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СОВРЕМЕНИ БЕЗБЕДНОСНИ ПРЕДИЗВИЦИ И ЈАКНЕЊЕ НА ОТПОРНОСТА НА ЗЕМЈИТЕ ОД ЈУГОИСТОЧНА ЕВРОПА

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MIGRATION, EXTREMISM AS A BASIS FOR PROJECT IN2PREV

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Abstract

This work focuses on the analysis of selected aspects of extremism and its influence on the preparation and content of the European IN2PREV project, based on the analysis of the entire annual preparation and implementation of a significant part of the project. The aim of the project and this thesis is to analyse and use for project purposes various aspects of influences on extremism, and its threats to the life and safety of refugees and asylum seekers, as well as the inhabitants of the target country. The project is aimed at improving the cooperation of Law Enforcement Agency (LEA) and Non-Government Organization (NGOs), as essential components of reducing danger and threats. The basic methods used in the study are the analysis of the possibilities of improving cooperation in various areas of the wide environment, the analysis of available literary sources, including the project and knowledge by the author. Results of this methods, leads to a synthetic evaluation of the concept of project, for improving the situation in this critical area. Conclusions in this study are oriented towards understanding the importance of the integration of refugees and asylum seekers in the countries of the European Union and its impact on minimizing the threat of extremism in the targeted community. Secondary in terms of importance, but primarily in terms of the evaluated project, the conclusions are oriented towards providing experience with the creation of a transnational project in the European area, where participating countries are with different levels of development of the investigated problem. This study is a partial output of the "Law enforcement and community cooperation and training approach to preventing radicalization, while ensuring refugees' successful inclusion" project – IN2PREV, KA220-ADU-EC004C7E, co-financed by the EC European Union.

Keywords: migration, extremism, cooperation, security, refugees, asylum seekers

INTRODUCTION

According to the United Nations High Commissioner for Refugees (UNHCR, 2021), approximately 12 million people in Europe were considered as 'of concern' at the end of 2020. Of these, 56% are refugees or persons in refugee-like situations, which is (by far) the highest rate (and number) out of the seven regions under the scope of the UNHCR. Refugee crises have been pressingly affecting Europe since 2015 when over 1 million refugees reached European shores (UNHCR, 2016). Thousands of asylum seekers have been reaching European coasts ever since, coming from countries torn apart by wars and persecution, primarily Syria and Afghanistan (UNHCR, 2021). In 2021, and despite enhanced difficulties caused by COVID-19, crossings increased, mainly from Afghanistan

due to the resurgence of the Taliban and the overall picture of a globe embroiled in conflicts (UNHCR, 2021). In the first six months of 2021 alone, over 85,000 people fled their homes and made their perilous journey to reach European borders, facing several obstacles, some of which were reported for their human rights violations (UNHCR, 2021). In the same year, there were over 114,000 sea arrivals, especially through Mediterranean countries such as Italy (UNHCR, 2021).

On top of this, 2022 has been posing new (and serious) challenges to Europe in light of the Russian-Ukrainian conflict. In the words of Filippo Grandi (2022), the UN High Commissioner for Refugees, we are currently living the "fastest-growing refugee crisis in Europe since World War II". According to UNHCR (2022), over 2.5 million individuals have fled Ukraine to neighbouring countries (e.g., Poland, Romania, Slovakia, Moldova) as of March 11th, being currently estimated that this number will reach 4 million people. However, it is still to be seen if these countries will function as transit jurisdictions, temporary settlements, or resettlement countries (Liberado & Sampaio, 2022).

The Slovak Republic fully supports all activities aimed at creating a common asylum system of the European Union, with an emphasis on using the experience of individual member countries. However, this system simultaneously respects the right of each member country to decide on the conditions for granting international protection to foreigners independently. The migration policy of the Slovak Republic respects the traditional pillars of asylum policy and at the same time supports new forms of providing protection following the new challenges of the international community. When examining the overview of applications, granted asylum statuses, supplementary protection and the granting of citizenship, we note that relatively strict criteria already apply in Slovakia. In the years 1993-2021, i.e. before the crisis, the number of asylum applications ranged from 96 to 12,300, asylums were granted from 8 to 187, other applications were either rejected or suspended. Exceptionally, supplementary protection was provided in the range from 0 to 560 cases, while the granted state citizenship concerned 0-68 cases per year. The integration of foreigners is a lengthy and demanding process that requires the active participation and cooperation of several entities: the state, organizations, municipalities, but also individuals and foreigners themselves. Successful integration plays an important role in the development of the Slovak Republic, so the existence of a strategic document with the principles of integration policy is appropriate. Integration is related to migration, while the controlled process of integration - integration policy is based on the Migration Policy of the Slovak Republic. The protection of basic rights and freedoms is the primary task of the state, and in the case of migrants it is a marginalized group that requires a special guarantee of rights and freedoms in the form of effective legal regulation. The rights of migrants, refugees, asylum seekers are the subject of international regulation, while the status of foreigners is regulated primarily by national law represented by specific laws. The so-called Foreigners' law mainly consists of the Act on the Residence of Foreigners and the Act on Asylum (Marczyová, 2018).

The massive inflows of refugees, especially in 2015, coincided with some terrorist attacks on European soil, deepening a mediatized fear of Islamist terrorists being hidden in the refugee flows (Elefheriadou, 2018). As a result, refugees were labelled as existential threats, securitizing attitudes on forced migration (Kaunert, Pereira & Edwards, 2020). Even though until four years ago, the consensus was that "there [was] little evidence to suggest incoming 'migrants' have taken part in organized [terrorist] cells" and that there is no concrete evidence that terrorist travellers systematically use flows of refugees to enter Europe unnoticed, such has happened not only in the case of the Paris attacks of 13

November 2015, but also throughout the years, including very recently. As Europol (2021) states in its latest EU Terrorism Situation & Trend Report, it had recently reported terrorist attacks perpetrated by refugees' violent extremist and terrorist offenders[1], including some who had been in Europe for several years prior to the attacks[2]. In addition, there were also cases of refugees who were "charged on suspicion of having been military commanders in a terrorist organization".

Even though research (Schmid, 2016, p. 45) demonstrates that the "short-term likelihood that recent refugees arriving in Western Europe become radicalized is very low", refugees' vulnerability to engage in radical/extremist viewpoints and/or activities might increase. In fact, "if [refugees] are not fully integrated in host societies, they might develop resentment and with some that anger might become so strong that they – or more likely, their children – turn against the host society. That has been one of the reasons why so many of the foreign fighters from Europe were the sons of immigrants" (Schmid, 2016, p. 45).

Hence, while the number of recent refugees involved in radical or violent extremist activities remains very limited, the European Commission's Radicalization Awareness Network (2020) – in a tailored-oriented policy brief on preventing the risk of radicalization of asylum seekers and refugees – defends that these individuals can be affected by certain risk factors at stake in radicalization processes (therefore putting them at risk of engaging into a radical viewpoint or, eventually, perpetuating violent extremist acts). According to RAN, such is due to three concerns:

- the specific experiences and needs in their countries of origin;
- the challenges faced while travelling to Europe (incl. their experience in transit countries); and
- the expectations they had vs difficulties they encountered in their (final) host countries. To this extent, refugees and asylum seekers should be among the target groups in P/CVE activities aiming at building resilience and reducing the risk of vulnerabilities, as they "might be affected by known risk factors at stake in radicalization processes; their legal and social status as asylum seekers or refugees and their personal experiences of displacement and diaspora potentially add to vulnerabilities to violent extremist ideologies and scenes".

THE PROBLEM IN HOST COUNTRIES

In their large majority, refugees and asylum seekers reaching Europe since 2015 intend to establish their forever home in European countries, often requiring complex routes (see section "The Problem in Transit Countries") until reaching their destination/resettlement society. According to the UNHCR (2022), Western and Central Europe has been the preferred destination for refugee resettlement until early 2022 (although Germany, Sweden, and France were the favoured countries, Spain, Portugal, and Romania were also in Europe's top 10). However, due to the current Ukrainian refugee crisis, one could argue that data from February 2022 (!) is outdated and, therefore, a

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[1] A 33-year-old Sudanese male refugee stabbed and killed two people and injured five others in Romans-sur-Isère.

[2] Abdoullakh Anzorov, the individual who murdered Samuel Paty, a French school teacher, had entered the EU as a young boy with his parents, who were granted refugee status.

On 20 June, an attack in a park in Reading (England, UK) caused three deaths and left a number of people seriously injured. The perpetrator was a male refugee, who had arrived in the UK from Libya in 2012. He had reportedly been involved with militias fighting the regime of Muammar al-Gaddafi.

coherent analysis will be jeopardized by neglecting (large amounts of) data that are being presently updated daily.

Nonetheless, a twofold demand could be easily stressed across various European jurisdictions:

1. assuring that the assistance given to refugees surpasses the fulfilment of short-term and immediate needs, to guarantee that those who enter Europe have the opportunity to develop meaningful and positive futures; and

2. countering the widespread misinformation, fear and suspicion relating to refugees, mostly with Muslim religious backgrounds, which hampers integration efforts.

However, according to the RAN (2020), once refugees and asylum seekers reach their final destination country and aim at a smooth establishment in a new, heartily-home environment, they often face several challenges hindering an effortless resettlement process (independently of the destination country). To this extent, RAN (2020) states six vulnerability factors in host countries that might contribute to increased refugees and asylum seekers' risk of radicalization.

1. Insecure residence statuses. Following their arrival, the stressful and anxious period of uncertain future perspectives hampers individuals' and families' efforts to develop long-term plans (therefore deterring their successful social integration). Hence, returning to their country of origin is a possibility that, although unwanted, remains on the horizon. Thus, "a lack of perspectives (…) due to a pending threat of deportation might encourage a retreat to violent extremist ideologies [which] potentially serve as exit strategies from a dead-end, offering relief for emotions such as desperation, anger and a quest for revenge" (RAN, 2020, p. 4);

2. Delayed (re)settlement. A continued inadequate or restricted/reduced access to housing, labour, culture, education, and communal life has twofold negative impacts: it impacts individuals' (and their families) living conditions while contributing to social marginalization. Consequently, by impeding individuals' creation of social bonds and establishment of community ties, such exacerbates inherent frustrations related to safeguarding social fitting and personal (incl. professional) success. As research shows that experiences of social exclusion can enhance grievances towards the State and further promote these individuals' (and their families) retreat from society (i.e., fostering social marginalization), it is argued that such negative experiences could potentialize the search for alternative opportunities (i.e., the search for the 'need to belong' is a consensual risk factor – e.g., Sjøen & Mattsson, 2020), which could be 'offered' by radical or violent extremist organizations;

3. Public discrimination and hostility. Even if in a subtle way, discriminatory practices do occur against refugees and asylum seekers in daily-life activities or environments. Such is exacerbated by the continuous use of narratives against refugees, asylum seekers and immigration (in its broader sense) by the far-right (transversally in all European countries). Consequently, it increases polarization and impacts social interactions in schools, while searching for a job or when needing assistance from police forces or other criminal justice practitioners. Related to the latter, far-right radicalization among law enforcement agents (e.g., perpetrating attacks, circulating extremist content) represents a growing topic in P/CVE, which may emphasis such hostility. In addition, during the current Ukrainian refugee crisis, the United Nations High Commissioner for Refugees, acknowledged that non-European individuals, mostly African and South Asian

students and workers, have faced discrimination by law enforcement officials while trying to flee to safety at Ukraine borders;

4. Identity crisis. An individual deployment to a different country, usually with their family members, is imperatively connected to the need to swiftly adapt to the new social norm and contextual environment. This process is even more exacerbated in the context of forced migration (e.g., sudden refugee crisis), raising questions of identity and belonging (which can be suppressed by the opportunism of radical and extremist organizations, offering prospects to fill such void);

5. The burden presented by the past as mental health issues' trigger. Refugees and asylum seekers inherently go through traumatic and even life-threatening experiences (e.g., persecution, violence, sexual abuse, rights violation) when fleeing to Europe, which poses potentially harmful consequences for their mental health (see RAN 2019d). If these are left unattended and treated, they can further promote social exclusion and economic insecurity, which have the potential of becoming risk factors for radicalization and/or violent behaviour (RAN, 2019e).

Although knowing the risk factors is crucial to implement safeguarding strategies for these individuals, it is central to be aware of the risk of stigmatization that these might entail. As such, while creating these strategies and interventions, a critical step is to reflect on the harmful and unintended effects that these might have on the target community as they may feed grievances and social isolation.

THE PROBLEM IN TRANSIT COUNTRIES

As briefly stated above, before reaching their final destination country, refugees and asylum seekers require transit through different countries, especially on the Mediterranean and Eastern side (Bucar, 2017) Europe. In this particular point, the Balkan route must be highlighted, as in 2021, most refugees transited through Western Balkan countries, such as Bosnia and Herzegovina (UNICEF, 2021). In fact, before the present Ukrainian refugee crisis, it is quite unsurprising that the main entry points and transit routes for refugees in Europe were Mediterranean countries, with Spain and Bosnia and Herzegovina represented in Europe's top 5.

Similarly to host countries, transit countries receive individuals who may be more susceptible to radicalization due to their vulnerability. For instance, Syrian refugees in Turkey (which has been both a host and a transit country for Syrian refugees since the start of the Syrian civil war in 2011) are vulnerable to radicalization due to being "potentially traumatized, exposed to violence and still living under harsh conditions". Thus, as front liners, the role played by non-governmental organizations (NGOs) and law enforcement agencies (LEAs) in radicalization prevention in migration transit countries is highly relevant. As Lester (2005, p. 127) states, "it is almost impossible to quantify or indeed to articulate in general terms the contribution that NGOs make" in refugee protection. NGOs and LEAs in transit countries work very closely with refugees and asylum-seekers, as they provide aid and assistance, conduct monitoring, reporting and analysis of these individuals, along with addressing the human rights abuses that they face. Not only this, but as the first professional point of contact for vulnerable individuals and as a relevant source of information, NGOs and LEAs play a significantly important preventive role in radicalization. According to Sude (2020, p. 238), over half of refugees are not in camps but rather "are housed either among host country populations near the countries they fled from or in third countries, where many transit through asylum reception facilities before beginning to rebuild their lives". Asylum reception centres in transit countries present

radicalization risks, including poor living conditions with limited access to information, recruiters' access to refugees, lack of security, and a lack of opportunities (Sude, 2020). However, it is known that many of these risks can be diminished through the implementation of inclusive policies by different stakeholders, including NGOs and LEAs, and that tighter security is the solution to preventing radicalization among refugees (Sude, 2020). Furthermore, according to RAN (2021, p. 1), transit countries can "play a role in primary prevention and reducing the breeding ground for radicalization, by providing asylum seekers the possibility to enter the asylum procedure, providing basic services like housing and treating them decently and with respect". Thus, it is critical to raise awareness and provide training to transit countries' NGOs regarding the potential risks of radicalization in asylum reception facilities and refugee camps.

However, it should be highlighted that NGOs and LEAs practitioners might possess certain assumptions or prejudices regarding refugees that can impact the identification of those vulnerable to or at risk of radicalization. For example, NGOs' interventions "tend to follow predominant gender stereotypes" and "typically view men as more capable of coping with hardship". Consequently, refugee men are less likely to be registered with NGOs and, thus, "less able to access humanitarian services", are at "greater risk of arrest and deportation", and their access to material resources as well as to services provided by NGOs is limited (Vidal, 2019). These factors can, in turn, make it more likely for refugee men to be radicalized due to the increased vulnerabilities they may face. Information also emphasized how crucial it is to train frontline practitioners (e.g., NGOs, LEAs) by highlighting that "frontline practitioners do not always have the necessary knowledge and understanding to judge the level of vulnerability of an individual. [reflecting their] inability to identify early risk signs and adapt their behaviour accordingly or raise concerns, [ending up] increase[ing] the feeling of stigmatization and mistrust and prompt escalation through improper responses and discriminatory profiling".

REFUGEE INTEGRATION AS AN INTERNATIONAL PRIORITY

Refugee integration in the receiving society is high on the international agenda, following UN's SDGs #10 and #16, promoting peaceful, inclusive and more equal societies. It entails a complex reality, referring to the integration of these individuals into the economic, educational, health, social and cultural contexts of the receiving country, depending on how resourceful the displaced individual is and open is the receiving society (UNHCR, 2013). Hence, UN's SDG #10 stands for reduced inequalities and #16 stands for peace, justice and strong institutions.[3]

Integration requires the engagement of migrants and, first and foremost, the receiving society (whose openness towards cultural and religious diversity – i.e., respecting different cultural backgrounds – should be the standard social feature). To this extent, inclusiveness must be fostered to ensure refugees' fulfilment of transverse social needs, such as housing,

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[3] Due to the limited scope of the contribution and obtaining a more detailed overview of the problem, we ask the reader to confront details and links for content: https://ec.europa.eu/eusurvey/home/welcome, https://mirad-project.eu/, https://prisonsystems.eu/r2com/, http://www.r2pris.org/individual-radicalisation-screening.html, http://www.r2pris.org/fbog-frontline-behavioural-observation-guidelines.html, http://www.r2pris.org/, http://www.r2pris.org/rrap-radicalisation-risk-assessment-in-prisons-toolset.html, https://ec.europa.eu/home-affairs/pages/page/ran-collection-expert-review_en.

health care, education, training, employment, cultural adjustment, and social connectedness.

However, such cannot be achieved in a short-term period. Integration requires refugees to perceive their receiving countries as their place of belonging, where opportunities to build a dignified and active life are provided, thus diminishing existential anxieties, and allowing for self-stabilization. Therefore, sustainable integration requires actions for refugees' adjustment on institutional, inter and intrapersonal levels, allowing the individual to become economically self-sufficient, socially embedded and healthy in the long term. Doing so, structural problems and inequalities, as well as their consequences, could be better mitigated. By lessening the chances of discrimination and social exclusion, refugees can be given a future of equal opportunities, enabling personal and societal development, whilst raising awareness on forced migration (Yilmaz, 2021). Thus, a holistic approach is required to promote sustained integration and lessen social prejudice, focusing on rehabilitation, social inclusion, care, education, support, therapeutic needs, and encouraging balanced societies, where equality and inclusion are present goals (Melzak, 2009). Therefore, coordinating efforts into civil society is essential (Yilmaz, 2021).

To address the identified critical needs of practitioners working in the frontline (i.e., LEAs, NGOs) in host and transit countries, the consortium based from the start of 2022 prepared IN2PREV project which will foster cooperation through a Frontline Practitioners Network, establish the Frontline Extremism Vulnerability Risk – Structured Evaluation Screening (in the next FEVR-SES) tool to evaluate and assess refugees' vulnerability to radicalization, create a Mentoring Approach for Refugees and Asylum Seekers Successful Inclusion (M4-Rinc) tool. On the basis of this, two tools provide cross-sectoral and multi-goal oriented training approach for the prevention and identification of vulnerability risk factors to radicalization and facilitate refugees and asylum seekers' integration through mentoring.

Project IN2PREV – "Law enforcement and community cooperation and training approach to preventing radicalization while ensuring refugees' successful inclusion", based on the Program: Erasmus+, for Area: Key Action 2 Cooperation Partnerships in the field of Adult Education, with, Call deadline: March 23rd, 2022. start in November 2022, with duration: 36 Months (Metenko, et al., 2023).

IN2PREV GOALS AND PRIORITIES

The IN2PREV "Law enforcement and community cooperation and training approach to prevent radicalisation while ensuring refugees' successful inclusion" project addresses two priorities presented in the Partnerships for Cooperation, specifically by promoting "inclusion and diversity in all fields of education, training, youth and sport" and fomenting "common values, civic engagement and participation". Additionally, IN2PREV will respond to two specific priorities in the field of adult education, namely through "improving the availability of high quality, flexible learning opportunities for adults" and "the competences of educators and other adult education staff" (Metenko, et al., 2023).

Considering these priorities, IN2PREV will comprehensively enhance LEAs and NGOs' competencies and knowledge regarding working with refugees and asylum seekers, thus boosting their fundamental involvement in the integration of these populations and the prevention of radicalization. Following this broader objective, a wide team of researchers from seven countries in the EU and beyond during the implementation of the project IN2PREV will:

• Create an EU-wide practitioners' network of LEAs and NGOs, aiming to foster and facilitate relevant knowledge and experience exchanges among these actors and its members (linked to start project packages);

• Develop the Structured Evaluation Screening tool "Frontline Extremism Vulnerability Risk" (FEVR-SES) to be implemented by LEAs and partly NGOs' staff to assess refugees' vulnerability to radicalization;

• Create a Mentoring Approach for Refugees and Asylum Seekers Successful Inclusion (concern on mentoring from NGOs' practitioners and partly LEAs to Refugees and Asylum Seekers);

• Produce an innovative mixed (presented as b-Learning) training program to prevent and identify vulnerability risk factors to radicalization on refugees and asylum seekers (concern on LEAs');

• Develop a mixed (presented as b-Learning) training course to facilitate refugees and asylum seekers integration through mentoring (concern on mentoring from NGOs');

• Create an innovative e-learning Train of Trainers course to enhance LEAs and NGOs' professionals' skills in providing training to other LEAs and NGOs' professionals regarding the field (last three goals expected as final part of project).

TRANSFER OF KNOWLEDGE INTO CONTENT AND EXPECTATIONS TO FULFIL PROJECT GOALS

In total, the content of the project is divided into 5 work packages, while the timeline can be seen primarily from the second work package dedicated to building practitioners network (https://network.in2prev.org/).

Project management activities in the first package include all the basic administrative steps to ensure quality, coherence and accountability to program regulations, contractual obligations, project goals, the fulfilment of milestones and deadlines (including reporting to program agency). There are described in greater detail for communication and dissemination activities in the project application (https://www.in2prev.eu/).

