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# MACEDONIA IN THE MIDST OF THE MIGRANT CRISIS

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commentary

## BACKGROUND

**AS** the migrant crisis has gripped Europe, we have been facing more often unpleasant situations in welcoming the migrants. The past few years the number of migrants crossing Macedonia has gradually increased with reaching its peak in 2015. Macedonia still lacks strategy how to handle this situation, as well housing capacities and dedicated institutions responsible solely for providing relief to the migrants and refugees are missing.

According to the UN refugee center, approximately 4 million refugees have fled Syria<sup>1</sup>, the majority of them found shelter in neighboring Turkey, Lebanon and Jordan. Since there is not still any solution on sight to the situation in Syria, small portion of the refugees shifted toward EU member states due to the belief that except safe haven they would also find more opportunities for normalizing their lives.

Since early August an average of nearly 1000 migrants a day has been registered entering the Macedonian border with Greece<sup>2</sup>. Macedonia is part of the Western Balkan Route that passes through Greece-Macedonia-Serbia-Hungary than into other EU member state. This year the number crossing through the western Balkans route, was for 10,000 higher than the total who entered Europe via the so-called "central Mediterranean" route<sup>3</sup>.

The Balkan route gained popularity in 2013, when as one of the main pull factors toward this route appeared to be the changes to the Hungarian legislation on migration and asylum introduced back then which allowed migrants who submit-

ted an asylum request to be transferred to open centres.<sup>4</sup> This was abused by many migrants after getting transferred to the open centres for asylum seekers they would leave soon towards more "attractive" countries such as Germany, Norway, Sweden, thus causing some states to have difficulties in receiving them. Likewise the Dublin procedures for seeking asylum in EU restricts migrants to apply several times in different states, otherwise they would be transferred to the state the initially applied for asylum.

Although later that year in 2013 Hungary did modify the law to allow detention of asylum seekers suspected of abuse of the system, and that only resulted with temporary decrease on the number of migrants, the route still remained very frequented since it was more preferable due to the lower risk to the lives when compared to the Mediterranean route which has shown as more deadly because of the unpredictability of the sea.

The additional increase of the number of migrants also could be contributed to the increase of violence in Syria. The UN Refugee Agency published an opinion letter urging countries to recognize difference between migrants and refugees that are entering their countries, for the second to be persons fleeing armed conflict or persecution. Likewise it urges for the countries to recognize that by being refugees they are entitled for protection from being expelled or returned to situations that could again endanger their lives.<sup>5</sup>

Recognizing the urgency on this matter, the German Federal Office for Migration and Refugees (BAMF) suspended the Dublin procedure for Syrian Nationals, meaning that Syrian asylum seekers would not be transferred to countries that they had previously applied for asylum.

As for Macedonia, it signed a Readmission Agreement with the European Union which is a legal

base for readmission and return. However, a Protocol for its implementation with Greece is missing, and with the current situation this rule is not being implemented. Additionally, Macedonia changed its law for asylum in June this year, by allowing the migrants and refugees that pass through to register at certain centres that grants them 72 hours to think whether they will apply for asylum or not, otherwise they have to leave the country. Within those 72 hours they are allowed to use the public transportation and seek/receive medical help.<sup>6</sup>

## CRISIS SITUATION IN MACEDONIA

Macedonia on 20th of August declared "situation of crisis" in its southern and northern border due to an increased number of migrants and refugees. Having declared this level of concern officially allowed the state to use Army's support in assisting the border police, utilizing public and private resources, such as public transport for the need of safe transporting from the Greek to the Serbian border or offer the people medical help by sending medical teams at the borders. According to the Macedonian legislation the crisis situation can last up to 30 days and it can be extended only by the parliament.<sup>7</sup>

The "crisis situation" should not be confused with "state of emergency" which could be declared only by the Parliament, and it applies to the whole state not just regions.<sup>8</sup> The misunderstanding of these two different situations was seen at all international media articles that aired the day it was declared, quoting that "state of emergency was declared in Macedonia".<sup>9</sup> Even though this could be purely un-

1 UNHCR viewpoint: 'Refugee' or 'migrant' - Which is right? <http://www.unhcr.org/55df0e556.html>, published on 27.08.2015

