, No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12).

STRUCTURE OF ORGANIZED CRIMINAL GROUPS FOR COMMITTING THE CRIME OF “MIGRANT SMUGGLING”

A structured group is a group that is not formed randomly, such as a group formed for the immediate commission of a crime. Members do not necessarily have formally defined roles, continuity of membership, or a developed structure (Palermo Convention 2000, Article 2).

The implementation and solution to the smuggling of migrants depend on several factors: the distance between the migrant’s destination and their country of origin, the transportation connections between those countries and transit points, the number of migrants being smuggled, the level of organization, the size and readiness of the criminal group, the effectiveness of the security system’s response to organized illegal migration, the efficiency of state border security, and other factors. Some research shows several principal levels of operation:

- Informal leadership, committed to the entire process of human trafficking and migrant smuggling, controls the specific route and ensures the group’s security.
- Internationally connected criminal bosses operate in the victims’ countries of origin, transit, and destination.
- Specialized teams are paid to smuggle people through specific border areas.
- Local collaborators in specific centers or border areas are entrusted with specific tasks (Mijalković and Bajagic 2012, 135).

Criminal smuggling networks are well-structured, hierarchical, flexible, and capable of rapid adaptation. They have a multinational structure and are located in countries along the smuggling routes. These networks facilitate the logistics of migrant transportation using various methods depending on geographical, weather, relief, and security conditions. Smugglers of different nationalities position themselves as organizers for transferring migrants from Turkey through routes to their final destinations in EU countries, with Germany being the most common destination. Citizens from transit countries along the route play a less important role in these criminal networks. They are primarily involved in logistics, such as accommodating migrants or facilitating transportation along the route(s). The task of smuggling networks involves coordinating activities with local subcontractors, including accepting migrants in transit countries, providing transportation means, finding temporary accommodation locations, and monitoring bank transactions from one point of transfer to the next. Additionally, the ethnic and

religious elements play a significant role in the organizational structure of these smuggling groups. They become particularly prominent during the trip organization, fostering trust and facilitating communication, especially among compatriots, through shared language, cultural ties, and religious affiliations (Gjurovski, Nikolovski, and Gerasimoski 2020, 23).

Criminal groups that commit the crime of smuggling migrants have a vertical structure with a clearly defined role for each group member - smuggler, cleaner, transporter, perpetrator, etc. The person who has the role of leader in the group is responsible for accepting the migrants after their illegal entry into the Republic of North Macedonia. The individuals with the role of cleaners in the criminal group have to identify patrols, controls, or potential police ambushes on the road through which the vehicles have moved and to notify the other members of the criminal group. For this purpose, members use mobile phone applications for making internet calls and sending messages, as well as mobile applications to determine GPS coordinates. Based on the notifications received regarding police patrols, the vehicles that transported migrants have changed or adjusted their direction of movement.

Based on the actions taken so far for detecting and combating criminal groups involved in migrant smuggling, it can be concluded that the smuggling of migrants from Greece to the territory of the Republic of North Macedonia begins with prior agreements with criminal groups from Greece. They plan how many migrants will be illegally transferred to the Republic of North Macedonia territory, at what time, in which way, and where they will be accepted. In most cases, migrants who were picked up near the border with Greece were transported to the border villages of the Municipality of Lipkovo - Lojane and Vaksince, from where the illegal crossing of the border between the Republic of North Macedonia and Serbia was organized, to continue to other countries in the European Union.

Criminal groups charge migrants with payment compensation for the services provided, which depends on various factors such as the number of persons being smuggled and the duration of the smuggling operation. According to statements from migrants injured in criminal proceedings, the compensation for smugglers ranges from 150 EUR to almost 1000 EUR. The payment method varies, including cases of advance payment or payment after reaching the desired destination or host country, often agreed upon in installments. Fast money transfer methods are also used, most commonly by the migrant's family residing in one of the European countries or the country of origin.

A significant challenge in the fight against smugglers is the appearance of migrants following instructions from the smugglers to illegally cross the border between Greece and the Republic of North Macedonia using vehicles without registration plates or rented vehicles obtained by the smugglers. Additionally, cases have been observed where the person responsible for transporting the migrants leaves in an unknown direction after receiving the advance payment, abandoning the migrants in the vehicle (Macedonian Association of Young Lawyers 2019).