For the second work package was main three task - building Frontline Practitioners Network, activate Advisory Expert Committee and creation of a digital platform. All those tasks are fulfilment. Basis for building Frontline Practitioners Network is 4 months search for people who deal with the issue in the European area. European countries were divided into blocs, according to the previous experience of the project participants. The Slovak partner secured nearby countries – the Czech Republic, Austria, Hungary, Latvia and Slovenia, if possible, other countries as well. The Slovak partner approached a total of 46 persons and organizations. We were really successful in the Czech Republic and Hungary, where we acquired 8 and 4 entities for cooperation in building a practitioner network. The worst situation was in relation to Austria, where in the end, despite repeated attempts, we managed to stabilize only 1 person, and in Slovenia nobody. In total, contact persons are missing in 18 European countries, while persons from Canada, for example, are involved. In general, it can be concluded that the limits set by the project were met for this task – In total, there are approximately Current number 147 members, and without partners: 117 member's participants, involved in the long-term database. The database is a living item and subject to constant changes. Network is basis for communication in addition to the publication (to this time of new studies and outputs – published: 118 resources, including 28 Community Articles, 9 forums discussions, 4099 views with 1524 visitors. In addition to the publication new studies and outputs, as the basis of the network's activity is a total of more as 15 repeated activities: 3 network panel thematic debates, 3 cross-sectoral

roundtables, 2 transnational network workshops, and 7 national calibration workshops. The latter activities are part of work package 3 and 4, they are intended for a detailed assessment of both output tools at the national level and together for the entire project.

IN2PREV's Advisory Expert Committee was created 3 months after starting the program and consist of 10 independent experts involved: 5 experts on radicalization screening; 5 experts on Mentoring, more out from other countries. AEC Members will assess the sensitivity and potential of misuse of the FEVR-SES and M4-Rinc tools prior to publication, therefore guaranteeing an outer, non-biased vision that will help the Consortium to successfully ensure the project's overall success.

Task "Creation of a digital platform to host IN2PREV's" to facilitate the exchange of knowledge and know-how amongst stakeholders identification of common issues/needs, and finding of joint solutions, was crated on the start 2023 (https://network.in2prev.org/).

For evaluation second work package, similarly as for all projects are essential EU rules based on:

- gender, age and disability inclusiveness;
- gender-neutral language;
- balanced gender representation;
- balanced European representativeness;
- participants' positive feedback;
- utility and relevance of the information provided;
- network members' adherence to/interaction in online events;
- Q&A's interactivity;
- usefulness and added value to the target groups' work.

Next two packages are oriented to building two basic output tools.

In work package 3 – tool "Frontline Extremism Vulnerability Risk – Structured Evaluation Screening" (FEVR-SES), is in this time actually build. First phase was realized via online mapping of current procedures to assess refugees' vulnerability to radicalization in survey which was created via EUSurvey10 to gather key quantitative and qualitative data related to mapping the current procedures utilized by frontline practitioners, such as LEAs (incl. border control agencies) and NGOs, to screen refugees' vulnerability to engage in a radical or extremist viewpoint. Hence, the survey was disseminated to all members of IN2PREV's, to all Frontline Practitioners in Network and members from countries outside the Consortium will be invited to answer the survey in English – or in any other Consortium language of their preference). Afterwards, the data are analysed, and the results is compiled in actual time as report. For evaluation this tool are essential criteria:

Quantitative:

2 key frontline practitioners (1 LEA, 1 NGO) per partner country + Advisory Expert Committee (AEC) members involved in the review panel (totalling 24 participants); 1 national calibration workshop in each partner country (totalling 7); 10 frontline practitioners (5 LEA representatives, 5 NGO representatives) involved in each national calibration workshop (totalling 70 practitioners – i.e., 35 LEAs, 35 NGOs); 7 FEVR-SES tool subsets created according to each Consortium country's social and contextual needs/challenges; 20 practitioners piloting the FEVR-SES tool; 20 participants (i.e., refugees and asylum seekers) involved as end-users of the FEVR-SES pilot (participants will be properly

invited to take part in this study, and duly informed of the ethical guidelines, rights and duties)

Qualitative:

Adherence of stakeholders to evaluation activities;
Gender, age and disability inclusiveness;
Gender-neutral language;
Balanced gender representation;
FEVR-SES indicators' attentiveness to gender and age criteria;
Balanced European representativeness;
Positive participants' feedback;
Practitioners, AEC members, and participants' adherence to/interaction in events (incl. pilot);
FEVR-SES usefulness, sustainability and transferability potential.
After creation FEVR-SES will be realized final steps as piloting, validation and final finetuning, in next autumn months.

In work package 4 – tool Mentoring Approach for Refugees and Asylum Seekers Successful Inclusion (M4-Rinc Integration Assurance Program) IN2PREV's Consortium actual develop a thorough mentoring scheme to work towards refugee and asylum seekers' (and their families) sustained integration. The scheme will aim to address the wide range of challenges (and continuous needs) that are hindering the integration process, therefore providing social support and opportunities to improve refugees and asylum seekers' community connectedness, consequently fostering the development of trust-based relationships with the receiving host society. M4-Rinc's Integration Assurance Program goal lies in establishing a close working relationship between the mentor and the mentee, providing the latter with the social resources to tackle everyday situations, problems, and conflicts. In addition, M4-Rinc's Integration Assurance Program aims to connect members of the established business community with refugees and asylum seekers' entrepreneurs, thus emphasizing the scheme's comprehensiveness (as ensuring sustained financial support is paramount).

After "EaSI – European Association for Social Innovation" create "M4-Rinc's Integration Assurance Program" in these months in basic level, in all of the partners' countries we realized this time "M4-Rinc" national calibration workshops. The five mentors selected in all of countries are invited to a national calibration workshop. The goal will be to align, if needed, the M4-Rinc Integration Assurance Program to each country's social and contextual needs/challenges. Each country will, therefore, have its own User Manual and Technical Guidelines on how to implement M4-Rinc's Integration Assurance Program. This package will be in next months finalized by piloting, validation and final fine tuning "M4-Rinc Integration Assurance Program" at the national level for a 6-month period. As such, the Consortium will determine if the mentoring scheme works as initially expected. For such, an evaluation framework will be created to assess the program's effectiveness, including both feedback from both mentors and mentees.

Final work package 5 – "IN2PREV's cross-sectoral & multi-goal training approach", consist of preparation, training, education, evaluation and dissemination processes. All tasks in these packages actually start, with implementation next 12 months.

They are first oriented to developing, testing and fine-tuning b-Learning training course on preventing and identifying vulnerability risk factors to radicalization on refugees

and asylum seekers. For this course realized online in autumn and face to face in Bratislava in March 2025, the partner prepared the Qualify JUST (IPS) course's content in multimedia design, based on knowledge from last three packages. Aiming to enhance LEAs and/or frontline NGO practitioners' knowledge on preventing and identifying vulnerability risk factors to radicalization on refugees and asylum seekers, the Consortium develop b-learning training course. The training program content, is majorly focus on the following modules: 1) Understanding radicalization, violent extremism, and its process (incl. cognitive mechanisms); 2) Working with vulnerable groups and attentiveness to vulnerability risk factors (incl. ethical concerns; bias demystification); 3) Implement the Frontline Extremism Vulnerability Risk – Structured Evaluation Screening (FEVR-SES) to assess at-risk vulnerability factors on refugees and asylum seekers (developed in T3.3); 4) Collaboration and communication with national (and international) stakeholders (post-screening stage). Based on these four modules, chapters' (and subchapters) content will be produced by IN2PREV's R&D partners (incl. the task leader). Contents will be mapped out and serve as a basis for the outline and development of the e-Learning's contents, which will be validated within the Consortium. This training course will include the development of storyboards, articulate software slides, narrations, practical exercises, training manuals, and the compilation of relevant resources. All the multimedia content will be prepared and designed as the content is created as to optimize time management.

Second b-Learning training course based on similar processes is oriented to facilitate refugees and asylum seekers integration through mentoring. As second is the task consortium develop the training program content, which will majorly focus on the "Mentoring Approach for Refugees and Asylum Seekers Successful Inclusion" (M4-Rinc Integration Assurance Program) in the following modules: 1) Understanding radicalization, violent extremism, and its process (incl. cognitive mechanisms); 2) Working with vulnerable groups and attentiveness to vulnerability risk factors (incl. ethical concerns; bias demystification); 3) Implement the Mentoring Approach for Refugees and Asylum Seekers Successful Inclusion (M4-Rinc Integration Assurance Program) to assess at-risk vulnerability factors on refugees and asylum seekers (developed in WP4); 4) Integration of the Frontline Extremism Vulnerability Risk – Structured Evaluation Screening (FEVR-SES) to assess, in certain cases (if deemed relevant by the professional), at-risk vulnerability factors on refugees and asylum seekers; 5) Collaboration and communication with national (and international) stakeholders (post-screening stage), including law enforcement (if deemed relevant, depending on each specific case). For this course realized online on autumn and face to face in Poznan in January 2025, prepare partner Qualify JUST (IPS) course's content in multimedia design, based on knowledge from last three packages. This training aims at strengthening the mentor's competences regarding various dialogue techniques, coaching, and conflict management skills. Once the course is completed, mentors will possess the necessary insight and tools for planning and tailoring a mentorship that considers the fact that the mentee is a refugee or an asylum seeker. The training also focuses on how the mentee's family (and network) can be actively involved in the mentorship process, besides aiming to connect members of the established business community with refugees and asylum seekers' entrepreneurs, thus emphasizing the M4-Rinc's comprehensiveness. Based on the aforementioned five modules, chapters' (and subchapters) content will be produced by IN2PREV's R&D partners. Contents will be mapped out and serve as a basis for the outline and development of the e-Learning's contents, which will be validated within the Consortium. This training course will include the development of storyboards, articulate software slides, narrations, practical exercises,

training manuals, and the compilation of relevant resources. All the multimedia content will be prepared and designed as the content is created as to optimize time management.

Partly out from content radicalization refuges and asylum seekers is preparation, adaptation and deployment of an e-Learning Training of Trainers' course for frontline practitioners. Basis for this course is to capacitate frontline practitioners (e.g., LEAs, NGOs) with skills and knowledge on providing training to others within their organization, this task will adapt and deploy a Training of Trainers (ToT) course. Such course will ensure the replication of the project's training initiative outlined in previous tasks and, therefore, assure the longevity of the project and its outcomes, as well as facilitate the training and capacitation of a wider group of frontline practitioners (e.g., LEAs, NGOs) in the project's topic. To this extent, IN2PREV's ToT will adapt (to its specific target group) other EU-funded projects' ToTs in the area of radicalization prevention, such as INTEGRA's (Erasmus+) and R4JUST's (DG JUST) – which counted with IN2PREV's Consortium partners in such partnerships. Therefore, only a small number of days will be considered as part of ToT course, as it regards only the adjustments to IN2PREV's target group, new course brand image (incl. multimedia design), and trainees' engagement. At least 15 (out of the 30) trainees (per country) piloting the 2 previous courses will be involved in IN2PREV's ToT. A pre- vs post-test evaluation of the ToT course will be carried out to assess if, and to which extent, trainers have obtained the desired knowledge and skills to train others on the b-Learning course contents (depending on each practitioners' role). The information collected will be considered an opportunity to enhance and assure the quality of the training, potential, and sustainability of IN2PREV after the project's lifespan.

Both content-based courses - FEVR-SES and Mentoring, after finishing, will be fine-tuning and prepared for distribution for other users in EU countries. This final task entails the fine tuning of the e-Learning training course and the whole training program, based on the feedback collected from the participants in all tasks. Such will also contribute to ensuring the project's sustainability (after its lifespan), as well as maximize its outreach and transferability (to other settings and/or countries).

The success of the project is conditioned by the extensive experience of the initial authors of the project proposal - Pedro Liberado and Vânia Sampaio from the Portuguese organization IPS-Innovative Prison Systems. Of course, the future coordinators from BSAFE LAB – Law Enforcement, Justice and Public Safety Research and Technology Transfer Laboratory of the University of Beira Interior, Portugal, participated significantly in its creation and subsequent implementation.

The individual phases and stages of the project are divided by its partners, who have significantly influenced the construction of the project and the work tasks to date and are heading towards its successful completion in the second half of 2025. In addition to the Portuguese project management (BSAFE LAB), the partnership consists of:
2. Polish Platform for Homeland Security, Poland.
3. FUNDEA, Euro-Arab Foundation for Higher Studies, Spain.
4. Qualify JUST (IPS_Innovative Prison Systems), Portugal.
5. EaSI – European Association for Social Innovation, Romania.
6. Academy of Police Forces, Slovakia.
7. Centre for Security Studies, Bosnia & Herzegovina.
8. General Police Inspectorate, Moldova.

CONCLUSION

The authors tried to analyse in the study the theoretical knowledge and practical base in preparation and creation of the basis for project IN2PREV. Authors in the project use a lot of knowledge from social, law, security and police sciences, including information and scientific outputs from real life and social situation round around Europe. The aim of the study is to provide the reader with a proven guide to creating a concept, preparation and the initial stages of the implementation of a project aimed at minimizing the risks of extremism in the population of refugees and asylum seekers in European conditions, especially through the transfer of knowledge to the content and expectations for the fulfilment of the project's goals.

The importance of the project is certainly already reflected in Slovakia in the partial change of the situation and integration efforts supporting this specific group of people. Substantial results from the project will be applied primarily after its successful completion and projection of results and outputs – project tools, by implementation in the European security, social and economic space.

Extensive research during preparation, and from start realization the project in all research activities to this time – we are in the progress after half of the project – confirm our expectation to help processes of integration as a basis of project. This study is partial output of "Law enforcement and community cooperation and training approach to preventing radicalization, while ensuring refugees' successful inclusion" project – IN2PREV, KA220-ADU-EC004C7E, co-financed by the EC European Union.

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TERMS RELATED TO THE CONCEPT OF "MIGRATION" IN THE EUROPEAN UNION CONTEXT AND THEIR TRANSLATIONAL EQUIVALENTS IN MACEDONIAN

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Abstract

The paper deals with a semantic analysis of the concept of "migration" and a selected number of derived terms in English, and explores their corresponding translational equivalents in Macedonian. The analysis of the semantic peculiarities of the selected English terms is based on their use in the European Union context with reference to official definitions. More specifically, the paper provides an insight into the semantic distinctions between terms related to this concept in the form of various word combinations or expressions which might be challenging for translation from English into Macedonian, due to their similarities, interchangeability in terms of their use, lack of appropriate translation into Macedonian etc.

The analysis of the original English terms related to the concept of "migration" and their Macedonian equivalents may be helpful to English language learners, especially those focused on law enforcement English and legal English, when acquiring English lexical knowledge in the respective fields of study. Also, it may be useful for translators, experts in migration-related fields and other individuals interested in the subject, in their search for lexical solutions when translating texts from English into Macedonian and vice versa.

Keywords: *migration, EU, semantic analysis, English language, Macedonian translation*

1. INTRODUCTION

One of the peculiarities of the European Union (EU) is the development of terminology that is unique to the EU. Sometimes, specific terms are created in order to lexically shape genuine EU-related concepts. This is the case with terms such as *coreper*, *European Council*, *Copenhagen Criteria* etc. which emerged with the development of the EU. They are used and can be understood only in an EU context. On the other hand, there are also terms that are included in EU terminology databases, but whose emergence is not originally linked to genuine EU concepts. In some cases, existing words have broadened their meanings to cover concepts related to EU phenomena. Therefore, when used with reference to the EU, their added meanings are linked to their use at EU level. This category encompasses terms such as *Regulation* which, inter alia, is used in the context of EU legislation and refers to "legal act of general application, binding in its entirety and directly

applicable in all Member States"[4]. There are also terms that generally have several meanings but are included in the EU terminology corpus with one of their meanings. Such is the case with terms like "asylum", which generally refers to 1) "protection or safety, especially that given by a government to people who have been forced to leave their own countries for their safety or because of war"[5], and 2) "a hospital for people with mental illnesses"[6], but we found it in the EU terminology database IATE with only one meaning, similar to meaning 1) above, specifically defined as "form of protection given by a state on its territory based on the principle of non-refoulement and refugee rights, granted to a person unable to seek protection in his or her country in particular for fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion"[7].

Bearing all this in mind, when translating specific terminology, including the one used at EU level, it is important to carry out detailed semantic analysis of the terms in question, and then find the most appropriate translational equivalents in a given language, taking into consideration the peculiarities of the target language and the specific domains from which that specific terminology is derived.

2. ON THE CONCEPT OF *MIGRATION* IN THE EUROPEAN UNION CONTEXT

Etymologically speaking, the noun *migration* is rooted in the Latin noun "migrationem" with the nominative form "migratio" meaning "a removal, change of abode, migration"[8]. According to the online Cambridge Dictionary, the noun *migration* refers to 1) "the process of animals travelling to a different place, usually when the season changes"[9], 2) "the process of people travelling to a new place to live, usually in large numbers"[10], 3) "the process of beginning to use a new computer system, or of moving information from one type of system to another"[11], and 4) "the process of customers changing to a new service or to a new company that supplies a service"[12]. This means that migration may refer to a physical movement of persons or animals, but it may also refer to "movement" or shift in an abstract sense, of information, services etc. Whatever the meaning, all these definitions have the common denominator of some kind of movement, be it literal or metaphorical, however, strictly in the sense of finding a new location where to exist.

The official EU terminology covers definitions from several fields related to the notion of migration as well. However, for the purpose of this paper, we will stick to the meaning of *migration* in the context of social questions, taking into consideration its relevance to the field of law enforcement the paper focuses on. In the mentioned field, the term *migration* is defined as "movement of a person either across an international border (international migration), or within a state (internal migration) for more than one year irrespective of the causes, voluntary or involuntary, and the means, regular or irregular,

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[4] https://iate.europa.eu/entry/result/797196/en-en (Accessed on 4.7.2024). This definition is taken from Article 288 TFEU (ibid)

[5] https://dictionary.cambridge.org/dictionary/english/asylum (Accessed on 1.7.2024)

[6] ibid (Accessed on 1.7.2024)

[7] https://iate.europa.eu/entry/result/3584096/en-en (Accessed on 1.7.2024)

[8] https://www.etymonline.com/search?q=migration (Accessed on 1.7.2024)

[9] https://dictionary.cambridge.org/dictionary/english/migration (Accessed on 1.7.2024)

[10] ibid (Accessed on 1.7.2024)

[11] ibid (Accessed on 1.7.2024)

[12] ibid (Accessed on 1.7.2024)

used to migrate"[13]. As can be seen, the selected definition is limited to the movement of persons and is nearest to the definition 2) given above but is much more specific and detailed. It gives information about the place of movement, the duration of the movement, the type of movement in terms of the (non)existence of the will on the part of the person affected, and the means that have been used. If the conditions set out in the definition are satisfied, the specific act of movement of persons will fall within the category of migration. Apart from this definition, the European Migration Network (EMN) also provides a narrower definition of migration in the context of the EU, which refers to an action by which a person either "i) establishes their usual residence in the territory of an EU Member State for a period that is, or is expected to be, of at least 12 months, having previously been usually resident in another EU Member State or a third country"[14] or "ii) having previously been usually resident in the territory of an EU Member State, ceases to have their usual residence in that EU Member State for a period that is, or is expected to be, of at least 12 months"[15]. Therefore, these definitions should serve as the basis when translating the term *migration* used in the EU in this context into other languages, including Macedonian.

As far as the Macedonian translation is concerned, the term *migration* is generally translated as *преселба* (*preselba*) which refers to "moving house, relocation" (Конески et al., 2008:509), and can be used with reference to persons, animals etc. However, in legal context, the preferred Macedonian counterpart is the internationalism *миграција* (*migracija*), often in its plural form *миграции* (*migracii*)[16]. This term is also used in legal acts resulting from the EU legislation harmonization process addressing the movement of persons and can also be encountered in many texts addressing migration understood in the abovementioned sense within EU boundaries.

3. SEMANTIC ANALYSIS OF MIGRATION-RELATED TERMS IN ENGLISH AND MACEDONIAN

Considering the meaning of *migration* explained above, in this section, we will focus on the analysis of the semantic peculiarities of a selected number of migration-related terms as they are used in the EU context, and their equivalents in Macedonian. All selected terms and their definitions were extracted from IATE – the EU interinstitutional terminology database, as they appeared on a standard view screen for non-members, with English as both the source and the target language. They were classified into several categories based on the semantic content of the modifier accompanying the noun *migration* in them.

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[13] https://iate.europa.eu/entry/result/783158/en-en (Accessed on 1.7.2024)

[14] https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/migration_en#:~:text=Definition(s),or%20irregular%2C%20used%20to%20migrate (Accessed on 1.7.2024)

[15] ibid

[16] For example, in the Macedonian Law on Aliens there is a section titled *Интегрирана база за странци, вклучувајќи податоци за азил, миграции и визи* (*Integrated Database on Aliens, Including Data on Asylum, Migrations and Visas*). See: *Закон за странци*, available on: https://mvr.gov.mk/Upload/Documents/Zakon%20za%20stranci%20precisten%20tekst%20(1).pdf (Accessed on 1.7.2024). Also, within the Ministry of the Interior, there is a department titled *Оддел за гранични работи и миграции* (*Department of Border Affairs and Migrations*)

3.1. Terms related to migration status

The noun *migration* can be found in many expressions which give us information on how the migration process occurred and what the status of the migrants in the destination country is. Therefore, in this section, we will focus on several terms that contain the noun *migration* but are modified by adjectives or nouns which carry information regarding the status of the persons involved in migration, in terms of the manner in which it is carried out.