2 Ministry of Interior of Macedonia, daily reports could be found on the following link: <http://www.mvr.gov.mk/vesti>

3 "The Balkans are now the centre of Europe's people smuggling web" NY times - <http://www.theguardian.com/world/2015/aug/30/balkans-now-centre-of-europes-people-smuggling-web>

4 Frontex: Western Balkan Route - <http://frontex.europa.eu/trends-and-routes/western-balkan-route/>, accessed on 31.08.2015

5 UNHCR viewpoint: 'Refugee' or 'migrant' - Which is right? -27.08.2015

6 Macedonia Allows Migrants to Legitimately Transit Country <http://www.voanews.com/content/macedonia-migrants-asylum-law/2828577.html>

7 The Law for Managing Crises, Article 31.

8 The Constitution of R. of Macedonia, Article 125 - regulates "state of emergency" to be declared by the Parliament with initiative coming from the President of R. of Macedonia, the government or at least 30 members of Parliament.

9 Example: The Guardian "Macedonia declares state of emergency to tackle migrant crisis"

intentional due to bad translation; it highlighted the shortcomings of the Macedonian authorities' PR teams.

A day after the "crisis situation" was declared, the situation escalated with violence on the southern border with Greece. The border was temporarily closed because of the high number of migrants and refugees and the lack of human resources by the Macedonian authorities to register them timely as well as the lack of capacities in offering sufficient means of transportation to the next border. The lack of communication between the refugees and police officers created situation of panic among the people, and the uncertainty and the bad conditions in the neutral zone further made the refugees to attempt to forcibly enter Macedonia.

The created situation could have been avoided, and in future situations would be advisable for the Crisis Center in Macedonia to consider teaming up with the PR departments from the respective Ministries (Ministry of Interior and Ministry of Defense) involved in the managing of the crisis. Recommendations would be to: to clearly organize communication with the refugees; find competent translators that could communicate information to them in their respective languages; establish point of contact at field that will inform local and international journalists, humanitarian workers and volunteers in order to prevent misunderstandings and miscommunications that could only have negative impact

<http://www.theguardian.com/world/2015/aug/20/macedonia-state-of-emergency-migrant-crisis>, 20.08.2015

on the overall circumstances.

Considering that the situation at the border with Greece calmed down, this is still an ongoing issue for the state to handle and all responses should be timely planned, especially as the number of refugees and migrants is expected to increase.

## REGIONAL APPROACH TO THE MIGRANT CRISIS

As the crisis showed to be a regional problem it requires also having a regional approach to the issue. It is very important that all states falling under the "Western Balkan Route" to have established very good communication and cooperation with each other, share operational information and reports from border areas timely. In order to provide smooth flow and prevent overcrowding of migrants at certain border points, joint coordination for dispersing equally the pressure is highly needed.

Discussion on Balkan level should be initiated; possibility for building joint Balkan strategy should be considered, as well jointly advocate for higher financial support from the EU.

However it is clear that all Balkan countries lack of capacities for handling the migrant crisis. With the current resources neither Macedonia nor Serbia can handle the pressure, and still maintain border control while keep registering migrants.

EU announced to have migrant crisis meeting in September to address these issues at EU level. However without including the Balkans might only partially address the issue. Keeping in mind the limited capacities of the Balkan states and that due to

weather conditions the migrants and refugees will try to reach the desired destinations before winter. With this pattern of migration flow, pressure is expected to only increase even more in early fall, and this requires for the EU to adopt measures and strategies as soon as possible, including a solution/support package for the Balkans as well.

The Balkan states including Macedonia should understand that any initiative for closing borders or building walls will result in negative consequences for their own states as it opens up ways for illegal migration and smuggling criminal groups to flourish. Since it is not expected for the situation in Syria or the other turbulent places to change anytime soon, any solution that could be applied to the migrants as in preventing them entering is not preferable. The 1951 Refugee Convention<sup>10</sup> obliges and outlines the basic rights which States should afford to refugees. As a signatory state of all the conventions, Macedonia should maximize its effort in providing the most basic human rights to everyone crossing its borders and relief their experience while doing that.

Macedonia should not focus only in managing the flow of the migrants in the Balkan Route, as well as a EU candidate country aspiring to be future member state of the European Union should consider to offer to be as part of the global solution to the migrant crisis, which can be by offering to take part in the migrant quota system.□

<sup>10</sup> Convention and protocol relating to the status of refugees: <http://www.unhcr.org/3b66c2aa10.html>



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