TRANSIT ROUTES OF MIGRANT SMUGGLING THROUGH THE REPUBLIC OF NORTH MACEDONIA

Live in an area that has always experienced various movements. The Republic of North Macedonia has been a crucial transit point for refugees and migrants, serving as a key Balkan route. This route has been used by humans, migratory birds, and even armies. In fact, during the Roman Empire, this road was known as *Via Militaris*. Adjacent to it is the *Via Egnatia*, which stretches from east to west. Migrants opt for this route due to its advantages of speed, cost-effectiveness, and safety (Figure 1). In North Macedonia, it follows the Vardar Valley, while in Serbia, it traverses the Morava Valley. Upon reaching the Danube, the route traditionally continues through Hungary. However, with Hungary's construction of a fence, the route has been redirected through the Sava River Valley, leading to Croatia, Slovenia, and Austria as alternative paths (Racaj, Nasufi, and Saliu 2021, 324).



Figure 1: Migrant Entry Points and Smuggling Routes via North Macedonia
(Source: Global Initiative against Transnational Organized Crime 2023)

Refugees and migrants entered the reception-transit center Vinojug in Gevgelija, near Greece's border. After registration and a short stay at the center, the refugees headed to the reception-transit center Tabanovce, where they crossed the border with Serbia near the village of Miratovac (Macedonian Association of Youth and Lawyers 2019). On the transit route from Greece to the Republic of North Macedonia, there has been an increase in the number of illegal migrants who utilize smuggling services. Many captured migrants were apprehended and immediately returned to Greece, while only a few were allowed to stay in the country and were accommodated in the Vinojug transit center. Following the border closure along the Balkan

Route in March 2016, smugglers rapidly started rebuilding migrant smuggling routes in the region. A significant portion of the migrant flows has been redirected through Albania, Bosnia, and Herzegovina towards Croatia and Bulgaria through Serbia towards Croatia. However, due to the geographical position of the Republic of North Macedonia, despite strengthened border control measures with Greece, some migrants have continued to transit irregularly through its territory, often with the assistance of criminal groups involved in migrant smuggling.

The most frequently used routes for smuggling migrants from Greece to the Republic of North Macedonia pass near the village of Moin, west of the Vardar River, and the villages of Stajkovci and Selemli, east of the Vardar River. These roads represent “clandestine” border crossings between the Republic of North Macedonia and Greece, but regular border crossings have also been utilized. The Bogorodica border crossing has been used to smuggle migrants into passenger and goods vehicles. At the same time, there have also been cases of migrant smuggling in passenger and goods trains at the Gevgelia railway border crossing. Smugglers also employ the Belasica mountain for the illegal crossing of migrants, who are then transferred to the Dojran area. Due to increased security measures at the unofficial border points, there has been a trend of increasing attempts to smuggle migrants through official border crossings using passenger and goods vehicles. As for illegal border crossings between the Republic of North Macedonia and Serbia, the most commonly used routes for irregular migration and smuggling of migrants pass through the region of the Municipality of Lojane - the green border from the village of Lojane to the village of Miratovac in Serbia, as well as the area around the village of Tabanovce in the Municipality of Kumanovo (Cvejic and Kitanov 2017).

THE CONTRIBUTION OF THE REPUBLIC OF NORTH MACEDONIA IN SOLVING THE CHALLENGE OF THE MIGRANT CRISIS AND MIGRANT SMUGGLING

Illegal migration through mixed migration flows continues, while international criminal networks use the Republic of North Macedonia territory as a transit country, forming part of the Western Balkans corridor for smuggling migrants to their destination countries in the EU.

Currently, the situation in the Republic of North Macedonia is safe and stable. Border points with Greece and the Republic of Serbia are open, and there are no long waits than usual. The border sections where the transit of illegal migrants is observed are under reinforced control, ensuring optimal and unhindered passage following national and international norms and charters to protect human rights. In collaboration with national bodies, the Red Cross of the Republic of North Macedonia, FRONTEX, UNHCR, and other organizations, the Republic of North Macedonia provides humane treatment for illegal migrants within the limits of its capacities.

Since 2001, the Republic of North Macedonia has been developing its capacities to combat human trafficking and illegal migration following international standards. There are institutions with a broad scope of competence in this field, such as the Ministry of Internal Affairs, Ministry of Foreign Affairs, Ministry of Political and Social Work, Ministry of Justice, Ministry of Education and Science, Ministry of Health, Public Prosecutor’s Office for Prosecution of Organized Crime and Corruption, as well as other competent institutions. At the same time, partnerships have been established and developed with civil society sectors involved in the

prevention, protection, assistance, support, and integration of victims of trafficking (for more information, refer to the National Strategy for Combating Human Trafficking and Illegal Migration of the Republic of North Macedonia 2021-2025).