3.1.1. *Legal / Regular / Orderly Migration*

In the IATE database, the terms *legal migration*, *regular migration* and *orderly migration* are subsumed under the single definition for *orderly migration* as "movement of a person from his or her usual place of residence to a new place of residence, in keeping with the laws and regulations governing exit of the country of origin and travel, transit and entry into the destination or host country"[17]. Additionally, European Migration Network (EMN) gives a separate definition of *legal migration* as "migration in accordance with the applicable legal framework"[18]. In Macedonian, the term *legal migration* is usually translated as *законска миграција* (*zakonska migracija*), with the adjective *законски/-ска/-ско* (*zakonski/-ska/-sko*) meaning "which refers to a law, which is in the spirit of the laws"[19]. As far as *orderly migration* is concerned, the most appropriate Macedonian equivalent would be *уредена миграција* (*uredena migracija*), where the adjective *уреден/-а/-о* (*ureden/-a/-o*) refers to something "that is put in order"[20] and contains the notion of well-organized action, following certain rules and orders. Finally, the term *regular migration* should best be translated as *прописна миграција* (*propisna migracija*), with the adjective *прописен/-на/-но* (*propisen/-na/-no*) rooted in the Macedonian noun *пропис* (*propis*) meaning "regulation", denoting actions that are in accordance with the existing regulations. However, we may use the adjective *редовен/-на/-но* (*redoven/-na/-no*) and translate the term *regular migration* as *редовна миграција* (*redovna migracija*), taking into consideration that it may refer to actions that occur according to the ordinary, established procedure i.e. actions which are done in the ordinary way. In Macedonian, we already have expressions such as *по редовен пат* (*po redoven pat*) defined as "according to the set rules" (Конески et al., 2008:46), which justifies our lexical choice in this case. The other alternative may be *регуларна миграција* (*regularna migracija*), which is considered anglicism.

3.1.2. *Illegal Migration or Irregular Migration?*

When translating migration-related English terms, one possible challenge might arise from the semantic difference between the concepts *irregular migration* and *illegal migration*. Although they might be used as synonyms, the IATE Terminology Database recommends using the term *irregular migration* as the preferred option. The terms *illegal migration* and *irregular migration* are both defined as "movement that takes place outside

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[17] https://iate.europa.eu/entry/result/3502493/en-en (Accessed on 1.7.2024). This definition of *orderly migration* is taken from *Key Migration Terms*, International Organisation for Migration, https://www.iom.int/key-migration-terms#Orderly-migration [29.10.2015] (ibid)

[18] https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/legal-migration_en (Accessed on 1.7.2024)

[19] https://makedonski.gov.mk/corpus/l/zakonski-prid (Accessed on 15.6.2024)

[20] https://makedonski.gov.mk/corpus/l/ureden-1-prid (Accessed on 15.6.2024)

the regulatory norms of the sending, transit and receiving countries"[21]. In the explanation of the meaning of the term *irregular migration*, the EMN Glossary specifically points out that one of the reasons for avoiding the use of the term *illegal migration* is "the association with criminality"[22], since "most irregular migrants are not criminals"[23].

The adjective *irregular* is usually translated into Macedonian as *непрописен/-на/-но* (*nepropisen/-na/-no*), which is the negative form of the adjective *прописен/-на/-но* (*propisen/-na/-no*) and refers to actions carried out in breach of existing regulations addressing the matter. Therefore, the entire expression *irregular migration* would be translated as *непрописна миграција* (*nepropisna migracija*), which we consider the most appropriate translational equivalent of the English term in the spirit of the Macedonian language conveying the original English notion of the act of migration carried out contrary to existing rules governing the issue. Following the analogy with *редовна миграција* (*redovna migracija*) and *regular migration* elaborated above, in this case, we may also use the opposite adjective *нередовен/-на/-но* (*neredoven/-na/-no*) to express the opposite notion and translate *irregular migration* as *нередовна миграција* (*neredovna migracija*). However, other possible options could be *нерегуларна миграција* (*neregularna migracija*) and *ирегуларна миграција* (*iregularna migracija*) with the adjective *нерегуларен/-на/-но* (*neregularen/-na/-no*) where the English prefix *ir-* is translated with *не-* (*ne-*) and the adjective *ирегуларен/-на/-но* (*iregularen/-na/-no*) with the original English prefix kept in the Macedonian equivalent as well. Both terms are examples of English lexical influence.

As far as *illegal migration* is concerned, the most appropriate Macedonian translation would be *незаконска миграција* (*nezakonska migracija*), where the adjective *illegal* is translated with the Macedonian adjective *незаконски/-ска/-ско* (*nezakonski/-ska/-sko*), as the opposite of *законски/-ска/-ско* (*zakonski/-ska/-sko*), rooted in the noun *закон* (*zakon*) meaning "law". However, *illegal* can also be translated as *нелегален/-на/-но* (*nelegalen/-na/-no*) and *илегален/-на/-но* (*ilegalen/-na/-no*), so the entire expression in Macedonian would be *нелегална миграција* (*nelegalna migracija*) and *илегална миграција* (*ilegalna migracija*), the latter one being the most "foreign" form, and the least integrated one in the Macedonian language.

3.2. Terms related to migration routes

The EU terminology databases also contain terms lexicalizing migration-related concepts which give information on the trajectory of migrants during the migration process. In the section that follows, we will address the semantic peculiarities of selected terms with the noun *migration* that are modified by adjectives or nouns which carry information regarding the direction in which migration takes place.

3.2.1. *Internal Migration vs. International Migration*

The term *internal migration* listed in the IATE database is defined as "event by which a person changes his or her place of usual residence within the territory of a

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[21] IATE's definitions of *illegal migration* and *irregular migration* are taken from the IOM (International Organisation for Migration) Glossary on Migration, taken from IOM website: Home > Migration > Key Migration Terms > Irregular migration [24.9.2015]. Source: https://iate.europa.eu/entry/result/931597/en-en (Accessed on 1.7.2024)

[22] https://home-affairs.ec.europa.eu/networks/european-migration-network-emn/emn-asylum-and-migration-glossary/glossary/irregular-migration_en (Accessed on 1.7.2024)

[23] ibid

country"[24]. It is opposed to *international migration* as "process by which a person changes their country of usual residence"[25]. In the first case, the movement takes place within a country, while in the second one, the movement starts in one country and ends in another one. In Macedonian, when migration occurs within a single country, the most appropriate term would be *внатрешна миграција* (*vnatrešna migracija*), where the adjective *internal* is translated with the Macedonian counterpart *внатрешен/-на/-но* (*vnatrešen/-na/-no*). As far as the term *international migration* is concerned, the most suitable translational equivalent would be *надворешна миграција* (*nadvorešna migracija*). In this case, the adjective *international* is translated as *надворешен/-на/-но* (*nadvorešen/-na/-no*) reflecting the semantic opposition between the Macedonian antonyms *внатрешен/-на/-но* (*vnatrešen/-na/-no*) and *надворешен/-на/-но* (*nadvorešen/-na/-no*). Literally, *надворешен/-на/-но* (*nadvorešen/-na/-no*) is the lexical equivalent of the English adjective *external*, while the equivalent of *international* is *меѓународен/-на/-но* (*meǵunaroden/-na/-no*), which might also be encountered in the translation of *international migration* in the form of *меѓународна миграција* (*meǵunarodna migracija*). However, since *external migration* can synonymously be used with *international migration* to refer to the same concept of movement involving more than one country, we consider *надворешна миграција* (*nadvorešna migracija*) as its correct and most appropriate translational equivalent. Moreover, in monolingual Macedonian dictionaries, with one of its meanings, the adjective *надворешен/-на/-но* (*nadvorešen/-na/-no*) can be used to refer to something "which refers to abroad"[26], which is another argument for the justification of this lexical choice.

3.2.2. *Return/Reverse Migration vs. Transit Migration vs. Circular Migration*

The direction of movement of migrants is also reflected in the term *return migration,* where the noun *migration* is modified by a noun with adjectival function, or its synonym *reverse migration*, where the noun *migration* is modified by an adjective. More specifically, the IATE database provides a single definition of *return/reverse migration* as "movement of a person returning to his or her country of origin, country of nationality or habitual residence, usually after a significant period of time in another country"[27]. As the modifiers suggest, in this term, the migration is carried out in the opposite direction, i.e. from the country where the person has previously migrated, back to his/her home country. In Macedonian, the most appropriate translation of *return/reverse* would be the adjective *повратен/-на/-но* (*povraten/-na/-no*), and the entire term would be translated as *повратна миграција* (*povratna migracija*). This lexical choice is based on one of the official

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[24] https://iate.europa.eu/entry/result/1568189/en-en (Accessed on 1.7.2024)

[25] https://iate.europa.eu/entry/result/882398/en-en (Accessed on 1.7.2024). This definition is based on the definition of *international migrant* from the United Nations Recommendations on Statistics of International Migration (Rev. 1), (1998:9), available on: https://unstats.un.org/unsd/publication/SeriesM/SeriesM_58rev1e.pdf (Accessed on 1.7.2024)

[26] https://makedonski.gov.mk/corpus/l/nadvoreshen-prid (Accessed on 16.6.2024)

[27] https://iate.europa.eu/entry/result/1173886/en-en (Accessed on 1.7.2024). This definition is taken from the definition of *return migration* in *Glossary on Migration, 2nd Edition*, International Migration Law No. 25, International Organisation for Migration, 2011, http://publications.iom.int/bookstore/free/Glossary%202nd%20ed%20web.pdf [19.5.2014], and the definition of *return* in *Asylum and Migration Glossary 2.0*, European Migration Network, January 2012 http://ec.europa.eu/dgs/home-affairs/what-we-do/networks/european_migration_network/docs/emn-glossary-en-version.pdf [6.6.2014] (ibid)

meanings of the Macedonian adjective *повратен/-на/-но* (*povraten/-na/-no*) as "something that serves for returning (in transport, travel)"[28], used in collocations like *повратна виза* (*povratna viza*), meaning *return visa*, for instance. The term *повратна миграција* (*povratna migracija*) has also been used in official documents of the Macedonian Government[29], which we consider correct and acceptable.

The situation when the route of the migrants passes through another country on the way to the destination country is lexicalized through the term *transit migration*. IATE defines *transit migration* as "migration through the neighbouring countries of major destination countries"[30]. With this definition, it is listed together with the terms *illegal transit migration* and *irregular transit migration*, as their short form. This practically means that it is used synonymously with these two terms. As far as the Macedonian language is concerned, the most appropriate equivalent would be *транзитна миграција* (*tranzitna migracija*). The Macedonian adjective *транзитен/-на/-но* (*tranziten/-na/-no*) is used for denoting something "that refers to transit"[31] and is commonly encountered in collocations like *транзитна држава* (*tranzitna država*), *транзитна виза* (*tranzitna viza*), *транзитна зона* (*tranzitna zona*), meaning *transit country*, *transit visa*, and *transit zone*, respectively, and in many others. Therefore, following this analogy, we consider *транзитна миграција* (*tranzitna migracija*) the most suitable lexical choice.

The last term in this section is *circular migration*. In the IATE database, *circular migration* is defined as "form of migration that is managed in such a way as to allow some degree of legal mobility back and forth between two countries"[32]. In Macedonian, this semantic content would best be transferred through the term *кружна миграција* (*kružna migracija*), taking into consideration one of the meanings of the adjective *кружен/-на/-но* (*kružen/-na/-no*), namely, to refer to something "which is performed / manifested in a circle, roundabout"[33], derived from the noun *круг* (*krug*), meaning *circle*, therefore semantically corresponding to the English adjective *circular*. However, one may come across many instances in which the term *циркуларна миграција* (*cirkularna migracija*) is used instead, which is also the case in official documents as well[34]. This is another

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[28] https://makedonski.gov.mk/corpus/l/povraten-prid (Accessed on 18.6.2024)

[29] See: Резолуција на мигрциската политика на Република Северна Македонија (2021-2025) (Resolution on Migration Policy of the Republic of North Macedonia (2021-2025)), Government of the Republic of North Macedonia, available on: https://mvr.gov.mk/Upload/Editor_Upload/Resolution%20on%20Migration%20Policy%20of%20The%20Republic%20of%20North%20Macedonia.pdf (Accessed on 1.7.2024)

[30] https://iate.europa.eu/entry/result/925673/en-en (Accessed on 1.7.2024). This definition reference is from: (Irregular) Transit Migration in the European Space: Theory, Politics and Research Methodology. IMISCOE Conference. 18-20 April 2008. Koc University, Istanbul (Sariyer),
http://www.compas.ox.ac.uk/fileadmin/files/Publications/Research_projects/Flows_dynamics/Transit_migration_Europe/Outline%20IMISCOE%20Transit%20Conference.pdf [16.1.2015] (ibid)

[31] https://makedonski.gov.mk/corpus/l/tranziten-prid (Accessed on 19.6.2024)

[32] https://iate.europa.eu/entry/result/2220606/en-en (Accessed on 1.7.2024). This definition of the term *circular migration* is taken from Commission Communication on circular migration and mobility partnerships between the European Union and third countries, COM(2007) 248 final, CELEX:52007DC0248/EN) (ibid)

[33] https://makedonski.gov.mk/corpus/l/kruzhen-prid (Accessed on 19.6.2024)

[34] See: Резолуција на мигрциската политика на Република Северна Македонија (2021-2025) (Resolution on Migration Policy of the Republic of North Macedonia (2021-2025)), Government of the Republic of North Macedonia, available on:

example of the English lexical influence, which we consider unnecessary, since there is an appropriate lexical alternative within the Macedonian lexical corpus.

3.2.3. *South-South Migration vs. South-North Migration*

Finally, with reference to migration routes, we will elaborate on the meanings of the terms *South-South migration* and *South-North migration*. It is interesting to note that, although in these examples the noun *migration* is modified by nouns with adjectival function referring to geographical notions, they actually refer to the economic characteristics of the migrants' countries of origin and destination countries. Thus, *South-South migration* refers to "migration between developing countries"[35]. It is related to the term *Global South* meaning "poorest and least industrialised countries, which are mainly in the southern part of the world"[36]. When translating the term *south-south migration* in Macedonian, we think it would be most appropriate to use a postpositive modifier and translate it as *миграција југ-југ* (*migracija jug-jug*), where *југ-југ* (*jug-jug*) is the literal translation of *south-south* and modifies the noun *миграција* (*migracija*).

On the other hand, the term *South-North migration* refers to "migration from developing countries to developed countries"[37]. Here, again, the noun *south* is related to the concept of *Global South* explained above, while *north* is related to the concept of *Global North* meaning "group of countries – mostly located in the Northern Hemisphere – with high human development that have a Human Development Index above 8 as reported in the UN Development Programme Report 2005"[38]. Therefore, following the analogy with *South-South migration*, the term *South-North migration* should be translated into Macedonian as *миграција југ-север* (*migracija jug-sever*).

3.3. Terms related to migration motives

Some expressions related to migration denote concepts which refer to the reasons for migration reflected in the modifier of the noun *migration*, usually in the form of an adjective or noun. In this section, we will focus on selected terms from this category and offer ideas for their translation into Macedonian.

3.3.1. *Forced Migration vs. Distress Migration*

Although in most cases migration is carried out on voluntary basis, there are situations when people leave their home country against their will. One such term which lexicalizes this type of situation is *forced migration*. In the IATE database, we found the definition of this term, according to which *forced migration* is "movement of persons who

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https://mvr.gov.mk/Upload/Editor_Upload/Resolution%20on%20Migration%20Policy%20of%20T he%20Republic%20of%20North%20Macedonia.pdf (Accessed on 1.7.2024)

[35] https://iate.europa.eu/entry/result/3576659/en-en (Accessed on 1.7.2024). This definition in IATE's database is derived from Council-LV, based on International Organisation for Migration (IOM), International Dialogue on Migration (IDM) 2014, background paper, https://www.iom.int/files/live/sites/iom/files/What-We-Do/idm/workshops/South-South-Migration-2014/Background-paper-en.pdf [25.4.2018.] (ibid)

[36] https://iate.europa.eu/entry/result/3552296/en-en (Accessed on 1.7.2024). This definition in IATE's database is taken from the definition of 'global south' (20.7.2023) in Collins COBUILD Advanced Learner's Dictionary. Copyright © HarperCollins Publishers *Collins COBUILD Advanced Learner's Dictionary* (ibid)

[37] https://iate.europa.eu/entry/result/3576657/en-en (Accessed on 1.7.2024)

[38] https://iate.europa.eu/entry/result/3552295/en-en (Accessed on 1.7.2024)

have been forced or obliged to flee or to leave their homes or places of habitual residence, in particular as a result of or in order to avoid the effects of armed conflict, situations of generalised violence, violations of human rights or natural or human-made disasters"[39]. Defined this way, *forced migration* mainly refers to migration "motivated" by external factors that cannot be controlled by the person forced to leave his/her home, sometimes including the element of coercion. In Macedonian, involuntary action caused by any kind of external pressure is usually modified by the adjective *присилен/-на/-но* (*prisilen/-na/-no*), meaning something "which is by force, under pressure"[40], etymologically rooted in the noun *сила* (*sila*), meaning "force", and its derived forms *присила* (*prisila*) or *присилба* (*prisilba*), which can be used as a synonym with *принуда* (*prinuda*)[41]. Therefore, the Macedonian equivalent would be *присилна миграција* (*prisilna migracija*), but the term may also be translated as *принудна миграција* (*prinudna migracija*). In many other terms in Macedonian, the adjectives *присилен/-на/-но* (*prisilen/-na/-no*) and *принуден/-на/-но* (*prinuden/-na/-no*) can be used synonymously, such as in *присилен брак* (*prisilen brak*) or *принуден брак* (*prinuden brak*) for *forced marriage, присилна работа* or *принудна работа* for *forced labour* etc.

  Distress migration is a concept similar to the one of *forced migration*. IATE defines it as "population movement motivated by extreme economic deprivation, natural and environmental disasters, or forms of gender and social oppression which are perceived to be intolerable"[42]. As the definition suggests, this is a narrower term whose semantic content mainly focuses on external conditions or circumstances as causes of migration out of sheer necessity, for achieving bare existence. It lacks the coercion element and the possible use of threats and other forms of intimidation which may be present in some forms of forced migration. For that reason, when considering the most appropriate Macedonian equivalent, the focus should be on the noun *нужда* (*nužda*) which may refer to "need", "misery" or "poverty"[43], and its derived forms. Therefore, the most appropriate Macedonian equivalents would be *нужна миграција* (nužna migracija) or its extended form with a prepositional phrase *миграција од нужда* (*migracija od nužda*). When contrasted with the previously elaborated equivalents of *forced migration*, namely *присилна миграција* (*prisilna migracija*) and *принудна миграција* (*prinudna migracija*), taking into consideration the extent of the semantic overlapping between *forced migration* and *distress migration*, we may also suggest *принудна миграција* (*prinudna migracija*) as

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[39] https://iate.europa.eu/entry/result/151143/en-en (Accessed on 1.7.2024). This definition is taken from Council-EN and is based on 'displacement'. Glossary on Migration (9.6.2021), International Organization for Migration, 2019 (ibid)

[40] http://drmj.eu/show/%D0%BF%D1%80%D0%B8%D1%81%D0%B8%D0%BB%D0%B5%D0%BD/%D0%BF%D1%80%D0%B8%D0%B4 (Accessed on 1.7.2024)

[41] http://drmj.eu/search/%D0%BF%D1%80%D0%B8%D1%81%D0%B8%D0%BB%D0%B0#%D0%BF%D1%80%D0%B8%D1%81%D0%B8%D0%BB%D0%B1%D0%B0/%D0%B6 (Accessed on 1.7.2024)

[42] https://iate.europa.eu/entry/result/3567513/en-en (Accessed on 1.7.2024). The IATE's definition is based on: TERM PL based on: Mander, H. and Sahgal, G. Internal migration in India: distress and opportunities http://www.solutionexchange-un-gen-gym.net/wp-content/uploads/2015/06/MANDER_SAHGAL_Internal-Migration_Distress-Opportunities.pdf [5.1.2016] (ibid)

[43] http://drmj.eu/show/%D0%BD%D1%83%D0%B6%D0%B4%D0%B0/%D0%B6 (Accessed on 4.7.2024)

another possible alternative for a Macedonian translational equivalent of *distress migration*.

3.3.2. *Labour Migration*

In many cases people leave their homes driven by economic reasons, when they move to another city or country for work purposes. When migrating for such reasons, English speakers use the term *labour migration*. In the IATE database, *labour migration* is defined as a "process by which people change their place of usual residence for the purpose of employment"[44], with a note that "labour migration can be either internal, between areas within the same country, or international, between countries"[45]. In this case, the noun *migration* is modified by another noun (*labour*) with adjectival function. The noun *labour* can, inter alia, be translated into Macedonian as *труд* (*trud*) when referring to work, particularly physical work. However, when translating the entire term in Macedonian, the noun *labour* will be replaced by an adjective, in the spirit of the Macedonian language, and the entire term will be translated as *трудова миграција* (*trudova migracija*), with the derived adjectival form *трудов/-а/-о* (*trudov/-a/-o*). This adjective can also be encountered in other terms in Macedonian, such as *трудово право* (*trudovo pravo*) meaning *labour law*, *трудова инспекција* (*trudova inspekcija*) meaning *labour inspection* etc.

3.3.2. *Marriage Migration*

Migration may also occur for family-related reasons. One such phenomenon is lexicalized by the term *marriage migration*, which, according to the IATE database, refers to "migration within countries or across borders due to marriage"[46]. In this term, the noun *migration* is also modified by a noun with adjectival function. However, in the Macedonian translation, it should be replaced by an adjective. The most appropriate adjective in this case would be *брачен/-на/-но* (*bračen/-na/-no*), derived from the noun *брак* (*brak*) meaning "marriage". Therefore, the entire term would be translated as *брачна миграција* (*bračna migracija*). It might also be translated with a postpositive prepositional phrase, so the possible translations of *marriage migration* could also be *миграција за брак* (*migracija za brak*), *миграција заради брак* (*migracija zaradi brak*), *миграција заради стапување во брак* (*migracija zaradi stapuvanje vo brak*) etc.