A specialized coordinating body, the National Commission for Combating Human Trafficking and Illegal Migration (the Commission), was established in 2001. The Commission is headed by a National Coordinator appointed by the Government of the Republic of North Macedonia. The Commission was established to monitor and analyze the situation related to human trafficking and illegal migration, coordinate the activities of competent institutions, and organize cooperation with relevant citizen associations and international organizations. The Commission consists of 16 members delegated by the competent institutions, including representatives from the Ministry of Internal Affairs, Ministry of Foreign Affairs, Ministry of Labor and Social Policy, Ministry of Justice, Ministry of Health, Basic Public Prosecutor for the Prosecution of Organized Crime and Corruption, a judge from the Basic Court Skopje 1, Ministry of Education and Science - Bureau for Education Development, State Labor Inspectorate, and Employment Agency of the Republic of North Macedonia.

Within the Commission is the Office of the National Coordinator (Official Gazette of the RM, No. 84, 5 July 2017), located within the Ministry of Internal Affairs and was established in 2007. The purpose of the Office is to provide technical and logistical support to the National Commission and the National Coordinator. Since 2009, the Office of the National Coordinator has been institutionalized.

The Secretariat is part of the National Commission, serving as the executive and operational body. Established in 2003, it comprises representatives from state institutions, international organizations, and citizen associations. The Secretariat includes members from international organizations, civil associations, and experts from government institutions, including representatives from the Ministry of Internal Affairs - National Unit for Combating Migrant Smuggling and Human Trafficking, Ministry of Labor and Social Policy - MKR, American Embassy, ICMPD, OSCE, IOM, UNHCR, GIZ, Regional Center - MARRI, Council of Europe Program Office, Macedonian Association of Young Lawyers, SOZM, citizens' association "Open Gate-La Strada", citizens' association "For a Happy Childhood", "Semper" citizens' association, and the Red Cross of the Republic of North Macedonia. The members of the Secretariat report on their work by preparing reports, analyses, initiatives, and recommendations. The Secretariat meets every three months and prepares reports, which are presented to the Commission.

There is also a Subgroup on Combating Child Trafficking within the Commission. It is chaired by the Head of the Department for Protection and Prevention of All Forms of Discrimination in the Ministry of Labor and Social Policy - MKR. Its members include representatives from the Ministry of Internal Affairs - National Unit for Combating Smuggling and Human Trafficking, CGRM - Ministry of Internal Affairs, American Embassy, ICMPD, OSCE, IOM, "Open Gate-La Strada" citizens' association, "For a Happy Childhood" citizens' association, "Equal Access" citizens' association, and the Deputy Ombudsman as a member/external observer. The activities of this body aim to prevent child trafficking, improve the protection of child victims, ensure their rights, and coordinate cooperation among interested parties.

The National Rapporteur in the Republic of North Macedonia was established in 2009 at the proposal of the National Commission. To enable the independent function of the National

Rapporteur following the recommendations of the Group of Experts for Action against Trafficking in Human Beings from the Council of Europe - GRETA, the Government of North Macedonia appointed a representative from the Office of the Ombudsman of the Republic of North Macedonia with a Decision approved on 1 December 2019. According to their mandate, the National Rapporteur is responsible for supervising general activities against human trafficking, collecting and analyzing data from relevant partners, monitoring and evaluating the implementation of the National Action Plan, drawing conclusions, providing recommendations for improving and advancing the fight against human trafficking concerning law enforcement, policies for better institutional response, and reviewing strategic objectives. The National Rapporteur also prepares an annual report (for more information, refer to the National Strategy for Combating Human Trafficking and Illegal Migration of the Republic of North Macedonia 2021-2025).

The National Unit for Combating Smuggling and Trafficking in Human Beings was created to enhance national capacities and improve the effectiveness of the police and prosecution in combating organized forms of smuggling and trafficking of migrants. The National Unit was officially established by signing a Memorandum of Cooperation in combating organized forms of migrant smuggling between the Ministry of Internal Affairs and the Public Prosecutor's Office of the Republic of North Macedonia on 03.01.2018. Its establishment aimed to enhance coordination and cooperation between the Ministry of Internal Affairs and the Public Prosecutor's Office for the Prosecution of Organized Crime and Corruption of the Republic of North Macedonia in addressing crimes related to migrant smuggling and human trafficking.