4. CONCLUSION

The semantic analysis of migration-related terms in English and their translational equivalents in Macedonian elaborated in the paper show that the noun *migration* enters into various collocational relationships creating terms that lexicalize different aspects of this phenomenon. In our case, these terms denote concepts as defined in a specific European Union terminology database (IATE) on the grounds of which they are used in the European Union context. The specific terms illustrate cases where migration is either modified by an adjective or a noun with adjectival function. However, when translating them into Macedonian, detailed analysis should be carried out with regards to the form of

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[44] https://iate.europa.eu/entry/result/858199/en-en (Accessed on 1.7.2024)

[45] ibid (Accessed on 1.7.2024)

[46] https://iate.europa.eu/entry/result/3599202/en-en (Accessed on 1.7.2024). This definition is with reference to Websites of the European Commission, the Organisation for Economic Co-operation and Development (OECD) and the Office of the United Nations High Commissioner for Human Rights (UN OHCHR)–Treaty bodies (ibid)

the Macedonian lexical counterparts as well as the degree of the overlapping of the semantic content with the original terms in English. The translational equivalents of concepts such as *orderly migration*, *irregular migration*, *reverse migration*, *circular migration*, *labour migration* and others offered in the paper may serve as the basis when translating official documents from English into Macedonian in the area of migration, in particular with reference to the translation of the European Union legislation. They can also be helpful to researchers and experts in the area of migration, as well as translators and students of English specializing for professions that may be related to migration issues, one way or another.

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THE CONCURRENCES OF SECURITY VISIONS: THE NATIONAL SECURITY IN LIMBO? (THE CASE OF GEORGIA)

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Abstract

The paper explores concurrences of the pro-Georgian, aka pro-Russian, hence the anti-European images and security narratives rotating in the Georgian political public sphere. The study reflects and deconstructs cross-cutting metanarratives, that securitize the West/EU-US and Russia and contribute to fragmentation of the political public sphere. To this end, the paper reflects on various domains of the political public sphere, plundered by the pro-Georgian, aka pro-Russian, hence anti-European strategic narratives, tailored across 'communities of grievances' to counteract the Western liberal and normative-based agenda, undermine the pro-Western security-seeking foreign policy line and aspirations towards Georgia's membership in the Euro-Atlantic structures. The political discourse analysis – understanding and interpreting meanings – deconstructs the main messages of the statements of elites and policy documents for deconstruction of narrative structures, as their causal explanations provide insights into the ambiguous and contradictory representations of the pro-Georgian, aka pro-Russian, hence anti-European narratives in the securitized political public sphere in Georgia. The study applies securitization theory, which claims that any country's policy line in general is shaped and driven in or through securitizing discourse, created by elites with particular foreign and domestic purposes.

Keywords: Georgia, Russia, West, domestic discourses, security visions

1. INTRODUCTION

The paper reflects on the concurring process of (de)securitization of the Russian Federation (Russia) through introduction of the pro-Georgian, aka pro-Russian, hence anti-European narratives in Georgia's political public sphere. These diverse public political narratives selectively build on various political and cultural markers – normative aspects, customs and tradition, religion and historical records – to frame collective identity of the Georgian nation for the legitimization of the pro-Georgian, aka pro-Russian, hence anti-European domestic and foreign policy discourses in the modern Georgia. The rotating discourses on Russia and on the EU create their dual imaginaries through contradictory and competitive securitizations in the political and cultural settings: the long-established image, *Russia as the saviour*, builds on religious commonality and on the fact of redemption of Georgia from the Muslim yoke in the 19th century, thus Georgia preserving the main feature of its national identity – the Orthodox religion – with the help of Russia. On this backdrop, the pro-Russian groups concentrate on religious commonality with Russia, seeing Russia as the sole direction of Georgia's alliance and friendship and are in favour of

the balanced politics between Russia and the West for restoration of country's territorial integrity. The Georgian and the European cultural features, primarily religious differences and numerous everyday practices and cultural norms, are represented as mutually inconsistent, and rapprochement to the West is considered as a precondition of the demise of the traditional Georgian culture and the Georgian nation.

The study explores the pro-Georgian, aka pro-Russian, hence anti-European metanarrative(s), that create the positive image of Russia primarily through grounding the negative image of the EU in the Georgian [political] public sphere. The rotating public political narratives, i.e. grounding securitization as a discourse, "represents a discursive process, through which individuals, communities and nations make choices, construct identity and inspire action" **(Ganz, 2016, p. 1)**. These public political narratives "refer to the individual and the way in which narratives of institutions and organizations define and locate social actors' understandings within a wider socio-political context" **(Bacon, 2012, p. 770)**. The Georgian political and cultural elites manipulate national political discourses through public political narratives for their political gains, and through spreading pro-Georgian, aka pro-Russian, hence anti-European narratives, contribute to the appearance of the new socio-cultural cleavages and fragmentation of the political public sphere, where "public discussion deals with objects connected to the activity of state" **(Habermas et al., 1974, p. 49)** that fragments the 'marketplace of ideas' and destabilizes socio-political setting, as the "national mythmaking is [and actually it has been in Georgia – D.M.] the attempt to use dubious arguments to mobilize support for nationalist doctrines or to discredit opponents" and "the product of deliberate elite efforts to mobilize latent solidarities behind a particular political program" **(Snyder & Ballentine, 1996, p. 66)**. In the Georgian political public sphere creators of the exclusive metanarratives successfully mobilize segment(s) of society around their political discourse(s) through securitizing either West or Russia.

The study applies securitization theory, which claims that any country's policy line in general is shaped and driven in or through securitizing discourse **(Buzan, 1998, p. 24)** created by elites with particular foreign and domestic purposes. The discourse is created through a speech act, which enables formulation of a particular topic in a way that it draws attention of a nation. Stressing particular threats, posed to a state and a nation, is already an act of securitization **(Erikson & Noreen, 2002, p. 10)**; whereas securitizing actors are mainly political elites – leaders, lobbyists, governmental agencies **(Buzan et al., 1998, p. 40)**, which mobilize masses through the act of securitization and make them supportive to their judgments and policy aims, thus legitimize their desired policy line **(Erikson & Noreen, 2002, p. 10)**. In Georgia, political actors present some issues – the Western enlargement in post-Soviet space and domestic and foreign policy actions against the Orthodox Russia – as a "threat to the existence" of Georgia and point to the need either of neutrality of the country or necessity of making choice in favour of the lesser evil (the Russian Federation). This leads to legitimization attempts of particular foreign and domestic policy lines and security calculations in the modern Georgia, i.e. approaching Russia as a preferred ally.

The research employs methods of qualitative analysis of primary and secondary sources and refers to the discourse-historical approach to reconstruct the changing political tendencies and understanding securitization discourse. The discourse-historical approach is a relevant method as it is a "systemic collection and analysis of that information, which is related to particular past events and enables to explain present developments for prediction of the future" **(Connaway & Powell, 2010, p. 79)**; as "[t]he analyst should not observe

threats, but determine how, by whom, under what circumstances, and with what consequences some issues are classified as existential threats but not others, determine "how threats and appropriate responses […] how the 'objects' of security are constructed and what are the possibilities for transformation of 'security dilemmas'" (**Diskaya, 2013**). The deconstruction of public political narratives highlights which issues are securitized and actualized in public domain; whereas the method of process tracing, in its causal inference line (**Bennett, 2010, p. 210**) is used to reconstruct the changing political tendencies, through referring to the secondary analysis of policy papers and commentaries. This enables to connect the separate forms of approaches into one-another through analysis of language texts, discourse practice and discourse events, such as socio-cultural practice (see: **Norman, 1995**).

The paper will deconstruct the main lines of various narratives of the pro-Georgian, aka pro-Russian, i.e. anti-European actors, and will demonstrate those aspects which ground positive image of Russia and the negative image of the EU/West in the political public sphere of Georgia which cause a drift in the attitudes of the domestic audience and the foreign policy orientation of the country.

2. WHOSE SECURITIZATION? PRO-GEORIGAN, AKA PRO-RUSSIAN I.E. ANTI-EUROPEAN ACTORS

Since declaration of its independence on April 9, 1991, the Georgian political landscape has turned into the battle ground between the pro-Western and pro-Russian political forces, where pro-Georgian, aka pro-Russian, and anti-European socio-political forces undermine the pro-Western discourse. Georgia witnessed the re-ideologization of politics and assertions in legitimization from the side of new elites, which differently affected the identity of the new state (see: **Jones, 2003, pp. 83-110**). The soft-power policy of the EU (hence normative trigger of democratization process) becomes gradually undermined through collision of historical-religious (Russian Orthodoxy) and cultural-value (liberal conception of the West) driven agendas. Georgia is particularly vulnerable to this tendency as population is bifurcated across the identity and value axis and split between the *liberal-democratic model* (West) and the *Orthodox-Christianity* (Russia), that leaves ample avenues for the emergence and activation of the populist and illiberal forces, creating receptive ground for the dissemination of the Russian soft-power projected narratives in the [political] public sphere of Georgia. The pro-Russian forces employed the Orthodox religion as the core of the Georgian identity and under its cover appealed to geopolitics to argue that Georgia cannot escape from its geographical location as a neighbour of the Russian Federation, thus relations between Tbilisi and Moscow should be normalized in line of mutual interests.

The Russian funded actors (political parties, CSO and some high-rank Georgian priests) promote ultra-nationalist, right-wing and extremist policy lines and through coordination of their activities and message-box reinforce the pro-Russian discourse. Their activities are not institutionalized, rather various individuals disseminate the pro-Kremlin narratives (**Detector Media, 2017, p. 8**). Culturally driven messages create alternative version of historical past and bifurcate the Georgian society between the West and Russia, which promote the image of Moscow as a defender and guard of the old European values: Christianity, family, state, nationalism and sovereignty, factors widely supported and valued by European citizens, but quite often side-lined and downgraded by European leaders in their rhetoric, thus pushed to the backstage of policy-making (**Karaganov, 2014, p. 13**). This tendency is lately embraced by the ruling Georgian Dream party through

forging effective bonds with the conservative parties and right-wing illiberal forces within the European Union (with Hungary and its PM Viktor Orban in particular) to balance their openly pro-Russian narratives (not well-accepted in the Georgian society) centred on the perception of shared 'cultural-religious' aspects between Russia and Georgia and secretly synchronized with the Russian Federation's *operational narratives*, or a comprehensive narrative strategy, which is a complete package of both offensive and defensive messages coordinated to degrade adversarial audiences and to build resilience within friendly audiences **(Cobaugh, 2018)**.

The pro-Russian groups present the Georgian and the European cultural features as mutually inconsistent, and approaching the West is considered a precondition of the demise of Georgian culture and Georgian nation **(Thomas, 2016)**. The government of Georgia manipulates the existing threats stemming from Russia to launch a neutral politics, although reinforces anti-Western rhetoric **(Detector Media, 2017, p. 8)**. This tendency is apparent in Georgia at least since 2022, which enables the Russian Federation to maintain the satellite states in the post-Soviet space as a buffer zone.

The Russian-backed pro-Georgian, aka pro-Russian, thus anti-European narratives undermine the image of the EU through the following measures:

In the sphere of politics, they plant nihilism in the society regarding the pro-Western course of the country and bridge the issue of restoration of territorial integrity of Georgia with normalization of relations with Russia, rather with the Western provision of security guarantees;

In the realm of culture, they portray the traditional cultures, among them the Georgian culture, as endangered by the Western liberal conceptions (in this respect these narratives are concentrated on the protection of the LGBT rights in particular);

In terms of economy, the visa liberalization and the market of the European Union, are presented as a non-realistic and undesirable option for the agricultural sector of Georgia due to its regulations; this idea is backed by the false narrative regarding the fall of economies of the Central and Eastern European countries after they joined the EU due to the normative regulations applied. Considering the nostalgia for the readily available Russian market for the Georgian agricultural and mineral products during the Soviet times and mainly until the Russian embargo of 2006 in particular, this message positively resonates among the various segments of the Georgian society (Detector Media, 2017, p. 14).

The Russian influences on the existing 'societal cleavages' within the Georgian society have never been overcome or mitigated by any government in office. This fact complicates the process of formation of a unified political identity through solidifying core values, which, by default, reduces the threat of divisive narrative warfare. The deeply entrenched societal cleavages undermine and compromise the democracy and democratization processes, making Georgia vulnerable to the Russian encroachments.

The pro-Georgian, aka pro-Russian, hence anti-European narrative images are nurtured by the six myths: *Myth 1.* The West fights against the Georgian Orthodox faith and its culture and traditions; *Myth 2.* Russia is a source of economic development and welfare for the population of Georgia; *Myth 3.* The West supports the existing government, not Georgia; *Myth 4.* Russia could still protect us from our historical enemy – the Islamic World; *Myth 5.* The West will never accept Georgia as a member of NATO and the EU; *Myth 6.* The EU and the US demand legalization of a same-sex marriage in Georgia (EI-LAT, 2016, pp. 43-46). By injecting *myths* regarding the West in the Georgian public

domain, the alternative image of the West, i.e. Russia, is created, that will successfully contain challenges emanating from the West to the traditional Georgian culture and society; hence, Georgia's prospects of integration in the Western structures are compromised.

The gradual decrease of the pro-Western rhetoric after 2012, with the change of the United National Movement government with the Georgian Dream one, and an open activation of the pro-Russian forces, ultra-right groups and the so-called pro-Georgian, aka anti-Western narratives by the ruling Georgian Dream party since the last parliamentary elections of 2020 and before the upcoming one in October, 2024, triggered some influential pro-Russian intellectual and political groups (the Soviet-era intelligentsia, first generation politicians of the post-Soviet independent Georgia, and a young generation of pro-Russian and pro-Eurasian NGOs), to make statements for legitimization of doubts whether Georgian government's general pledge to continue pro-Western policies is genuine and/or thought through (Nodia, 2013, p. 105). This creates space for those political forces which argue for the necessity of 'neutrality' of Georgia in its foreign policy course to disseminate their arguments in favour of Russia and against the EU/NATO integration (Gordadze, 2014, p. 58). Through various ultra-nationalist messages, Eurasia is propagated as an alternative power-pole of the EU and religious similarity between Georgia and Russia is highlighted.

3. RUSSIA AS THE SAVIOR

The pro-Russian actors promote their narratives through manipulation of social trends, instrumentalization of expectations of various societal groups and that of international context of the Russian-Western relations in the post-Soviet space to create the image of Russia as the saviour and/or inevitable neighbour. This tendency is nurtured by alignment of different narratives disseminated by an informal and silent coalition of pro-Eurasian NGOs, a range of political parties, a part of the Georgian Orthodox Church's priests and archbishops, and groups of Russia sympathizers within the country's political and cultural elite, which are drawn on similarities in the two countries' conservative and religious or socio-cultural agendas **(Makarychev, 2016, p. 1)**. Their master narrative is mainly based around religion, centred on Georgia's rapprochement with Russia in the 18th century through the Treaty of Georgievsk (signed between the Kartl-Kakheti Kingdom and the Tsarist Russia in 1783). The fact that this treaty transformed Georgia into a colony of the Tsarist Russia in 1801, rather protected it from the Muslim encroachments; e.g. during the Battle of Krtsanisi in 1795, when the Russian army did not keep its promise to support the King Erekle II in his last battle against Persia, is disregarded, and the co-religious Russia is presented as the saviour in the Georgian public sphere.

The political and societal actors of the pro-Russian camp try to bridge the idea of normalization of relations between Russia and Georgia and the policy of balancing between Russia and the West. The proponents of the cultural-religious 'narrative of friendship' have overtly established and disseminated various political myths to create a receptive ground for the Russian political agenda **(EI-LAT, 2016, p. 32)**, reinforced by the demonization of the West. The West is portrayed as a colonizer of Georgia, that seeks to transform the country into a NATO military base to secure the Caspian Sea's oil resources **(Dzvelishvili & Kupreishvili, 2015, p. 14)**. The cultural narrative evolves around LGBT issues, denouncing such thematic activism in Georgia, as it is against the Georgian culture and traditions **(Dzvelishvili & Kupreishvili, 2015, p. 18)**, accompanied by the promotion

of the messianic role of Russia and humiliation of the Western political system and values (**EI-LAT, 2016, p. 48**).

The pro-Russian forces claim that complicated relations with Russia, with its culmination in the August War of 2008, was the result of unjustified and irrational anti-Russian rhetoric and the pro-Western drive of the Georgian political establishment in 2005-2008; they argue that there is no possibility of turning to the West without upsetting Russia, and without political dialogue and normalization of relations with Russia, Georgia will not regain territorial integrity and ensure its security. The proponents of the 'normalization policy' after the Russian-Georgian August War of 2008 claimed that had been themselves into the power (mainly former allies and cabinet members of Saakashvili's government) there would be "a high probability that the Georgian government would have not yielded to Russian provocation and war would have been averted" (**Civil.ge, 03.12.2008**). Since 2012, with the change of the government, the above-mentioned political claim is reinforced with the idea that certain liberal (Western) values endanger Georgia's national identity, by the pro-Russian/anti-Western voices, both in the parliament, or by non-parliamentary opposition groups. Considering the absence of effective integration with the West, a portion of society has started to regard confrontation with Russia as political adventurism for which Georgia paid more than it gained. This might lead Georgia to the path of slow de-Europeanization, sliding deeper into political malaise, social apathy and internal fragmentation (**Falkowski, 2016, pp. 45-48**). The surge of political polarization, evident since 2020 and gradually reinforced in political public sphere, is the testimony to this claim.

The complicated relations between Russia and Georgia after the August War of 2008 and the created stalemate over the conflicting territories of Georgia gave an opportunity to the opposition parties and societal groups to come with peace initiatives and popular promises of normalization of relations with Russia. In 2010, leaders of the opposition parties travelled to Moscow to meet President Dmitry Medvedev and Prime Minister Vladimir Putin, both of whom had expressed a desire to see Mikheil Saakashvili overthrown. These leaders (ex-speaker of the parliament Nino Burjanadze and ex-PM of Georgia Zurab Noghaideli, former allies of Saakashvili) justified their visit with a necessity to find a solution to the deadlock Georgia was found after the August War of 2008: occupied by the Russian Federation without realistic timeframe for restoration of territorial integrity and for integration either in the EU or NATO. If, after the August War, the image of Russia was cemented as the number one enemy of the country, after 2010 some moderate statements towards Russia appeared, culminated with popular promises of the ex-Russian business tycoon Bidzina Ivanishvili, who challenged Saakashvili in 2011 and brought his rule to an end in 2012 under the promise to change the irrational foreign policy towards Russia. His political coalition "The Georgian Dream – Democratic Georgia", blamed Saakashvili for his radical policy towards Moscow and promoted the 'normalization policy' with Russia (**Makarychev, 2016, p. 4**).

This shift in rhetoric activated the pro-Russian oriented political parties in the mainstream Georgian politics, although, as the pro-Russian ideas are not popular, political forces driving the Russian agenda neither admit it in their party programs nor propose it through official declarations (**EI-LAT, 2016, p. 12**). The pro-Russian NGOs influence the public opinion through anti-Western propaganda, create a foothold for more aggressive actions by the Russian-oriented political forces, and pose significant challenges to state security (**EI-LAT, 2016, p. 46**). They strive not to be termed as the (pro)-Russian agents of influence and aspire to gain popular support through the narrative of a realistic foreign

policy, going as far as to the idea of declaration of official neutrality of Georgia, followed by restoration of territorial integrity through a hard process of negotiations with Russia. According to the Russo-Georgian advocates, Eurasia is a rising region that is not confined to Russia alone, while Georgia's European choice is nothing more than utopian "bright future". Russia actually needs the *pro-Georgian* (as opposed to the *pro-Western*) elite in Tbilisi, driven by Georgia's interests and ready to cooperate with the Eurasian Union or serve as a bridge between Russia and the EU (**Makarychev, 2016, p. 4**).

The pro-Georgian, aka pro-Russian, forces try to attract the pro- and the anti-NATO electorate of Georgia simultaneously, as they do not delude either themselves or voters about NATO integration; they set the ambitious goal to mend ties with Russia, to start reintegration of Sokhumi and Tskhinvali, under the condition of cooperation with NATO; meanwhile, the pro-Russian political parties and CSOs continuously demand a referendum to determine Georgia's foreign policy course (**Dzvelishvili & Kupreishvili, 2015, p. 36**), whereas Russia requests that Georgia drops Western values and the Euro-Atlantic integration in exchange for normalized economic or civil-political relations (**EI-LAT, 2016, pp. 10-11**).

The pro-Russian narrative and Russia's image as the saviour is maintained on the basis of cultural elements: some of them accepted, others neglected as a threat to the Georgian identity (**Thomas, 2016**). It portrays the Georgian and European cultural features as mutually inconsistent and equate the Orthodox religion and the maintenance of key characteristic of the Georgian identity: they build on Christianity to promote ambiguous relations between Georgia and the West and quite often bridge their narratives with the Georgian Orthodox Church, which has successfully exerted influence on political elites (**Jones & Kakhishvili, 2013, p. 22**). The policy of linking Georgian identity and European values is quite often torpedoed by the statements or declarations of some high-ranking priests. There is an ideological stance in the Georgian Orthodox Church that presents the West as the enemy of Orthodoxy and Georgian identity, calling for an alliance with co-religionist Russia to preserve Georgia's cultural and spiritual values (**Nodia, 2013, p. 106**). This tendency particularly sharpened after the power change in 2012, when the new government abandoned the policy of anti-Russian rhetoric (**Hug, 2015**). The Church, through its moderate statements on Russia, has enforced the Georgian Dream's normalization policy towards Russia. To strengthen the notion of religious brotherhood, the political groups refer to statements by the Georgian clergy from different sermons – demonizing the West and arguing for Orthodox nations to unite around Russia (**Dzvelishvili & Kupreishvili, 2015, pp. 35-36**).

4. THE EU AS THE ENEMY: ANTITHESIS AND DECADENT CIVILIZATION

The EU is presented as an enemy of the traditional Georgian culture, that leads to the fluctuations of the [political] public sphere in terms of attitudes towards the EU. The cultural-religious tools are particularly successful to fragment the attitudes of the Georgian society towards the EU/West and to portray it as the antithesis to the Georgian Orthodox and traditional culture and cement its image as a decadent civilization. On this backdrop, the pro-Russian actors successfully undermine the normative driven agenda of the EU, hence the democracy promotion project of the West in Georgia.