The National Unit is led by a chief appointed by the Public Prosecutor of the Republic of North Macedonia from among the public prosecutors of the Basic Public Prosecution for the Prosecution of Organized Crime and Corruption. The chief is responsible for directing and providing instructions regarding the activities of the National Unit for the Detection of Organized Forms of Migrant Smuggling and Human Trafficking (for more information, refer to the National Strategy for Combating Human Trafficking and Illegal Migration of the Republic of North Macedonia 2021-2025).

To enhance national capacities in identifying victims and potential victims of trafficking, a Memorandum of Understanding was signed in January 2018 between the Ministry of Internal Affairs and the Ministry of Politics and Social Work to establish Mobile Teams. These Mobile Teams consist of a representative from the Center for Social Work, a police officer, and a representative from a citizens' association. The Mobile Teams aims to improve identification by proactively detecting and preventing human trafficking. They work with vulnerable groups, including victims of trafficking, to identify potential victims, conduct initial referrals, determine their identities, conduct early risk assessments, provide information on the possibility of including victims in assistance and support programs, and more.

In the Republic of North Macedonia, two facilities provide reception, shelter, and protection for foreign and local victims of trafficking in human beings/children and migrants: The Center for Victims of Human Trafficking and Victims of Sexual Violence and the Reception Center for Strangers. Additionally, two temporary centers have been established: The Temporary Center for Transit, located near the Bogorodica border crossing, close to the city of Gevgelia on the border with Greece, and the Temporary Center for Transit, located near the Tabanovce

border crossing with Serbia. These centers serve to receive, identify, provide medical assistance, and issue certificates for asylum. Furthermore, near the border with the Republic of Serbia, the Red Cross has set up a Temporary Point for Help and Support at the Tabanovce border crossing, which assists migrants who have traveled through the country and are crossing the border into the Republic of Serbia.

“SMUGGLING OF MIGRANTS” IN THE REPUBLIC OF NORTH MACEDONIA

In this part, the criminal offense of “smuggling of migrants” was depicted from 2017-2021 (Table 2).

Table 2: Criminal Offense Smuggling of Migrants during 2017-2021 (Source: MIA Annual Report 2017, 2018, 2019, 2020, and 2021)

	2017	2018	2019	2020	2021
Migrant Smuggling	13	44	49	65	49
The Perpetrator	36	62	96	92	77
Migrants	212	891	1529	2723	815

For the smuggling of migrants, according to the available data, it can be observed an increase in the number of incidents in 2020 compared to the previous three years. In 2017, there were 13 reported cases, which rose to 65 in 2020. However, there was a decrease in 2021, with 49 reported cases. This indicates an overall increase in incidents from 13 in 2017 to 49 in 2021.

Regarding the number of perpetrators, there was an increase until 2020. In 2017, there were 36 perpetrators, which rose to 92 in 2020. However, in 2021, there was a decrease to 77 perpetrators. Comparing the figures from 2017 to 2021, there was an overall increase in the number of perpetrators from 36 to 77. Similarly, the number of migrants involved in these incidents also increased. In 2017, there were 12 migrants, which escalated to 2,723 in 2020. However, in 2021, there was a decrease to 815 migrants. Nevertheless, when comparing the figures from 2017 to 2021, there was an overall increase in migrants from 212 to 815 (MIA Annual Report 2017, 2018, 2019, 2020, and 2021).

Table 2: Perpetrators Convicted for the Criminal Offense “Smuggling of Migrants” (Source: State Statistics Agency 2017, 2018, 2019, and 2020)

Year	Convicted for the Criminal Offense “Smuggling of Migrants”
2017	50
2018	39
2019	59
2020	52

Regarding the persons convicted for the criminal offense of “migrant smuggling”, according to the available data, we can conclude that in 2017 we had 50 persons convicted, with a decrease in the number to 39 persons convicted in 2018, while in the following year, namely in 2019, we have a significant increase in convicted persons, where the number reaches 59 convicted persons. While in 2020, we have a decrease in the number of people convicted

compared to the previous year, namely from 59 people convicted in 2019, the number has decreased to 5 people convicted in 2020.

Regarding the analyzed number of persons convicted from 2017-2020, the general finding is that the number of persons convicted of the criminal offense of "migrant smuggling" is on the rise, namely from 50 persons convicted in 2017, the number has increased to 52 people convicted in 2020.

CONCLUSION

The smuggling of migrants is a criminal activity that involves the organization of illegal border crossings for people who need to leave their countries of origin but do not have the option of regular migration. Migrants may be escaping natural disasters, conflicts, persecution, or simply seeking employment, education, and opportunities for family reunification. They embark on often dangerous journeys that have no guarantee of successful completion.

Smugglers operate for profit and also facilitate the illegal stay of migrants in transit countries and at their destinations. The smuggling of migrants is a widespread and highly profitable form of organized crime. It is a common phenomenon in the Republic of North Macedonia. It is carried out by organized crime groups operating across national borders and in many countries worldwide.

The Republic of North Macedonia has enhanced its capabilities to combat human trafficking and illegal migration following international standards since 2001. There are several institutions with general competence in this field, such as the Ministry of Internal Affairs, Ministry of Foreign Affairs, Ministry of Labor and Social Policy, Ministry of Justice, Ministry of Education and Science, Ministry of Health, and the Public Prosecutor's Office for Prosecution of Organized Crime and Corruption, among others.

Based on the results of the official statistical data of the Ministry of Internal Affairs during the period 2017-2021, it has been established that the number of migrant smuggling is increasing, while according to the official data of the State Statistics Agency, the number of persons convicted for the offense criminal "migrant smuggling" is on the rise.

Recommendations

Sufficient capacity must be ensured to effectively address the issue of migrant smuggling, including the adaptation of existing capacities and infrastructure developed in response to the migrant crisis. To further enhance prevention efforts and protect vulnerable migrants from falling victim to smuggling, institutions and civil society should maintain a presence in areas frequently used for illegal migration routes. Proactive measures should be implemented to identify potential victims.

The Republic of North Macedonia and its institutions must increase their efforts to protect the rights of refugees and migrants as guaranteed by the United Nations Convention and national legislation.

Preventive measures and activities, being the most effective means of reducing criminal offenses, should be consistently highlighted in the media and implemented. It is essential to

invest more in understanding the root causes of migrant smuggling and illegal migration through distributing educational materials and handbooks. Strengthening capacities, especially in the police force and the National Commission for Combating Human Trafficking and Illegal Migration, should be pursued through training, seminars, workshops, and raising public awareness. Long-term campaigns targeting young people, students, teachers, professors, and vulnerable groups are crucial to educating them about the dangers associated with these criminal acts.

To improve the detection of migrant smuggling in the Republic of North Macedonia, competent institutions should further strengthen international cooperation. This can be achieved by signing agreements and memoranda of cooperation with other governments and international organizations. Collaborations with FRONTEX and countries in the Western Balkans are particularly important. To detect new crimes related to migrant smuggling, the Ministry of Internal Affairs and the National Commission for Combating Human Trafficking and Illegal Migration of the Republic of North Macedonia should cooperate with other governments, establish joint investigative teams, exchange relevant information, and implement coordinated actions. The objective should be to combat international organized criminal groups involved in such activities.