The Russian Federation "successfully exploits divide between liberal and more authoritarian-minded groups, particularly on the issues of identity (**Raines et al., 2017, p. 2**), which could gradually distort Georgia from the pro-Western orientation and transform into a semi-authoritarian or hybrid regime (**Detector Media, 2017, p. 7**). Georgia is

particularly vulnerable to this tendency as population is bifurcated across the identity and value axis and even split between the liberal-democratic model (the Russian propaganda systematically focuses on the themes as moral decay of Europe and the impeding collapse of the West, fragility of liberal democracy, equating liberalism to the LGBT rights' promotion) and the Orthodox Christianity (Russia, being the leader of this camp, presented as the defender of conservative, Orthodox and traditional values vis-à-vis liberal, degraded and hedonistic West) **(Polyakova, 2016)**. The strategies of the Kremlin's disinformation activities: 1. discredit political elites; 2. 'contain democracy' via building bridges with the leaders of illiberal or semi-authoritarian leaders etc; 3. disseminate fake news, that question or erode credibility of the liberal democratic project; 4. sharpen the divide and antagonize the mainstream political parties on the one hand and the left- and the right-wing parties on the other, a tendency recently termed as political polarization.

The 2016 Worldwide Threat Assessment of the US Intelligence Community has predicted that Georgia might abandon its Euro-Atlantic integration and turn toward Russia. The initial concerns about a likely change of Georgia's foreign policy priorities following the rise to power of Bidzina Ivanishvili (in 2012) did not materialize and Georgia did not break with the legacy of the Rose Revolution; although, symptoms of deepening multidimensional social and political crisis significantly affected foreign policy, leading to an apparent polarization during the Presidential elections of 2020, that has not been defused so far. As people's standards of living have been stagnating, political and social malaise have been breeding Euro-scepticism and disenchantment with the West; while pro-Russian forces openly contesting the foreign policy line that Georgia has been pursuing to date and calling for a turn towards Russia, have been gaining prominence **(Falkowski, 2016, pp. 5-6)**. The failure of Western actors to sufficiently empower democratic reform coalitions in Georgia; strengthened anti-reformist forces, which are supported by Russia and feel stronger due to the current fatigue in the process of Georgia's Euro-Atlantic integration; overall lack of a democratic political culture among the ruling elites (both current and previous) **(Lebanidze, 2016, p. 3)** all caused a drift in foreign policy of the country: the Georgian Dream government has no clear strategy towards normalization of relations with Russia or membership of NATO and the EU.

The Georgian Dream coalition government failed in its two major foreign policy priorities: improving relationship with Russia and accelerating country's integration into the EU and the transatlantic community through NATO **(MacFarlane, 2015, p. 3)**, as the Georgian Dream had a very weak base of contacts in Western diplomatic circles and a very little experience of diplomacy, public relations and lobbying abroad **(MacFarlane, 2015, p. 5)**. The failed attempts of normalization of diplomatic relations with Russia were constrained by the major obstacle of the Georgian-Russian relations since 2008: Russia's occupation of Abkhazia and South Ossetia and their recognition as sovereign states, followed by security and economic agreements, bilateral agreements and specific policy vis-à-vis Georgia, what was termed by the Georgian central authorities as creeping annexation. The statement of the foreign minister of the Russian Federation, Sergei Lavrov, that "attempts to condition the development of political ties on Russia withdrawing its recognition of existing realities have no prospect and are counterproductive and will produce nothing" **(MacFarlane, 2015, p. 12)**, brings the normalization policy of the Georgian Dream coalition into a deadlock.

The pro-Georgian (aka pro-Russian), hence the anti-European forces have overtly supported establishing a narrative and dissemination of political myths, which strengthened political agenda of the Russian authorities in Georgia **(EI-LAT, 2016, p. 32)**. Their main

paradigms are consisted of the following aspects: religious belief – a basis of unity; national identity – public discourse formed on the basis of historical past and shared values; cultural proximity – common cultural experience (**EI-LAT, 2016, p. 42**) – all of them shared with Russia, not with the West. Each of these narratives has their medium – clerics, anti-Western political forces and representatives of Soviet intelligentsia – enabling Russia to create a certain anchor in Georgia (and in other post-Soviet countries) for the event of its own aggressive actions, that will give an opportunity for manipulation and for justifying its aggressive actions (**EI-LAT, 2016, p. 46**).

The main massages of the pro-Russian media, NGOs and political parties acting in Georgia are centred on the issue of saving the country from the degraded West and of restoring the traditional Russian-Georgian friendship. These organizations are mainly occupied with the popularization of the Eurasian Union in Georgia as a possible alternative to the West (**Dzvelishvili & Kurpreishvili, 2015, p. 4**) and even openly declare that 'calling Russia occupant is a high treason', arguing that, during the behind-the-scenes talks, Russian politicians and experts stated that, if Georgia changes its foreign direction and renews strategic partnership with Russia, Moscow will support Georgia in resolving its conflicts (**Dzvelishvili & Kupreishvili, 2015, pp. 38-39**). These plants false hopes in the hearts of a portion of the Georgian society and reinforce division between the pro-Western and pro-Russian camps. Coupled with the idea to turn to the 'politics of normal' with Russia, these messages in different forms were constantly voiced in the Parliament of Georgia between 2016-2020 by the political party Alliance of Patriots of Georgia, referred as the pro-Russian political party by the pro-Western political forces and a portion of the society, whereas self-designating and pretending to be the sole pro-Georgian political party. Later on, they allied with the far-right groups of Georgia during their street-protests and demonstrations in 2021-2022.

The pro-Russian civil society actors create communication platforms through intellectual circles, which legitimize and further disseminate the anti-European narratives (**Detector Media, 2017, p. 8**). They undermine the pro-Western discourse through patriotic slogans and lexicon, based on identity and values issues, that are successfully securitized. They breed fear that integration in the Western structures and acceptance of the Western values would undermine national identity, religious practice and sexual identity; therefore, the anti-Western messages mainly rely on the idea of defence of dignity (**Detector Media, 2017, pp. 17-18**) and protection of conservative values vs. liberal values. In civil society, the Russian supported organizations are mainly centred on humanitarian activities and promote the idea to prohibit CSOs which are funded by foreign donors. This message is identical to the message included in The Russian Federation's State Security Strategy of 2015, which depicted these organizations as threats to the state security and portrayed them as opponents to the traditional spiritual values (**Detector Media, 2017, pp. 20-22**).

The religious aspect is also strongly manipulated and securitized by the pro-Russian CSOs and political parties. In 2010, the new organization Popular Orthodox Movement was established, which promoted the idea of building the Georgian state based on the orthodox values, ensuring development of the Georgian identity and traditional Christian way of life. It also expressed its readiness to cooperate with the Patriarchate of Georgia and shared with the idea of restoration of the monarchy as the mode of state order in Georgia (**Dzvelishvili & Kupreishvili, 2015, p. 32**). The role of Christianity in strengthening Georgia's affiliation with the Western, Christian world is rather ambiguous. The Georgian Orthodox Church has exerted influence on political elites and their foreign

policy choice to different degrees at various times, although its impact on foreign policy can be best described as marginal **(Jones & Kakhishvili, pp. 2013: 22)**. The problem is that it is hard to differentiate whether the Georgian Orthodox Church's sympathies that coincide with Russian positions are the product of the Russian soft power or stem from the ideological convergence of the two kindred churches.

CONCLUSION

The pro-Georgian (aka pro-Russian) and the anti-European images are employed by political elites for legitimization of their particular foreign and domestic political discourses. The controversial representation of Russia and the EU in the Georgian political public sphere either as enemies or saviours are constructed through selective appropriation of various moments from the history of the Georgian-Russian and the Georgian-European relations and seeks to restore the image of Russia as the saviour of Georgia from the Muslim yoke, defender of its religious identity, and to promote the politics of normalization of relations with Russia, whereas the EU is presented as an antithesis of the traditional Georgian culture.

The images of Russia are contradictory as they are created through the techniques of selective remembering and forgetting, which has receptive ground in a wider society in the context of the present challenges and past grievances. These efforts try to provide foundations for the politically motivated narratives, attached to geopolitical space – that is Eurasia – where Russia's image appears either as the saviour of Georgia or temporary irritant actor due to exogenous circumstance, that could be avoided by the Georgian political elites. These metanarratives damage Georgia's relations with the EU at the expense of its normalization with Russia, as it represents a kind of zero-sum game between the different visions of the country's future security. Though Georgia remains on a pro-Western course, in reality, gradual shift towards Russian political and civilizational sphere is apparent in political and cultural narratives, primarily through activation of pro-Russian forces in the spheres of media and politics, which create a fruitful base for the shift from the Western to the Northern direction, with a strong securitization component.

It is hard to deny that the pro-Russian sentiments are latent, but strong in Georgia, and if wrapped in anti-Western narratives, rather than openly delivered to mass society as simple pro-Russian direction, could be easily bought by a significant portion of the Georgian society, with a false promise of territorial reintegration and security reassurance (by whom?) of statehood and nationhood. The pro-Russian sentiments, nurtured by religious aspects, brings Georgia on a rocky terrain. Fluctuated politically and bifurcated culturally between the West and Russia, Georgia might be found in a trap, facing a hard choice: either saved by normatively driven Europe, to which it needs to comply, or helped by the big Christian brother – Russia, in exchange of obedience, to be started with negation of the pro-Western course once and for all.

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CROSS-BORDER COLLABORATION AMONG RECOGNISED SECURITY PROFESSIONALS: STRATEGIES FOR REGIONAL RESILIENCE IN SOUTHERN EUROPE

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Abstract

In European territories, sustainable planning approaches and policies have gained prominence. The concept of territorial cohesion has garnered significant attention in both academic circles and European Union policy discussions. Given the number of cross-border collaboration (CBC) projects and strategies in Europe, it is essential to discern the most effective approaches in establishing alliances within border territories to develop regional resilience. This paper answers two research questions: 1) What main security threats and challenges face cross-border collaborations in Southern Europe, especially in North Macedonia and its neighbouring countries? 2) How does aligning objectives among participating border countries contribute to the overall security and effectiveness of cross-border collaboration efforts? **Methods:** This study draws on a literature review focused on North Macedonia and bordering countries to compile perspectives from local authorities, public and private institutions, non-governmental organisations, and entrepreneurs in the region. The literature review used a systematic search strategy to identify relevant academic articles, reports, and policy documents. A quality assessment of the selected literature was conducted to ensure the validity and reliability of the findings. **Results**: The study's findings highlight the conditions that are instrumental to the success of strategic alliances in CBC projects in Southern Europe. **Conclusion**: The study underscores the importance of clearly defined goals, diverse stakeholder participation, experienced partners, objective coherence, and mutual benefits in shaping successful CBC projects. These findings offer stakeholders data to better navigate the complexities of cross-border collaboration, ultimately contributing to regional resilience and sustainable development.

Keywords: cross-border cooperation (CBC); inter-organisational cooperation; alliances; sustainable planning; territorial cohesion

INTRODUCTION

Cross-border collaboration (CBC) is a relatively recent concept that has come into the limelight since countries began seeking regional development in pursuit of territorial cohesion and sustainable development. CBC is an effort to bring local authorities, public institutions, private sector entities, and non-governmental organisations (NGOs) together into an institutional framework to address challenges and harness collective potential (Pinnavaia & Berisha, 2021). CBCs facilitate cooperation by providing three elements: financial resources, policy frameworks, and an exchange of best practices amongst the member states. CBC is a holistic approach that includes dimensions such as environmental sustainability to social inclusion, cultural exchange, and cross-border aspects. Leveraging the specific strengths and resources of border regions turns potential barriers to cooperation into opportunities for mutual growth (Pinnavaia & Berisha, 2021). Accordingly, the significance of cross-border cooperation goes beyond mere economic gains. It offers a future where neighbours in the same region can cooperate to overcome common challenges and achieve developmental sustainability (Mic, 2023).

The European Union (EU) has always encouraged cross-border cooperation as a prerequisite for economic growth, enhanced regional resilience, and sustainable development (Salihu, 2022). The EU acts on the idea that interdependence among neighbouring regions provides more cohesive growth and sustainable development, creating a sense of unity and cooperation across borders. One flagship programme under the umbrella of EU involvement is the INTERREG, also known as the European Territorial Cooperation programme, which encourages cooperation across borders by financing projects. These and other programmes, such as the European Territorial Cooperation (ETC) framework, have successfully carried out hundreds of CBC projects targeting a range of sectors—from infrastructure development to environmental protection and security enhancement (Pinnavaia & Berisha, 2021).

Since risk management, stability assurance, and provision of a secure environment are crucial for CBC projects, security experts are indispensable to project delivery. This study identifies strategies and conditions for CBC for recognised security professionals to succeed, focusing on Southern Europe, especially North Macedonia and its neighbouring countries. The region offers a case study for understanding the dynamics of CBC in an area engulfed with challenges but equally rich with opportunities. This study seeks to establish how security professionals can substantially contribute to CBC in the region by identifying strategies to facilitate successful CBC projects and offer a stronger, more cooperative Southern Europe, especially in North Macedonia and its neighbouring countries. Findings from the current research will aid in developing practical recommendations for policymakers, security professionals, and other stakeholders engaged in CBC initiatives.

Study Objectives

The study aims to enhance efforts at regional resilience by providing strategies and conditions for recognised security professionals involved in CBC to succeed, focusing on Southern Europe and especially North Macedonia and its surrounding countries. The main objectives of the study are to:

- Identify and analyse critical conditions for the successful cross-border collaboration of security professionals.
- Review the perspectives of the various stakeholders in CBC projects.
- Provide strategic recommendations to security professionals for strengthening regional resilience through CBC.

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Research Questions

To gain an understanding of the research topic, the study addressed the following questions:

1. What main security threats and challenges face cross-border collaborations in Southern Europe, especially in North Macedonia and its neighbouring countries?
2. How does aligning objectives among participating border countries contribute to the overall security and effectiveness of cross-border collaboration efforts?

Context

North Macedonia is an inland country in the heart of the Balkans, bordering Greece to the south, Albania to the west, Kosovo and Serbia to the north, and Bulgaria to the east. Geopolitically, North Macedonia presents a very conflicted situation, since many historical disputes, ethnical frictions, and political instability affect regional relations and the implementation of effective and sustainable CBC projects in the region (Kanteler & Bakouros, 2024). At the same time, the region poses opportunities for cooperation to meet regional resilience and sustainable development. The region's flagship cities – such as Skopje of North Macedonia, Thessaloniki of Greece, Tirana of Albania, Priština of Kosovo, Belgrade of Serbia, and Sofia of Bulgaria – can become strategic players in cross-border initiatives and efforts due to their geographical location and economic importance. Security professionals play a crucial role in CBC projects that operate in a region with historical disruptions and complex security issues (Klemenc et al., 2021).

Literature Review

Cooperation between different organisations within a country – such as government bureaus, private businesses, and non-governmental organisations – is crucial to ensuring that CBC projects achieve success through resource, expertise, and knowledge pooling. The involvement of known security professionals is critical in any CBC initiative for several reasons. Security professionals provide support for risk assessment and management, which is instrumental in identifying and mitigating security threats that cut across national borders (Ranaldi, 2020). In the process, their participation builds trust and confidence among stakeholders, which is vital to collaboration. Security professionals are also helpful in contributing to the development of standardised procedures and protocols that increase the interoperability of security agencies across borders.

Some key factors that affect successful inter-organisational cooperation between security professionals include trust, transparent and open communication, a common objective or purpose, and mutual benefits (Kosevaliska et al., 2022). Trust ensures that all parties are genuinely committed to cooperating and sharing sensitive information. Communication makes it possible to exchange information and coordinate activities. Shared goals provide a sense of direction for the efforts of collaborating organisations toward a single objective. Mutual benefit ensures that each party has a stake in the success of this collaboration (Miljković, 2022). For instance, joint training programmes during security workshops refresh the knowledge of security personnel and increase their capacity for cooperation across borders. Similarly, collaborative research efforts create the opportunity to develop new strategies and technologies to be utilised towards responding to emerging security threats.

Sustainable development is a holistic approach to meeting the present requirements without jeopardising the capacity of future generations to meet their needs. It

is a type of planning that combines economic, social, and environmental concerns into decision-making processes. Sustainable development and planning become important in ensuring that such collaborative efforts work in the long term for the participating regions (Rajkovchevski, 2022). Sustainable development and planning entail infrastructural development, enhancing economic growth and security. For security professionals, these measures include advanced surveillance systems, secure and safe transportation networks etc. It also implies that, in enhancing these securities, no harm is caused to the environment and social setup of the regions involved. For example, the principle of security can be served by integrating border management systems that run on renewable energy sources and limit environmental disturbance, helping to create a sustainable future. In turn, community outreach and engagement programmes involving local populations in making security decisions can ensure that measures are socially sustainable and supported by those they are intended to protect.

The EU's territorial cohesion policy aims to reduce disparities between regions and promote balanced development by focusing on cooperation and integration across borders for harmonious and sustainable regional development. Territorial cohesion can create synergies and leverage the potential of the border region. For security professionals, territorial cohesion means working to achieve an equitable distribution of security resources and capabilities across regions to manage cross-border security threats effectively (Mileski & Pacemska, 2024). It also encourages integration amongst different security agencies and systems toward melding a cohesive response through coordinated commitment against cross-border challenges. For example, joint patrols and intelligence-sharing agreements between neighbouring countries can enhance the security of border regions and contribute to territorial cohesion. Similarly, investments in border infrastructure that improve connectivity and accessibility can help decrease disparities and foster more balanced development.

Regional resilience – the ability of a region to absorb and recover from the effects of economic shocks, natural disasters, and security threats – is another important theme for security professionals in CBC. Typically, developing resilience at the regional level requires the effective strengthening of social, financial, and environmental systems while engaging different sectors of society. Regional resilience requires solid partnership building, knowledge sharing, and joint running of projects to address the issues faced in the region. Németh (2024) shows that security professionals' strategies towards regional resilience include the setting up of comprehensive risk assessment and management frameworks that account for cross-border threats. This includes organising joint risk assessments with coordinated response plans by pooling resources or capabilities across the participating regions. This also involves investing in capacity-building initiatives to improve the skills and competencies of security professionals within border regions (Mileski & Pacemska, 2024). This leads to sharing knowledge, with best practices among security professionals being acknowledged for playing a huge role in regional resilience. International conferences, workshops, and training programmes, including experts in security matters from different countries, would enhance this.

Security in CBC in North Macedonia and Bordering Countries

In Southern Europe, CBC initiatives involve security professionals in the areas of strengthening border security, combating organised crime, managing migration flows, and improving disaster response mechanisms (Trbojević & Radovanović, 2024). North Macedonia and neighbouring countries have implemented various CBC projects and

programmes focused on economic development, infrastructure, environmental protection, and security. Government and public institutions provide policy support, funding, and regulatory frameworks that keep the CBC projects running. These institutions will ensure that activities toward cross-border initiatives are within the reach of existing national policies and strategic goals (Rajkovchevski, 2022). Security agencies in North Macedonia, Albania, and Greece have cooperated systematically through joint training programmes for security forces and standard intelligence networks used in the fight against criminality. For instance, in Serbia, the Ministry of Interior collaborates with similar ministries in North Macedonia and Bulgaria to harmonise border security operations.

Enterprises and business entrepreneurs bring investment, innovation, and economic growth to the CBC. Inter-regional trade and investment are crucial to regional growth and become prominent features of cooperating economies (Kanteler & Bakouros, 2024). The Thessaloniki-Skopje Economic Corridor is an excellent example of fruitful economic cooperation. Private sector involvement ensures economic viability and sustainability for CBC projects. Additionally, businesses often drive technological advancements and infrastructure improvements, which can enhance the efficiency of cross-border operations. By fostering a competitive environment, the private sector encourages the adoption of best practices and innovative solutions that can address regional challenges (Mic, 2023). Moreover, public-private partnerships can leverage resources and expertise from both sectors, creating a synergistic effect that maximizes the impact of CBC initiatives. The presence of thriving businesses also boosts employment opportunities, which can lead to greater economic stability and social cohesion within the region. Consequently, the private sector plays a pivotal role in driving the success and longevity of CBC projects.

Some CBC projects, submitted with support from the EU and other international organisations, aim at border cooperation, encouraging regional unity in the event of disaster (Mileski & Pacemska, 2024). For example, the INTERREG Balkan-Mediterranean program has already financed many projects for increased economic cooperation and infrastructural development between border cities. Another significant initiative is the IPA (the European Union's Instrument of Pre-accession Assistance), which has enabled financial allocations for CBC projects aimed at strengthening environmental protection and disaster risk management across borders, including joint border control initiatives among North Macedonia and Bulgaria that have contributed to enhancing the security protocols for better cross-border circulation (Kanteler & Bakouros, 2024). Along this line, CBC projects in Thessaloniki and Skopje have targeted improved emergency response by creating joint training programmes for security professionals and developing common communication platforms. Initiatives for infrastructure improvement and boosting economic ties in Tirana and Priština are a natural platform for establishing a stable and cooperative regional environment.

Municipal governments and other regional authorities facilitate CBC processes by forming the local policy framework for its implementation and acting as coordinators across borders (Mileski & Pacemska, 2024). For instance, the municipal governments of both Skopje and Sofia have jointly pioneered urban planning projects that help solve common infrastructure problems.

NGOs contribute immensely to advocating, providing expertise, and implementing projects concerning CBC. In most cases, they are the bridge between the public and the private sector, facilitating dialogue regarding cooperation between the public and private sectors. Organisations like the Balkan Forum have been pushing for peace-building and

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collaborative environmental projects in the region. Leading security experts on CBC projects should deal with safety and stability to alleviate potential security threats that are weighed upon them for resilience so that cross-border initiatives may proceed without deterioration (Mileski & Pacemska, 2024).

Methods

This study employed a comprehensive literature review to address the research questions related to cross-border collaboration (CBC) in Southern Europe, focusing on North Macedonia and its neighbouring countries. The methodology was designed to synthesize existing knowledge from various sources, providing a thorough understanding of the key factors influencing successful CBC initiatives and the role of security professionals in these projects.