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REFERENCES

1. Annual report of the Ministry of Internal Affairs for 2017, https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20MVR%20javna%20verzija1.pdf
2. Annual report of the Ministry of Internal Affairs for 2018, https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20izvestaj%202018.pdf
3. Annual report of the Ministry of Internal Affairs for 2019, https://mvr.gov.mk/Upload/Editor_Upload/%D0%9E%D0%9A%D0%A0%D0%90/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%202019.pdf
4. Annual report of the Ministry of Internal Affairs for 2020, https://mvr.gov.mk/Upload/Editor_Upload/%D0%93%D0%BE%D0%B4%D0%B8%D1%88%D0%B5%D0%BD%20%D0%B8%D0%B7%D0%B2%D0%B5%D1%88%D1%82%D0%B0%D1%98%202020.pdf
5. Annual report of the Ministry of Internal Affairs for 2021, https://mvr.gov.mk/Upload/Editor_Upload/Godisen%20izvestaj%20na%20MVR%20za%202021%20godina,%20%20-%2015_04_2022.pdf
6. CARDS. 2002/2003. Training Manual for Law Enforcement and Judiciary Authorities in Combating Illegal Migration and Migrant Smuggling in the Western Balkans Region.; p. 19.
7. Cvejic Slobodan and Kitanov Sande. 2017. Mapping Migrant Smuggling in the Western Balkans Region. International Organization for Migration IOM.
8. Global Initiative against Transnational Organized Crime. "Heavier traffic on Corridor 10: smuggling of migrants through North Macedonia". Accessed June 2023 <https://riskbulletins.globalinitiative.net/see-obs-003/02-heavier-traffic-corridor-10-smuggling-migrants.html>
9. Gjurovski Marjan, Nikolovski Marjan and Gerasimoski Sashe. 2020. "Security risks and threats - treatment, phenomenology, and mapping". Konrad Adenauer Foundation in the Republic of North Macedonia Faculty of Security - Skopje University "St. Kliment Ohridski" – Bitola. p. 23.
10. H. Mece, Merita. 2020. "Irregular Migration Flows and Human Trafficking in the Western Balkan Countries: Challenges of the Convergence of Counter-Trafficking Response". *Journal of Liberty and International Affairs* 1 (supp. 1):38-48. <https://e-jlia.com/index.php/jlia/article/view/50>.
11. Ilijevski, Ice, Kire Babanoski, and Zlate Dimovski. 2020. "Situation and Trends of Terrorist Acts Within the European Union". *Journal of Liberty and International Affairs* 5 (1):31-42. <https://e-jlia.com/index.php/jlia/article/view/139>.
12. Ilijevski, Ice, and Katerina Krstevska Savovska. 2021. "The Current Position of the Foreign Terrorist Fighters in the Republic of North Macedonia". *Journal of Liberty and International Affairs* 7 (1):27-38. <https://doi.org/10.47305/JLIA21170027i>. Labović Miodrag and Nikolovski Marjan. 2010. "Organized crime and corruption with the subtitle "New theoretical dimensions with practical consequences, detection and proof methodology". p. 442.

13. Macedonian Association of Youth and Lawyers. May (2019). "Human trafficking and migrant smuggling in North Macedonia". Skopje.
14. Mijalković, Sasha and Bajagic, Miladen. 2012. "Organized crime and terrorism". Book 3, Criminalistics - Police Academy, Belgrade. p. 135.
15. National strategy for combating human trafficking vulnerable migration in the Republic of North Macedonia, National strategy for combating human trafficking and vulnerable migration in the Republic of North Macedonia 2021 – 2025. Skopje.
16. Protocol Against the Smuggling of Migrants by Land, Sea, and Air, Supplementing the United Nations Convention Against Transnational Organized Crime. Art. 3a ("Official Gazette of RNM", No. 70/2004 of October 8, 2004).
https://www.unodc.org/documents/middleeastandnorthafrica/smuggling-migrants/SoM_Protocol_English.pdf
17. Penal Code in the Republic of North Macedonia, ("Official Gazette of RNM" No. 37/96, 80/99, 4/02, 43/03, 19/04, 81/05, 60/06, 73/06, 07/08, 139/08, 114/09, 51/11, 135/11, 185/11, 142/12, 166/12).
18. Racaj Muhamet, Nasufi Dashmir and Saliu Saliu. 2021. "Migrant Crisis as a challenge for future of Balkans and European security", International magazine for social sciences "VIZIONE" Skopje. No. 37 (June), Skopje. p. 324.<http://visionsmagazine.org/visions-magazine-issue-no-37/>
19. Racaj Muhamet. 2016 "Migrant Crisis, a Security Challenge for the Republic of Macedonia". Academicus International Scientific Journal. ISSN 2079-3715. ISSN 2309-1088. No. 14 impact factor 3.945. p. 114-123.
<https://ideas.repec.org/a/etc/journal/y2016i14p158-167.html>
20. Report. May 2019. "Human trafficking and smuggling of migrants in North Macedonia". Macedonian Association of Young Lawyers. Skopje.
21. Stanojoska, Angelina and Aslimoski, Pere. 2019. "Criminology", University of St. Kliment Ohridski - Bitola, Faculty of Law - Kicevo, Bitola. p.159
22. Stanojoska, Angelina, and Ivona Shushak. 2021. "Life in a Backpack: The EU's Asylum Policies and its Impact on the Macedonian Asylum Legislation". *Journal of Liberty and International Affairs* 1 (2). <https://e-jlia.com/index.php/jlia/article/view/19>.
23. State and statistical entities <https://www.stat.gov.mk/>
24. United Nations Convention against Transnational Organized Crime "Palermo Convention" of 2000, Article, .2. ("Official Gazette of RM", No. 70/2004)
25. Zhang Sh. S. 2009. "Smuggling and human trafficking, all roads lead to America", Academic Press, Skopje, p.15.