Literature Search Strategy

The literature review used a systematic search strategy to identify relevant academic articles, reports, and policy documents. The following steps were taken:
1. Database Selection: Major academic databases such as Google Scholar, JSTOR, Scopus, and the European Union's publication databases were used to locate pertinent literature. This ensured access to a broad spectrum of scholarly and policy-oriented materials.
2. Keywords and Search Terms: Keywords and phrases such as cross-border collaboration, territorial cohesion, regional resilience, security professionals, Southern Europe, North Macedonia, and CBC projects were utilized to ensure comprehensive coverage of the topic. These keywords were combined in various ways to maximize the retrieval of relevant studies.
3. Inclusion and Exclusion Criteria: Articles were included if they focused on cross-border cooperation, regional resilience, or security initiatives within Southern Europe, particularly North Macedonia and its neighbouring countries. Articles that were not peer-reviewed, lacked empirical data, or were outside the scope of the study, were excluded. This step was critical to maintain the quality and relevance of the review.
4. Time Frame: The review concentrated on literature published within the recent four years (2020-2024) to ensure the inclusion of contemporary research and current policy frameworks. This time frame was selected to capture both historical context and recent developments in CBC practices.

Quality Assessment

To ensure the reliability and validity of the findings, quality assessment of the selected literature was conducted. This involved evaluating the methodological rigour, relevance, and credibility of each source. The criteria for quality assessment included:
1. Methodological Soundness: Evaluation of the research design, sample size, data collection methods, and analysis techniques used in each study was conducted. Methodologically fit studies were those that employed rigorous and transparent methods, ensuring the reliability of their findings.
2. Relevance to Research Questions: An assessment of how directly each source addressed the research questions and objectives of the study was done. Only studies that provided direct insights into CBC, regional resilience, and security in Southern Europe were included.

3. Credibility of Sources: Consideration of the authors' expertise, publication venue, and the impact of the work within the academic and policy-making communities was ensured. High credibility was attributed to sources published in peer-reviewed journals or by reputable institutions and authored by recognized experts in the field.

Limitations

While the literature review methodology provides a robust framework for understanding CBC initiatives, it has certain limitations. First, the review is limited to available literature, potentially overlooking unpublished literature, which may result in missing some relevant studies. Second, although systematic, the thematic synthesis process involves a degree of subjectivity that could influence data interpretation. Efforts were made to minimize this through multiple coders and cross-checking, but some bias may remain. Third, the dynamic nature of geopolitical contexts means that findings may evolve over time, and new developments may not be captured in this review. The rapidly changing political and social landscape in Southern Europe necessitates on-going research to keep findings current. Despite these limitations, the review provides valuable insights into CBC, though continuous updates are essential for maintaining relevance and accuracy in the context of evolving regional dynamics.

Ethical Considerations

Given that this study is based on a literature review, ethical considerations primarily involved ensuring accurate representation and attribution of all reviewed sources. The research adhered to the principles of academic integrity by providing proper citations for all referenced works, thus acknowledging the contributions of original authors.

Results

Based on a review of the literature, this study underscores the need to have clear objectives, engage multiple stakeholders, work with experienced partners, ensure that objectives are coherent, and ensure a win-win scenario. The results show that various conditions are crucial for implementing cross-border collaboration (CBC) projects among recognised security professionals in Southern Europe. Vulevic et al. (2021) shows that managing the complex security threats that arise in border regions is one of the most primary challenges identified in CBC project. These threats include organized crime, illegal migration, and geopolitical tensions. The involvement of recognized security professionals is crucial in addressing these challenges due to their expertise in risk assessment and management. Their participation not only helps in identifying and mitigating security threats but also builds trust and confidence among stakeholders, which is vital for effective collaboration (Ranaldi, 2020). Security professionals contribute to developing standardized procedures and protocols that enhance the interoperability of security agencies across borders. This standardization is essential for coordinated responses to cross-border threats and ensuring a secure environment for CBC projects.
Aligning objectives among participating border countries is another critical factor for the success of CBC efforts. Well-defined objectives ensure that all stakeholders are on the same page and working towards common goals, which is fundamental for the success of CBC projects (Pinnavaia & Berisha, 2021). Objective coherence, where the objectives of CBC projects align with the strategic priorities of all regions involved, keeps the focus and aids in achieving desired outcomes. This alignment is particularly important in the context

of Southern Europe, where diverse geopolitical interests and historical tensions can complicate collaboration efforts. By aligning objectives, CBC initiatives can foster a sense of shared purpose and mutual benefit among participating countries.

The involvement of diverse stakeholders, including local authorities, public and private institutions, non-governmental organizations (NGOs), and entrepreneurs, is essential for the success of CBC projects. According to Rajkovchevski (2022), stakeholder engagement ensures a broad representation of perspectives and approaches, which enhances the effectiveness of collaborative efforts. For instance, joint training programmes and collaborative research initiatives allow for knowledge sharing and capacity building among security professionals and other stakeholders. These activities not only improve the skills and competencies of individuals involved but also foster a collaborative culture that is crucial for the long-term success of CBC projects.

Recruiting experienced partners is necessary to strengthen the credibility and impact of CBC projects. Organisations with a track record of successful collaborations bring valuable knowledge, skills, and resources that can significantly enhance project outcomes (Salihu, 2022). Various scholars indicate that partnerships with reputable organizations increase the legitimacy of CBC initiatives and ensure the reliability of their operations. Additionally, mutual benefits are critical for sustaining long-term engagement and coordination among stakeholders. CBC projects must provide measurable value to all regions and stakeholders involved, creating a win-win scenario that motivates continuous participation and investment in collaborative efforts (Sainovic, 2023).

The role of policy support and innovation in CBC projects cannot be overstated. National and regional governments play a crucial role in providing the regulatory frameworks, funding, and political backing necessary for the successful implementation of CBC initiatives. Sainovic (2023) reveals that policy support is vital for creating an enabling environment that facilitates cross-border cooperation. Furthermore, embracing innovative approaches and technologies is essential for enhancing the efficiency and effectiveness of CBC projects. Digital solutions, data analysis, and advanced methodologies can support better communication management, information sharing, and security measures, ultimately leading to more robust and sustainable CBC efforts.

Regional resilience, defined as the ability of a region to absorb and recover from economic shocks, natural disasters, and security threats, is a key theme in CBC initiatives (Vulevic et al, 2021). Developing resilience at the regional level requires strengthening social, financial, and environmental systems through collaborative efforts. Security professionals play a significant role in setting up comprehensive risk assessment and management frameworks that account for cross-border threats (Salihu, 2022). These frameworks include joint risk assessments and coordinate response plans, which are essential for building regional resilience. Capacity-building initiatives, such as international conferences, workshops, and training programmes, further enhance the skills and knowledge of security professionals, contributing to the overall resilience of the region.

Limitations and Future Research

While the literature review provides valuable insights into CBC initiatives, it also has certain limitations. The review is limited to available literature and thus potentially overlooking unpublished works that may contain relevant studies could affect the credibility of the findings. Additionally, the synthesis process, despite efforts to minimize subjectivity, involves a degree of interpretation that could influence the findings. The

dynamic nature of geopolitical contexts means that findings may evolve over time, necessitating on-going research to keep the findings current.

Future research should address several areas to improve the security and effectiveness of CBC projects. Evaluating the long-term impact of CBC initiatives on regional resilience and sustainable development can provide insights into best practices and areas for improvement. Analysing the potential of emerging technologies to enhance CBC projects can also be instrumental in advancing collaborative efforts. Furthermore, understanding the nature of stakeholder interactions and the effectiveness of policy support can help develop better strategies for implementing CBC initiatives.

CONCLUSION

This research has looked at the factors and measures required for practical cross-border cooperation among accredited security professionals in the Southern Europe region, emphasising North Macedonia and its neighbouring countries. The study also established the success factors, including goals and objectives, stakeholders, experienced partners, objectives and goals consistency, and mutual gains. These elements create the basis for improving the security measures beyond the borders and promote the region's increased stability and defence capability against threats including organised crime and terrorism.

The stakeholders' views were helpful in identifying the best practices for enhancing partnership in implementing strategies and policies by stressing the issues of trust, communication, capacity development, cultural sensitivity, policy support, and innovation. In doing so, security professionals can enhance cooperation, share information, and develop a coordinated approach to addressing threats that will help protect local populations and regional interests to create a safer and more connected Southern European region and successfully implement CBC projects.

The research enhances our understanding of cross-border collaboration through an in-depth review of the needs for strengthening security and assurance of effectiveness in initiatives on CBC in Southern Europe. The findings also highlight the requirement for stakeholder coordination and cooperation regarding their policy implications for decision-makers, security experts, and other stakeholders engaged in CBC activities. By calling for proper communication, joint training, and shared legal frameworks, the study advocates for increased regional security preparedness in the best possible way against various threats (Mic, 2023). Moreover, it encourages sustainable development policies that could increase socioeconomic security in a global society and strengthen the bonds between the nations of Southern Europe to create a safe environment. These findings guide the formulation of sound CBC measures that go beyond the national level to enhance or facilitate the attainment of collective security objectives and creation of long-term partnerships for enhancing regional welfare and security.

Future research should address several areas to improve security in CBC projects. First, future research can evaluate the long-term effectiveness of CBC projects and their influence on the regions' strengthened resilience and sustainable development (Klemenc et al., 2021). Evaluation of CBC projects in different regions can reveal past successes and pitfalls that can be used in other areas to enhance security measures. In this line, it becomes instrumental in analysing the potential of emerging technologies in improving the effectiveness of CBC projects. These could aid in communication management, information sharing, security measures within an organisation, and so on. Moreover, knowledge of the nature of stakeholder interactions in CBC projects would provide information on those aspects that influence trust, communication, and cooperation

necessary for implementing safety measures. In this regard, the effectiveness of policy support can be assessed to determine those policy measures that enhance collaboration and strengthen security systems. Therefore, further research will help develop better approaches regarding addressing those areas and hence improve resilience, sustainable development, and security of CBC projects in the regions.

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CYBER SECURITY AS A CONTEMPORARY SECURITY CHALLENGE

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Abstract
　　The highly dynamic development of human civilization in the opening decades of the new millennium brings, on the one hand, many positives in all spheres of human society, but on the other hand, many negatives that threaten the functioning of contemporary society. This is also why more and more emphasis is placed on ensuring safety. One of the key areas in the security sphere is cyber security. Its importance is continuously increasing with the rapid development and massive use of new, modern technologies, especially information and communication technologies, the expanding use of artificial intelligence, augmented reality and the Internet of Things, as well as the overall increase in digital transformation, in which organizations and companies integrate digital technologies into their processes and activities, in order to increase their efficiency, innovation and competitiveness, thereby changing the way they operate and how they deliver their products and services. This brings not only new opportunities, but also new security challenges that are closely related to the protection of their systems, data, information, processes etc. against cyber threats. For this reason, the authors in their contribution, using relevant scientific methods within the framework of interdisciplinary research, deal with issues of cyber security. In order to support the professional and academic debate, they offer their holistic view of cyber security as one of the most important contemporary security challenges.

　　Keywords: security, cyber security, modern technologies, threats, challenges

INTRODUCTION
　　Cyberspace was recognized as the fifth operational domain by the North Atlantic Treaty Organization (hereinafter referred to as "NATO" or the "Alliance") at the Warsaw Summit in 2016. The identification of cyberspace with other domains means that there is no longer a fundamental difference between them, and therefore many operational activities, implemented either at the level of the Alliance or individually at the level of its member states, for the purpose of ensuring collective and/or national security and defence, are rather linked with other domains, gradually transferred to this domain (CCDCOE, 2016).

　　The need to secure and protect their assets in cyberspace has gradually been accepted by all countries of the developed world, not only NATO member states. Thus,

cyber security and later cyber defence became an integral part of ensuring the security and defence of the state. However, since the cyberspace and the threats and risks in it are not static, countries must reflect this dynamic state and adapt to ongoing developments. They must also adapt to the changes that come with the development of modern technologies, systems and means, whether in the form of threats or opportunities.

1. CYBER SECURITY

The origins of the concept of cyber security can be traced back to the 1960s, while until the 1990s it focused exclusively on ensuring the security of information and communication technologies. However, during the last decade of the 20th century, broader discussions began to emerge, not only about the military implications of cyber activities, or about cyber war and its possible form, but also about the possible effects of cyber threats on the wider society. At that time, ideas about cyber war mainly included cutting off or abusing the enemy's command and control structure, or cyber means were seen as a tool for disrupting the enemy's computer systems or data (Van Puyvelde, Brantly, 2019; Frianová, 2020).

At the beginning of the third millennium, concepts such as digital Pearl Harbor[47] begin to appear and be used as a metaphor for the catastrophic effects of cyberattacks on critical infrastructure, which draws attention to the state's unpreparedness to face threats from cyberspace. Cyber activities were also likened to weapons of mass destruction and classified into the category of so-called weapons of mass disruption/subversion. The category of weapons of mass destruction includes non-lethal weapons, but their effect is comparable to conventional weapons of mass destruction. This includes weapons temporarily disabling manpower or acting exclusively against material targets. In this category, cyber-attacks were understood as means that are aimed at the networks, systems, and infrastructure of the entire society.

Among other things, international agreements on the fight against cybercrime (e.g. the Convention on Cybercrime) (Sepeši, 2001) appear in that period, which also comes under the state's jurisdiction. Terrorist attacks in the US and Europe have reflected in the concept of cyber security with an increase in the fear of cyber terrorism. Cyber-attacks on Estonia in 2007 led, among other things, to the Estonian government's attempt to activate Article 5 of the Washington Treaty on Collective Defence (Tóda, Kačmár, 2016), the deployment of cyber capabilities in combination with conventional means during the war in Georgia a year later (Hollis, 2023), and the demonstration of physical damage caused by the Stuxnet worm in 2010 (Tóda, Kačmár, 2016). The attacks practically demonstrated, until then, only theoretical considerations of a possible threat to the state from cyberspace. The last milestone mentioned here is the year 2016, when NATO recognized cyberspace as the fifth operational domain (CCDCOE, 2016).

The term cyberspace itself has an endless number of definitions. For the purposes of this article, a definition of cyberspace can be chosen that includes an emphasis on the cognitive, physical and digital parts of this space – that is, in addition to the logical and physical layers, there is also a social layer. Thus, cyberspace can be defined as an

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[47] The term *Digital Pearl Harbor* was first used in 2000 by Richard Clarke, who at the time was working in the US National Security Council. One can also encounter the paraphrased term *Cyber Pearl Harbor*, which was used a decade later by Leon Panetta as a reference to an attack on industrial control systems that could knock out national power grids, the transportation system, the financial sector, or the functioning of the government.

environment formed by information and communication technologies that enable data exchange and communication between two independent systems mainly (but not only) via the Internet. Cyberspace is also a space that is used by individual subjects for an endless range of activities involving the creation, processing and exchange of data. This includes both the virtual and social side of the issue, as well as its physical part in the form of the existence of the necessary infrastructure (Benschop, 2023).

In terms of definition, cybersecurity can be defined as a set of processes, best practices, and technology solutions that help protect critical systems and networks from cyber-attacks (MS, 2023). Another definition says that cybersecurity is the practice of protecting networks, devices, applications, systems, and data from cyber threats. The overall goal of cyber security is to eliminate attacks that attempt to obtain or destroy data or disrupt operations (SAP, 2023).

From the point of view of Slovak legislation, Act of the Slovak Republic on Cyber Security No. 69/2018, § 3, letter g) understands cyber security as a state in which networks and information systems are able to withstand with a certain degree of reliability any action that threatens the availability, authenticity, integrity or confidentiality of stored, transmitted or processed data or related services provided or accessible through these networks and information systems (SL, 2023).

Regarding the concept of cyber security, although there is currently no clear conceptual agreement, which can be seen in the various definitions across governmental or non-governmental, national or international institutions and organizations dealing with ensuring cyber security, it is nevertheless possible to find basic concepts within the academic and professional debate constitutional aspects that are more or less reflected in the definitions used.

The most frequently mentioned is the so-called CIA triad, whose name is derived from the initial letters in English: C – confidentiality, I – integrity, A – availability, and which is primarily related to the security of systems, networks, information, and data (Brooks et al., 2018). Confidentiality ensures that systems, networks, information, and data are made available only to authorized users, usually ensured by encryption or access control. Integrity means that systems, networks, information, and data will remain in their original form and thus will not be changed by an unauthorized person. Availability then covers the accessibility of systems, networks, information, and data to authorized persons at the required time and their use in the expected manner. In practice, it is necessary that these three aspects are ensured and set in an adequate and balanced way (Chai, 2021).

The CIA triad is also expanded by various other elements. Probably the most famous extension is the so-called non-repudiation, this means that the sender of the information is assured of the delivery/receipt of the information and the recipient is assured of the credibility of the origin of the information or the identity of the sender, so that neither party can deny the processing of the information (Wu et al, 2013). Singer and Friedman (2014) add resistance to the CIA triad, or the system's ability to operate in the event of cyber-attacks or incidents without critical failure. Some other authors also include authenticity in the CIA triad or ensuring that the origin of the information or data is correctly identified, that is, it comes from the given source (Verma, 2019).

The concept of cyber security thus necessarily includes another interdependent and interconnected triad in the form of people, processes, and technologies.

People manage the discussed systems, networks, information, and data, and operate with or on them. They create and optimize processes and consider technological solutions to minimize the risk of cyber threats or solve them. If we leave aside software

solutions in the form of antiviruses or firewalls, they are precisely the people who react to cyber-attacks or incidents. Processes can be understood as strategies that are set, implemented, and updated in order to reduce the risk of the manifestation of cyber threats or their solutions in case of failure of prevention. They include, for example, plans and procedures, roles, and activities in ensuring cyber security. Technologies then cover hardware or software tools and solutions that are implemented to prevent, address, and reduce the impact of cyber threats (Brand, 2018; Dutton, 2017).

A cyber threat can be defined as any potential intentional or unintentional danger associated with exploiting a vulnerability that may result in damage to the system and its assets, such as destruction, unwanted access, modification of data, or unavailability of services (Jirásek et al., 2015). A cyber threat can have an impact not only on the running of the organization, its functioning, or its activities, but also on individuals or the wider society. The mentioned vulnerability in the context of cyber security can be understood as a weak point of an asset or a lack of applied security measures that can be exploited by one or more threats. A software, hardware, procedural vulnerability or even a vulnerability linked to an individual's misconduct can be used (Watts, 2020).

The last triad, which is related to the conceptualization of cyber security, includes the essential activities to ensure it, that is, prevention, detection, and response. Some sources further expand this triad by identification, which precedes prevention, and recovery, which, on the other hand, follows response. However, these activities can be subsumed into broader categories, for example, identification can easily be included in the category of prevention, as well as recovery can be subsumed into the category of prevention in the sense of recovery planning or as part of the response.

The effort of entities responsible for ensuring cyber security is to act preventively to reduce the risk arising from cyber threats. Prevention can thus include the identification, or finding out what threats the entity faces, what assets must be protected and what are the most adequate means of protecting them. Furthermore, it can cover or expand elements from the previous triad, or implement, update, or modernize procedural, physical, hardware or software measures and at the same time continuously train staff.

Since it is not possible to rely on flawless prevention, entities must be able to detect cyber threats and react to them. Detection typically includes hardware and software measures used to monitor activities in networks and systems. For the detection to be meaningful, it must be followed by an adequate response in terms of time and resources. This can take a number of forms, from the simple elimination of a cyber threat, through a warning to retribution (retribution can also take a number of forms). It is essential that the reaction must always include the system restoration, at least to the state before the manifestation of the cyber threat, ideally then to the state that intercepts the threat, or to the updated adapted system (NIST, 2018).

2. CYBER DEFENCE AS AN INTEGRAL PART OF CYBER SECURITY

Cyber defence is a coordinated act of resistance that protects information, systems, and networks from cyber-attacks by implementing protective practices such as firewalls, network detection and response, and endpoint detection and response to identify, analyse, and report incidents that occur within a network (IN, 2023). Cyber defence can also be defined as a defence mechanism of a computer network that includes responding to actions and protecting critical infrastructure and securing information for organizations, government entities, as well as other possible entities and networks (Rouse, 2023).

Another definition used says that cyber defence refers to the ability to prevent cyber-attacks from infecting a computer system or device. It includes taking active steps to anticipate adverse cyber actions and to combat intrusions. All cyber defence strategies and tactics share the common goal of preventing, disrupting, and responding to cyber threats (CT, 2023).

Cyber defence focuses on preventing, detecting, and providing timely responses to attacks or threats so that no infrastructure or information is tampered with. With the increasing volume and complexity of cyber-attacks, cyber defence is essential for most entities to protect sensitive information as well as protect assets (Rouse, 2023).

From NATO's point of view, cyber defence is part of the Alliance's main role in deterrence and defence. Given that cyber threats are complex, destructive, coercive and more frequent, and cyberspace is constantly under attack and malicious cyber events occur every day, from low-level to technologically sophisticated attacks, the goal of cyber defence is to protect one's own networks, actively operate in cyber space (including through NATO operations and missions), to help allies increase their national resilience and to provide a platform for political consultation and collective action in this specific area (NATO, 2023).

Cyber defence is generally considered a part of cyber security. However, there are certain qualitative differences between the two terms that make it impossible to arbitrarily confuse them. One of the frequently used definitions of cyber defence says that it is the ability and possibility of the state to act actively in cyber space using the necessary technological and knowledge capacities in the direction of eliminating, suppressing or preventing serious cyber-attacks (Pačka, 2015). From this definition, it can be deduced that cyber defence does not include purely passive defence measures, but necessarily requires offensive capacities for its effectiveness, which is in line with the understanding of the general concept of defence (Galatík, 2008).

One of the main differences between cyber security and cyber defence can be seen in the nature of cyber threats and the types of cyber-attacks and target assets. Cyber threats that can activate the state's cyber defence tend to originate abroad, are carried out by state or state-sponsored actors (or, in the case of hypothetical cyber terrorism, by non-state actors), but they can also originate from within the state. This criterion is problematic not only from the point of view of attribution, but also of assessing the motivation of the actor carrying such a threat. The reliable determination of these aspects is not easy in practice even during normal system operation, let alone in the case when the target system is under attack and when an immediate reaction is required. Nevertheless, the actor's motivation is mostly political or economic, and the threat represents the potential for a serious impact on the national security of the state (Davis, 2019).

Such threats require a qualitatively different response than the state is able to carry out with the help of cyber security measures. In practice, it can be difficult to estimate and detect all possible consequences of a cyber-attack, especially in its early stages. It follows that a certain threat can at least initially be dealt with in cyber security mode, and only after additional information is discovered will cyber defence be activated. This delay, together with the issue of attribution, then leads to consideration of the line between cyber defence and retaliation and brings with it a whole host of other issues (Sterner, 2011).

The above-mentioned ambiguities or shortcomings are largely covered by the second criterion, or especially in assets against which a cyber-attack is conducted. These assets should be essential for the operation of the state or its defence capability (Pačka,

2015). In this context, it is necessary to draw attention to the fact that a cyber-attack may or may not be directed against critical information infrastructure.

The definition of critical information infrastructure can be derived from the term critical infrastructure, which refers to systems and services whose non-functionality or poor functionality would have a serious impact on the security of the state, its economy, public administration, and the provision of basic life needs of the population (Jirásek et al., 2015). Critical information infrastructure is then that part of critical infrastructure that is in cyberspace and is usually defined by law. This may include elements belonging to telecommunications, transport infrastructure, energy etc.

As a rule, at least legislatively, military assets in cyberspace are not included in it. In practice, it happens that different institutions are responsible for the cyber security of subjects of critical information infrastructure and the military. In the case of critical information infrastructure, these are usually state or non-state institutions designed to ensure the cyber security of defined entities, and military assets are secured by the armed forces of the state.

The need to ensure cyber defence mainly results from the fact that certain cyber threats and cyber-attacks cannot be handled by standard cyber security means, therefore it is necessary to use available cyber defence tools. Some authors distinguish between active and passive cyber defence. Passive defence can be divided into fortified and flexible (Dewar, 2017).

Active cyber defence consists of deploying tools to detect, deceive, analyse, identify, trace, and mitigate or stop cyber-attacks and actors in real time. The approach requires the defender to have the ability to take proactive or offensive actions against a particular threat and to interact with the attacker, both within their own systems and within the attacker's systems. Therefore, it also includes offensive means to minimize the skills and capacities of the attacker. Active cyber defence can also be used in peacetime in cases of self-defence (Ducheine, Haaster, 2014).

The three essential features of an active cyber defence include:
- ensuring cyber defence in real time,
- the ability to actively identify and reconnoitre the enemy in cyberspace,
- the ability to carry out both retaliatory and pre-emptive cyber-attacks (Dewar, 2017).

In passive cyber defence, some authors include all other activities and measures that do not belong to active measures. This concerns, for example, the implementation of encryption, firewalls, password management, partnership support between interested institutions, increasing situational awareness in cyberspace etc. (Denning, 2014) Some authors in the framework of passive cyber defence distinguish between the so-called fortified cyber defence (Fortified Cyber Defence) and resilient cyber defence (Resilient Cyber Defence) (Herzog, Prior, 2013).

The first mentioned type focuses on building a defensive digital perimeter around key assets or potential targets, in order to reduce the attacker's access to networks as much as possible (e.g. using firewalls and antivirus software). The idea of the approach is to secure the systems and networks of the so-called from below, respectively secure networks and systems simultaneously with their construction. So, it does not rely on products that are implemented into already existing networks and systems. The second type focuses on ensuring the operation of critical services of systems and networks in the event of a cyber-attack and restoring them to their normal state before the attack. In addition, it includes an adaptive component to ensure that the attacked system can change its parameters so that it

can reflect the situation and continue to function. Practical tools and measures may include continuous backup, redundant systems etc. (Herzog, Prior, 2013).

The above-mentioned concept of passive cyber defence, regardless of whether we further differentiate it into fortified or flexible, can be considered as cyber security within the defence department and its subordinate components (Feix, Procházka, 2017). Nevertheless, both for the sake of preserving the terminology and for the presence of qualitative differences in both concepts, it is appropriate to divide cyber defence into active and passive, while passive defence consists in reflecting cyber-attacks on one's own networks and systems, or in monitoring network traffic. Like the physical world, where soldiers patrol marked positions and repel enemy attacks when attacked. Active defence, on the other hand, uses offensive actions and counterattacks to ensure defence. The types of active cyber defence can then be divided into computer network loading, cyber counter-attacks, cyber pre-emptive and preventive attacks (Wong, 2011).

A dual approach to cyber defence can be traced in the policies and practice of states, as well as in academic debates. The first approach is based on the fact that it will be used only in response to cyber threats to national security (Denning, 2014), the second is based on the fact that it will be used to eliminate or suppress any threats to national security (Feix, Procházka, 2017). From this point of view, it can be seen as part of the military instrument of the state intended to defend national security interests.

In this context, it is possible to add that it would be significantly limiting to build offensive capacities in cyberspace exclusively for self-defence, only for combating cyber threats. This would lose any use of these tools in conjunction with kinetic tools to eliminate the threat, or the use of solely cyber capabilities to eliminate threats outside of cyberspace. And both have been demonstrated to be highly useful in practice. The state would thus find itself at a disadvantage vis-à-vis another state or non-state actor, which does not have such a strong or limited way of thinking, because it would thus limit the range of options it can use to suppress the threat (Wong, 2011).

CONCLUSION

Due to the fact that the development of human civilization is highly dynamic and the human community in recent decades has continuously increased its dependence on modern information and communication technologies, devices and interconnected information and communication systems in basically all areas, spheres or sectors of its activity, the often-used phrase that there are no borders in cyberspace has far more validity and relevance today than ever before.

It was not so long ago that the various dangers and related security issues and threats in cyberspace were discussed only in narrow circles of technicians and experts. Nowadays, cyber-attacks are among the threats that (not only) states must face more and more frequently and in an increasingly intense form. These types of attacks on public and private information networks and systems confirm that the danger of cyber threats is here, both nationally and internationally.

The need to secure their cyber assets was gradually accepted by all states of the developed world; cyber security, and later cyber defence, became part of ensuring the national security of the state. However, since cyberspace and threats in it are not static, states must reflect this dynamic state and adapt to current developments. They must also adapt to the changes that come with the development of new modern technologies, whether in the form of opportunities or threats.

From the above facts and information, it is more than clear that ensuring cyber security is a really big contemporary challenge. This is gradually gaining more and more importance and priority. This is also why ensuring it within the framework of ensuring the overall security of the state requires not only continuous adoption of effective and efficient measures, but also deepening cooperation in the fight against cyber threats, cyber-attacks, cyber terrorism, cyber-crime, and other unwanted cyber activities, both at the level of individual states, as well as at the level of international organizations, institutions, corporations and companies.

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CONTEMPORARY SECURITY CHALLENGES OF THE WESTERN BALKANS: MOVING FROM A GLOBAL TO A REGIONAL APPROACH[48]

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Abstract

Contemporary security challenges arise from economic trends, technological progress, informational influences, changes in the living environment, and geopolitical turbulence. The Western Balkans (WB) region has a unique but not dominant position in global geopolitical movements. The resilience capacities of each country are necessary for an adequate response to security challenges. However, WB countries cannot provide the necessary response to global challenges but only contribute to the general effort. The paper summarizes the capacities of the WB states' resistance to recognized security challenges in the EU region and beyond. It outlines the existing response capacities and offers recommendations for the development of the general resilience capacities of the WB states to provide an adequate response to modern security challenges.

Keywords: security challenges, security capacities, security resilience, Western Balkans

1. INTRODUCTION

Security has been redefined since the end of the Cold War due to globalization, technology, geopolitics, and the environment. Emerging risks and challenges such as nationalism, environmental degradation, resource scarcity, migration, and terrorism require a new approach to security. Redefining the concept of security will help us tackle these challenges and secure a safer future. (Ivančík, Jurčák and Nečas, 2014). Global security challenges are viewed from several crucial angles. Brauch (2011) sugests that the Anthropocene period marks a shift from stability to an epoch where human activities play a significant role. Immediate action is necessary to protect the planet for future generations (Meyer and Newman, 2020). Human actions alter our planet's geology, affecting our security. Globalization exposes us to distant threats like pandemics, conflicts, and economic shocks. These risks may lead to crop failures and currency fluctuations, indicating that we must act to preserve our planet and reduce these dangers (Brauch 2011). Environmental changes affect people's livelihoods and can cause violent conflicts. Vulnerable sources of livelihood, such as water resources, agriculture, natural disasters, and disease distribution increase people's vulnerability, particularly in socially marginalized areas (Barnett and Adger, 2010: 120).
Climate change is a major global security challenge, along with resource scarcity, spread of diseases, and identity-based violence. These issues disproportionately affect vulnerable countries and fragile states (ISAB, 2024). Schreier (2010) identified three categories of

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contemporary security challenges. The first category, "The Big Issues", includes demographics, economics, energy, food, water, climate change, natural disasters, conflict, war, the future of armed forces, and space. The second category, "The Unfinished Business", encompasses corruption, terrorism, proliferation, organized crime, piracy, hijacking, kidnapping, abduction, extortion, migration and integration, parliamentary control, and oversight. Finally, there are "The Issues that Will Be on Our Desks in the Coming Years", which involve globalization, failing and failed states, nation-building, individual rights versus collective security, effective multilateralism in development cooperation, international coordination of efforts in disaster relief, pandemics, cyberspace, technological progress and innovation, and public-private partnership. (Schreier, 2010).

Great powers and strong states can tackle contemporary security challenges, but small transitional states must develop their internal capacities first. Due to their limited capacities, Western Balkan countries cannot significantly influence the creation of responses to global security challenges. However, they can seek a coordinated response to regional security challenges while raising their capacities.

2. ENSURING THE SECURITY OF THE WESTERN BALKANS: CURRENT SECURITY CHALLENGES

The term "challenge", often used for security and global issues, is not precisely defined, and is often used as a synonym for "threat" Brauch (2011). Security threats are categorized as challenges, risks, and threats. Challenges are possible but uncertain situations with positive or negative outcomes. Risks have negative connotations and are more likely to occur than challenges. Threats are intentional acts of harm or destruction (Mitrovic, 2021).

Challenges drive research aimed at prevention, raising resilience, and process modeling. Identifying vulnerabilities helps steer challenges toward positive outcomes while avoiding exploitation. Negative influences can lead to risks or inadequate responses. Weaknesses and vulnerabilities can be exploited by threats, resulting in costly outcomes. To enhance the security in the Western Balkan (WB) region, we should undertake a thorough analysis of the security challenges and vulnerabilities faced by its states. This will enable us to develop effective strategies to build resilience and protect against potential threats.

2.1 Security challenges of see

The region of WB is a geographic and geopolitical part of Europe located in the eastern Balkan Peninsula. It consists of Albania, Bosnia and Herzegovina, Montenegro, North Macedonia and Serbia. Kosovo, withouth political issues about status, with functioning institutions, holds significant political and security importance. It is crucial to prioritize the security of this region, given its vital role in the global economy and politics (Pierce et al., 2018). WB is one of crucial parts of Europe, and we must consider its security challenges as per the European Security Strategy. The primary threats are terrorism, weapons of mass destruction, regional conflicts, state failure, and organized crime. Other concerns are pandemics, climate change, maritime piracy, and energy dependence (CEU, 2009). Hoewer, the 2009 European Security Strategy must account for modern society's dependence on technology, which has led to new security risks and threats. In cyberspace, these actors can take different forms, including individuals, groups, organizations, and states (Putnik, Bošković, 2013).

The war in Eastern Europe presents significant economic, migration, political, and security challenges. Russia's aggression towards Ukraine has had a notable impact on the security of Europe and particularly the WB region (IISS, 2022).

2.2 Peculiarities and considerations of security challenges in WB

WB's unique geopolitical characteristics and complex political security background influence identifying specific security challenges. The security challenges of WB can be considered from the point of view of the vulnerability of the states of this area. Wilches-Chaux (1992) identified 11 types of vulnerability: natural, physical, economic, social, political, technical, ideological, cultural, educational, environmental, and institutional. Nathan (2009) discussed two characteristics: exposure and insufficient capacity. Physical exposure refers to the presence and density of population, goods, and services in risk zones. Socio-ecological perturbations, like deforestation and climate change, can exacerbate natural hazards (Nathan, 2009). The WB region comprises post-Soviet and post-Communist countries with transitional economies and underdeveloped democratic capacities.

2.1.1 WB – the general political and security framework

The Western Balkans (WB) is a region consisting of transition states, including Bosnia and Herzegovina, Montenegro, North Macedonia, and Serbia, are grappling with unresolved issues from the wars of the 1990s. These issues include historical contradictions, the processing of war crimes, and the return of refugees and their property (Domi, 2023).

Despite the official introduction of democracy, the most influential political party still holds the true power in the WB region. The stability and resilience of the system should rely not only on democracy but also on the development of institutions and compliance with the law. Foreign political factors significantly impact the security situation in the WB region. While progress has been made towards stabilizing the WB, inherited problems persist, and new ones arise. The international community must remain determined to stabilize the region and address the impact of foreign political factors. Long-term stabilization ensures the need for developed institutions, compliance with the law must be enforced, and constructive communication among local states must be supported. The WB region's stability is critical for the safety and well-being of the people and surrounding areas (Larsonneur, 2020).

This space of WB is unique despite its divisions. All countries have a merged court system and face challenges like extremism, crime, corruption, and weak economies. Cooperation is vital to creating a more secure, stable, and prosperous region for all citizens (Domi, 2023). The security instability in the WB region remains a concern, with its manifestations evolving while its root causes have remained unchanged. The Balkans have historically been an area of interest for great powers, and the ruling political elites in the WB countries have failed to establish regional cooperation, perpetuating existing antagonisms. Collective responsibility is to prioritize regional stability and promote mutual understanding and respect among the WB countries.

2.1.2 Criteria for determining the WB challenges

The WB states' resilience analysis is dependent on their internal and external situations. As they aspire to join the EU, it is crucial to evaluate their capacities against the EU criteria. The Copenhagen criteria, including institutional stability, market economy, and membership obligations, are used as the basis for the analysis (EU, 2016).

The WB region is still in transition, with weaknesses in critical variables. The analysis of Bertelsmann Transformation Index (BTI), Corruption Perceptions Index (CPI), Freedom House, and Freedom of the Press databases indicates that the variables determining resistance to stability and political-security integration require improvement. The variables include statehood, political participation, rule of law, democratic institutions, socio-economic development, market organization, currency stability, welfare regime, sustainability, governance capacity, transparency, accountability, corruption, legal environment, media laws, political control of media, censorship, and economic environment for media functioning. Addressing these weaknesses is crucial for socio-economic development and reducing corruption. It is time to take action and improve the critical variables determined by the databases.

Table 1: Comparative analysis of WB capacity according to the Copenhagen criteria (Author)

Index / Entity	BTI (i/137)	CPI (i/180)	Freedom house (i/100)	Freedom of the Press (i/-100)
BiH	**50**	**108**	**52**	**64**
Kosovo	35	83	60	56
Montenegro	22	63	69	39
North Macedonia	17	76	67	38
Serbia	**38**	**104**	**57**	**91**

Bosnia and Herzegovina and Serbia are highly vulnerable due to unfinished identity and national issues that persist after almost three decades of political power. Kosovo is also vulnerable due to political and economic transformation, corruption, and general freedoms. Northern Macedonia, Montenegro, and Croatia are also members of NATO, and their degree of integration correlates with their general resilience capacities. Despite the presence of international forces in Kosovo and the significant influence of leading NATO countries like the USA and Germany, Serbia and Bosnia and Herzegovina remain the most vulnerable countries in the region.

2.1.3 Vectors of the WB security challenges

Chronic instability of Bosnia and Herzegovina. In Bosnia and Herzegovina (BiH), for many years, High Representatives (HR), with the full support of the USA and the EU, carried out the process of unitization of the state, taking over the competencies of the entities, justifying their actions with the need to create a more politically functional and efficient state. In some instances, they used their extraordinary powers to replace and appoint political representatives, change entity constitutions, and pass important laws, including creating the Constitutional Court of BiH. This court, composed of foreign and domestic judges, was the bearer of fundamental internal changes in BiH, with the full support of the Bosniak political elite (ICG, 2022:16). The resistance of the political representatives of Serbs and Croats was minimized by the fact that the HR has powers that enable him to impose the law regardless of whether it has been accepted by local politicians (Venice Commission, 2005:22). However, after the crisis in 2011, initiated by the imposition of controversial decisions by the HR, when Republika Srpska (RS) threatened with a referendum on secession, such practice stopped until July 2021. In that

period, opposing political aspirations within BiH continued to dominate; the Bosniak party in Sarajevo wanted to strengthen the central government, as opposed to the Croat and Serbian parties that sought greater autonomy, if not complete independence from state power (ICG, 2022:17).

In July 2021, Inco's law caused Serbian political representatives to boycott the BiH state institutions. The Assembly of RS revoked delegated powers to central authorities. HR Christian Schmidt suspended the law in April 2022 (OHR, 2022). In June 2022, the National Assembly of the RS suspended some measures for six months due to the war in Ukraine and changing international circumstances. The RS sought greater autonomy, while the Croats from BiH aimed for greater legitimacy for their representatives. Unfortunately, representatives of the Croatian parties have been unable to reach a consensus with the Bosniak parties on forming a coalition federal government in the Federation of Bosnia and Herzegovina since October 2018. That has reduced the work of the state body to a technical level for several years (ICG, 2022:20). On October 2, 2022, the HR introduced changes to the Election Law and the Constitution of the Federation of BiH to address the post-election constitution of indirectly elected bodies. The USA and the European Union support the West's commitment to strengthen the central government in BiH. Western analysts believe that the likelihood of an armed conflict in BiH is low, and Serbia and Croatia have not expressed any interest in military intervention. The EUFOR forces' mandate expires in November 2022, posing some security risks. However, Western analysts estimate that NATO forces, as provided for by the Dayton Agreement, could bridge the gap (ICG, 2022:21).

Normalization of relations between Serbia and Kosovo. It has been estimated that the critical problem of the long-term negotiations between Belgrade and Priština is whether and under what conditions Belgrade will recognize the self-proclaimed independence of Kosovo (International Crisis Group, 2021). The issue of Kosovo's admission to the UN and other international organizations remains unresolved. Several UN member states, including permanent members of the Security Council and five members of the EU, have yet to recognize Kosovo's self-proclaimed independence. Various proposals have been put forward but have yet to be accepted by all parties. However, the EU remains committed to finding a solution and is prepared to make concessions to Serbia (ICG, 2021:22).

The impact of Serbia on local Serbs in Kosovo and their involvement in Kosovo's political life is a challenge in the relations between Belgrade and Priština. Serbia still maintains political influence in areas with a majority Serbian population. However, it has made some concessions by integrating Serbian members into Kosovo's institutions. The Serbian political bloc "Srpska lista" is also involved in Kosovo's political process while remaining loyal to Serbia (ICG, 2021:22).

Belgrade and Priština disagree over the interpretation of the Brussels Agreement's provisions on Serbian Municipalities. Belgrade believes it is a community of Serbian Municipalities with autonomy, while Priština sees it as an association of local self-governments. Recently, the Constitutional Court of Kosovo declared the Brussels Agreement's provisions on forming the Union of Serbian Municipalities unconstitutional, but they gave their consent to proceed with the its establishment, but Priština still opposes the Union's formation (ICG, 2021:23).

Western experts estimate that Belgrade and Priština are competing for control of northern Kosovo, which generates political and security tensions. Kosovo and Serbian security forces' movements near the administrative crossings pose a risk of conflict. However, the risk of escalation is relatively low, as neither side desires it (ICG, 2021:23).

External influences. Russia has an exceptional destabilizing capacity in the WB region with its hybrid action. The complexity of Russia's organizational and, at the same time, synergistic action in the WB region, which is different in terms of content, is based on the operation of multiple political, security, media, cultural, and religious bases (Mitrović, 2022). A particular testing groung for action is noticeable in Serbia. Intensive action has been recorded since 2005, when Russia began the sudden development of many compatriots, pro-Russian political, media, and public diplomatic organizations. These organizations are a problem in themselves, but it has been observed that there is a disproportion in relations, which indicates an intensive and offensive performance. Namely, from 2005 to 2015, 109 pro-Russian organizations were formed in Serbia; about 15 active pro-Kremlin political structures and over 50 pro-Russian civil associations (CEAS, 2016). This number would not be problematic if there were not a total of about 0.5% of members of the Russian minority in Serbia (SBRS, 2011). Considering that there is a such a small number of permanently settled Russians in Serbia, and given the enormous intensity of organizational and cultural and religious activity, the conclusion can be drawn that Russia is not interested in public diplomacy and in support for its minority, rather, it is interested in influencing Serbia, its politics, and its people. Also, Russia used these organizations for the formation of paramilitary camps for youth training, and also for the mobilization of Serbian citizens to participate in the Russian war against Ukraine, and also in the war in Syria, on the Russian side (Mitrovic, 2021).

Russian influence in the WB has destabilized the region and eroded democratic achievements. Kremlin's strategy is to undermine the civil society, human and minority rights, transitional justice, and freedom of expression. This erosion is particularly evident in Serbia and partly in Bosnia and Herzegovina, where the Russian regime promotes the dangerous illusion of unfinished history and the revision of territorial borders, further undermining democratic progress. The primary goals of Russian foreign policy in the region are to destabilize the WB, demonize the cooperation with NATO and Euro-Atlantic integration, delegitimize the European Union and the process of European integration, and obstruct the negotiations on the normalization of relations between Belgrade and Priština.

3. CONCLUSION

The security challenges in the WB are unique and distinct, shaped by the region's historical, conflict-ridden, democratic, and economic characteristics. This region is undergoing a prolonged transition and has an immature democracy, internal conflicts, and uneven approach to structure, crimes, and future orientations. The primary vectors of security challenges can be classified as follows:

- The capacity for internal reforms and democratic development is influenced by inherited political elites, as well as by organized crime, corruption,

systems, and hybrid democracies. These factors affect the country's overall development capabilities and can lead to inadequate treatment of challenges. By prioritizing issues such as corruption, market economy, democracy, civil rights, and freedom of the media, a country can create a more secure and prosperous future.

- The wars of the 1990s should be viewed based on the experiences of the victims, not "excuses for injustice", with a focus on the future and a deeper historical and geopolitical framework. However, the influence of political elites and nationalist narratives that ignore the wider context should be avoided.

- Varying degrees of integration in the region call for nuanced EU and security integration. NATO's presence has established a long-term security framework, and Euro-

Atlantic cooperation offers solutions to security challenges by leveraging standard capacities in military, general security, and politics.

- Russia seeks to destabilize the WB by manipulating the public opinion through proxy organizations, disinformation campaigns, and negative narratives. Local politicians, business figures, and criminal elites often support these efforts.

How can the WB strengthen regional resilience and transform a conflict-prone region into a stable one? Some possible solutions are suggested below:

- Develop internal democratic capacities, change political elites from within, and confront internal issues and hostile actors. Objectification is critical in a democratic society. Apply this approach at a regional level.

- Restorative justice resolves crimes by compensating victims, identifying and apprehending perpetrators, and involving communities. Participation of the victim and perpetrator builds relationships and promotes reconciliation. The process can be adapted to different cultural contexts and community needs. In the Balkan conflicts, we must punish all perpetrators and their superiors to communicate that crimes committed during the conflict will not be forgotten. Restorative justice can help promote peacebuilding after large-scale conflicts.

- Opposing interpretations of truth hinder communication and relationships. Political manipulation of myths causes conflict at all levels. Suppressing different interpretations of truth can help establish a rational perception of achievable goals and reduce emotional distance. The international community is crucial in building trust and establishing a balanced relationship with the truth by mediating conflicts and avoiding double standards. Insisting on a single 'truth' can be risky, especially for mediators or inconsistent third parties, as it can erode trust.

- Direct dialogue is crucial to understanding oneself and others. Challenge negative stereotypes and create a comprehensive self-representation. Recognize similarities and differences, achieve effective communication, and deconstruct negative views. Direct interaction with people of diverse beliefs, cultures, ethnicities, or religions reduces prejudice and helps understand different perspectives. Challenge stereotypes, recognize similarities and differences, and communicate effectively to deconstruct negative views.

- To reduce Russia's influence and promote the West, the EU must implement its policy of stimulating WB states through institutional and financial support while supporting internal democratic capacities. To achieve these objectives, the EU must stop supporting stabilocratic and populist leaders and strengthen promotional work. By raising internal democratic capacities and strengthening the professional work of institutions, freed party-economic elites can reduce Russia exerts its influence through criminal groups, intermediary institutions, and the spread of negative emotions. The solution is robust institutions on a democratic basis and objective media work. The EU and Euro-Atlantic integration of the Western Balkans strengthens the resilience capacities and provides a decisive response to security challenges.

Due to its strategic location, the WB region is small but significant. It comprises a well-connected system that faces various risks and threats, resulting in tragedies and long-lasting trauma. Therefore, it is essential to build capacities for effective responses to these challenges using constructive forces. By doing so, we can create a brighter future for the region, marked by resilience and progress.

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THROUGH REGIONAL COOPERATION TO REGIONAL SECURITY – A VIEW FROM THE WESTERN BALKANS

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Abstract

Contrary to the expectations that the new millennium will initiate more peaceful relations in the world, unfortunately, even at the beginning of the third decade of the 21st century, we are witnessing the existence of serious threats and risks (both military and non-military) for peace and security. The region of the Western Balkans is not immune to such challenges either, which is particularly vulnerable to threats and risks due to the structural factors for peace and security. Considering the nature of such threats, the countries of the Western Balkans are simply faced with the need to find common solutions, the implementation of which will enable an efficient and sustainable response to the current regional security challenges. In this regard, the paper analyses the meaning and the impact of regional cooperation as an instrument for strengthening regional security in the Western Balkans. Within the framework of the paper, regional cooperation is moreover accepted as a multidisciplinary process whose success is determined by continuous dialogue and communication, active participation and collective decision-making by all involved entities. Understood and accepted only through this aspect, it can represent an effective instrument for the promotion and strengthening of regional security. Hence, the paper specifically analyses the benefits, as well as the challenges of the current regional cooperation as an instrument for promoting regional security in the Western Balkan.

Keywords: regional cooperation, regional security, Western Balkans, Berlin Process, Open Balkan

1. INTRODUCTION

The processes and challenges faced by the world in the past three decades, undoubtedly have initiated and developed the perception and understanding that the state security is determined both, by the social relations and dynamics within its internal framework, as well as, by its relations and dynamics with other subjects in the regional and international system. Hence, depending on the approach, security can be analysed in both, global and regional contexts. Specifically, in relation to this approach, it should be pointed out that as a result of the newly created environment during the mentioned period, a process of modifying and complicating the structure of the international system appears, as the number of regions is constantly increasing. In parallel with that, the essence and content of the terms region and regionalism, are also changing. Namely, the perception that

the states, although dominant, do not represent the only actors in regional cooperation and dynamics, but that the citizens themselves, non-governmental organizations, cultural actors, actors in the business sector etc., have also a significant role in this context.

Such indicated characteristics are equally applicable to the region of the Western Balkans from today's perspective. In fact, it is about the so-called political term of the European Union created in the 90's of the 20th century, to denote the region that includes: Bosnia and Herzegovina, Montenegro, Serbia, Macedonia and Albania. In the beginning, Croatia was also a part of this "political constructed" region, until its full membership in the EU.

Actually, the term Western Balkans was given to the indicated region in 1999, during the EU summit held in Helsinki, with adoption of the so-called "composite document" of the European Commission, within the Western Balkans is defined as a region that is a neighbour of the European Union.

Basically, it is a region that by the end of the 20th century was faced with serious threats to peace and security, which is exactly why in the past period, serious attention in this region was devoted to the re-establishment of peace, security and stability. Even today, this region faces certain internal regional security risks and threats, as from a traditional aspect, i.e. the existing open issues between Serbia and Kosovo, then, the issue about the status of the Republic of Srpska in Bosnia and Herzegovina, further the different perception between the Macedonian and Albanian communities in the Republic of N. Macedonia regarding the issue of constitutional amendments and the inclusion of Bulgarians in the state's Constitution as a prerequisite for the continuation of its Euro-integration process, as well as from a non-traditional aspect, i.e. risks and threats related to corruption, organized crime, rule of law, living standards, environmental protection etc.
From this aspect, it can be pointed out that a significant place in the agenda for dealing with the indicated risks and threats and consequently for the advancement of regional security dynamics is occupied by regional cooperation, as an instrument that should create new, positive energy within the region. In this regard, the paper more specifically analyses the previous experience, challenges and perspectives on this field.

2. REGION'S SECURITY SIGNIFICANCE – A THEORETICAL BACKGROUND

Contrary to the period of bipolarism, the region has become extremely influential in terms of security issues, in the past three decades. Confirmation about this is, among other things, the introduction and actualization of the concepts of: regionhood and regionality. According to Van Langenhove, with the term regional neighbourhood, an attempt is made to distinguish one region from another, while with the term regionality, the tendency is to include the historical, geographical, economic, cultural and social conditions that create these differences (Langenhove, 2003). In fact, the region is defined according to its unity, identity and to the scope of the borders.

In addition to the indicated characteristics, the analysis of the region security aspects, should be based on several basic elements, such as:
- Actors – regions are a formation made up of several actors;
- Relations between the actors – a basic characteristic is their interdependence;
- Space – the geographical scope and coherence of the formation;
- Time – the duration/sustainability of these forms (Langenhove, 2003).
The region's security significance is also being recognized by the Copenhagen School of Security Studies, within., Barry Buzan, promotes the concept of a security complex, as a group of states whose primary (greatest) security perceptions and concerns

are sufficiently interconnected (interdependent), so that their national security (and security concerns) cannot realistically (reasonably) be analysed without each other (Buzan & Weaver, 2003).

In this regard, the concept of a security complex is set within the framework of regional security studies, and its explanation is based on the fact that it usually, but not necessarily, consists of neighbouring states, i.e. states that make up a certain geographic entity. However, it should be pointed out that the so-called "physical neighborhood" by itself, does not define the security complex. Actually, the security dynamics the Western Balkans region, especially in the period of the end of the 20th and the beginning of the 21st century, represent an explicit confirmation of such thesis.

Hence, the essential aspects of the security complex are based on the common vulnerability and common concerns of states, regarding security risks and threats. Therefore, regional security would be the result of the successful creating and building of regional relations and dynamics, based on the joint determination for it, as well as, on the common perception and understanding about the need of undertaking common actions for prevention and dealing with both, existing and potential threats and risks.

When defining the region and its relations towards security issues, it is significant to point out that although a large number of regional agreements and agencies in their establishment refer to the provisions of the UN, however the UN Charter does not contain a concrete definition of the region. On the other hand, it defines a regional agreement as an organization that groups several states on a permanent basis in a certain geographical area, that due to their proximity, common interests or cultural, linguistic, historical or spiritual affinities, become jointly responsible for the peaceful settlement of any dispute that may arise, as well as, for the protection of their interests and for the development of their economic and cultural relations (Charter of the UN, 1945). In fact, regional agreement from such point of view, represents a union of states or an international organization based on a collective agreement or constitution and in accordance with the goals and principles of the UN, whose primary task is to maintain peace and security under the control and within the UN framework (Simma & Hermann, 1995).

It follows that the number of members of such a regional agreement or agency, must be smaller than the number of the UN members and it must be created according to the territorial principle in order to be able to effectively apply the procedures for resolving disputes.

In terms of the challenges facing regional organizations and agreements, the possibility of ambiguity regarding their focus and the application of their mandate, should be highlighted. Namely, while some of them have a clearly defined mandate, for other ones, this is not the case, which initiates a dilemma about legitimacy and the manner of their functioning. Moreover, differences are possible in terms of their focus, i.e. will they have a purely internal focus, or will they have an external focus and be oriented at the sub-regional, regional and/or global level. In this context, serious challenges can also arise in situations where the focus of the regional agreement or organization, exceeds the framework of its membership.

3. REGIONAL COOPERATIVE DYNAMICS IN WESTERN BALKANS – ACHIEVEMENTS AND CHALLENGES

From today's perspective, a cooperation between countries in a certain region, is a perceived as a universal process, which does not imply only the formation of security alliances or trade arrangements, but also includes numerous connections and relations in

the sphere of: economic and social life, political structure, public order and peace, protection of natural resources, culture etc. So, it is complex and multidimensional process of connections, which does not imply only relations between the states administrations, but additionally as well, relations between numerous other social actors, such as representatives of the: business, politics, civil society, local communities etc (Minić, 2002).

From this paper analysis point of view, the purpose of such connection is primarily aimed at ensuring peace, stability, development and prosperity in the countries of the specific region. Therefore, it is necessary that the significance of regional cooperation and interaction should be truly recognized by all involved entities and hence, an approach for its continuous improvement and strengthening should be also applied. In this regard, regional cooperation would have additional value if it were an indigenous product of the determination for cooperation of the states themselves in a specific region. Contrary to such aspects, there are still regions within the regional cooperation initiation and development, is almost impossible without external influence. A specific example in this regard is currently the region of the Western Balkans.

Actually, the main feature of regional cooperation in the Western Balkans, starting from the 90's of the last century until today, is its international and multilateral character. Namely, for the most part, regional cooperation in the Western Balkans is primarily initiated by the international community, above all by the EU, with the main goal in contribution for overcoming the consequences of the conflicts in the 90's of the 20th century, and therefore to use as an effective mechanism for reconciliation and for the prevention of further adverse events in the region. In this context, a series of initiatives have been taken by the international community in the past period, aimed in establishing and strengthening the regional cooperation in various spheres, as a precondition above all, for security stabilization of the states, and then, as a condition for their Euro-Atlantic integration. In general, it is about the following initiatives:

- *within the political sphere*: The Central European initiative, The Royaumont process, The SEE Stability Pact, The Stabilization and Association Process, Council for Regional Cooperation;
- *within the economic sphere:* The Initiative for Cooperation in SEE, The Agreement on free trade zone;
- *within the military*-security sphere: The Process of the Defence Ministers of SEE, The NATO Initiative for SEE, the Adriatic Charter, The Civil-Military Council emergency planning in SEE and The SEE Clearinghouse.

In terms of scope, it should be noted that in addition to the countries of the Western Balkans, as well countries from the wider region of South-Eastern Europe, have also participate in the mentioned initiatives.

However, a common feature of all mentioned initiatives is the effort for contribution towards an all-round stabilization and progress of the Western Balkans, while precisely regional cooperation is taken as a central determination factor about the success and efficiency of such stabilization. In this regard, it should be highlighted that apart from the cooperation within the initiatives, an intensive cooperation has been established between the initiatives themselves, as well as their cooperation with international actors.

That practically means that the regional cooperation influence and success on the Western Balkans stabilization is determined by a wide range of cooperation spheres, as well as, by the numerous of actors involved within the cooperation itself. The first determining factor indicates that an effective conflict prevention and security stabilization

of Western Balkans isn't possible, if cooperation takes place only in one sphere of social life, while the second ones, sets the necessity of participation of all Western Balkans countries and the relevant international entities in regional cooperation, regarding this issue.

In addition to the goals related to the security stabilization of the region, the second reason for actualizing and promoting regional cooperation in the Western Balkans, stems from the fact that it represents one of the preconditions for the Euro-Atlantic integration of the states. In this regard, the states in the region must demonstrate capacities for long-term cooperation and trust building, both, among themselves, and with the wider international community as well. In this regard, the credibility of the states in the region, is directly determined by their capacities to overcome mutual differences (especially negative differences from the past) through active and effective participation in regional cooperation. Moreover, if the countries of the region manifest a firm and sincere determination for common action in regard of creating and promoting mutual trust and communication, there is no doubt that they will be closer to the valorisation, both, of their own and of the joint Western Balkans road towards Euro-Atlantic integrations.

4. RECENT STANDINGS AND DEVELOPMENTS

Despite to the previously indicated Western Balkans regional cooperation initiatives, the following initiatives have received a more specific attention in the past few years: The Berlin Process and the Open Balkans Initiative. Actually, it can be pointed out that these initiatives did not reduce the importance of the previous ones, but they produced additional energy for the advancement of cooperation in the region.

From the aspect of the very initiation of the Berlin process, it is about the so-called external (German initiative), set up in 2014 as a platform for high-level cooperation between high official representatives of the Western Balkan Six (Albania, Bosnia and Hercegovina, Kosovo, Montenegro, N. Macedonia and Serbia – WB6) and their peers in Berlin Process host countries. It should be also noted that this Process has been initiated in a period within the information was placed by the EU that there will be no its further expansion in the next 5 years.

However, the Process also involves the EU institutions, international financial institutions and the region's civil society, youth and businesses. Actually, it is a platform that foresees cooperation between a large number of actors, both at the regional level, as well as. their cooperation with international entities, bearing in mind the region determination for EU integration.

In terms of the reasons about such initiative launching, as opposed to numerous other similar initiatives, the recognized need to use the expected potential for increased regional cooperation in the Western Balkans is mainly highlighted. More specifically, an idea in this regard is fostering specific projects in order to increase connectivity in the region, as well as good neighbourly relations and interpersonal relationships, while subsequently supporting the EU integration.

As the main goals established in the founding declaration, the following are listed: resolution of outstanding bilateral and internal issues; achieving reconciliation within and between the societies in the region; enhancing regional economic cooperation; and laying the foundations for sustainable growth (The Berlin Process, 2014). Such goals confirm that this initiative's vision is aimed at improving the security dynamics and environment in the region, while the focus is placed specifically on the functional aspects related to the approach in solving open issues, as well as, on economic issues and sustainable growth, as

a significant integral part of contemporary expanded security agenda. Moreover, the solutions to the challenges related to nationalism in the region, according to this process lie in its economic strengthening and growth.

In this regard, the Berlin Process annual summits and the numerous meetings held related to them intensified the interaction between the EU and the WB high-level politicians and succeeded in making important challenges of the Western Balkan states regarding regional cooperation a subject of discussion, as well as subsequently keeping the WB6 on the agenda of the EU-states and institutions. In addition, the Berlin Process has also galvanized regional cooperation in resolving the problems of common relevance. Amongst the thematic areas are the infrastructure gap, youth unemployment, low competitiveness of economies and distant prospects of economic convergence with the EU, slow progress in reconciliation, bilateral issues, education and research, Roma integration, and environmental issues (The Berlin Process, 2014).

In terms of further improving of regional cooperation, this process succeeded in improving the cooperation of the WB6-governments and initiate new forms of interlinking, and first and foremost offered a consistent format for all 6 Western Balkan countries. Examples are the Common Regional Market, RYCO, and other institutions in the making. In the scope of the from the Berlin Process initiated initiatives led to an increase of the WB6-governments to take over more responsibility for the Process in the region.

Despite such mentioned Berlin Process, a new and indigenous initiative for the advancement of regional integration and cooperation, known as Open Balkan, was promoted during 2019. Actually, on November 11, 2019, at the summit in Ohrid, the President of Serbia and the Prime Ministers of Albania and Macedonia agreed to create an economic zone, which would further improve political and economic relations and strengthen cultural ties between the nations. It is distinctive that this initiative was launched during the veto period at the beginning of the EU membership negotiations of Albania and N. Macedonia.

The Open Balkans Initiative, stems from the need for greater regional integration. Initially, this initiative was referred to as the Advanced Regional Cooperation Initiative or "Mini Schengen". Open Balkan is currently an initiative in which North Macedonia, Albania and Serbia are members, and is aimed on promoting and develop region's capacity, as well as, in achieving concrete benefits to citizens and the business community. Three potential member countries are Bosnia and Herzegovina, Montenegro and Kosovo. However, for now Kosovo refuses to join the initiative, because according to its authorities Serbia does not treat it as an equal foreign and independent state.

As mentioned, the main goal of Open Balkan is to overcome the social, economic and trade barriers that hinder economic growth in the region by implementing the four freedoms on which European integration is based, freedom of movement of goods, workers, capital and services.

In this regard, within the Open Balkan, agreements have been signed establishing joint border crossing points and allowing shorter cargo delays at the border. Additionally, progress has been made in improving the business climate throughout the region by signing agreements on mutual recognition of Authorized Economic Operator (MRA). Green corridors have been established, ensuring that products and services reach the markets in the region faster. In sum, to date the following agreements have been signed within the framework of this initiative: Agreement on cooperation in the Western Balkans in the field of mutual recognition of diplomas and scientific grades issued by higher education institutions and other authorized institutions; Agreement on conditions for free

access to the labour market in the Western Balkans; Agreement on cooperation in the field of veterinary, food and feed safety and phytosanitary in the Western Balkans; Agreement on food security mechanisms in the Western Balkan; Agreement on cooperation in protection against disasters in the Western Balkans; as well as, Operational Plan in the field of Civil Protection between the Republic of Albania, the Republic of North Macedonia and the Republic of Serbia. In addition, there have been signed several memorandums as well, primarily in the area of facilitating the cross-border transit of citizens, goods and services. From this aspect, there is no doubt that in the past three years, additional positive, above all political energy has been manifested in the region, as a result of which the indicated agreements and memoranda have been signed, which has opened the possibility for new, cooperative dynamics in the economic, social and environment field.

Despite, the indicated positive vision and goals of the Open Balkans, the following can be highlighted as the most serious challenges for such initiative: 1) the inclusion of the remaining three countries from the Western Balkans; 2) the views of the political opposition in each of the states regarding the acceptability and sustainability of such initiative; and 3) the full implementation of the four freedoms, i.e. goods, people, capital and services. An additional challenge of such initiative, especially from the aspect of delivering the set goals, is the need for its eventual institutional regional framing. Namely, there is still no specific regional administrative service that would manage the issues and challenges related to the realization of the goals and tasks set in the signed contracts and memoranda on a daily level, hence the challenges with the concrete needs of the citizens and the business sector as well. Moreover, currently the regulation of these issues is part of the broader activity of several ministries of the three countries, with insufficiently clear guidelines as to whom citizens or entities from the business sector can turn to for issues from the Open Balkans agenda.

However, the indicated characteristics of Open Balkan, confirm that in essence it is fully in line with the Berlin process, i.e. both initiatives promote regional cooperation and are aimed at realizing the four international freedoms recognized and promoted by the EU, as well as towards a single European market and EU membership. However, as the theory of regional cooperation confirms, the advantage of indigenous initiatives stems from the possibility of more concrete identification of common goals, interests and needs, as well as their priority, by the involved parties themselves. For instance, the signed Agreement on cooperation in protection against disasters within the framework of the Open Balkans, enabled timely assistance to N. Macedonia from its neighbours (Albania and Serbia) in dealing with fires in 2021.

5. CONCLUSION

The theory, as well as the practice, confirm that if the states do not benefit from participating in concrete cooperative (regional) engagements, they are not at all interested in joining them. In that context, the main problem in certain situations arises from the challenge and capacities for identifying the benefits, i.e. of common needs, goals and interests. Another significant aspect in this direction is related to the expected degree of mutual trust or mistrust between the states before their participation in a specific regional engagement, hence the fear of the possible dominant role of one of them.

As the analysis in the paper presents, these aspects provide the answer about the reason for the dominant external influence in the initiation and promotion of regional cooperation in the Western Balkans. In fact, the experience of the past three decades shows a lack of real

capacities among the states in the region for indigenous recognition and their unification around common functional issues and challenges. Consequently, the possibility of indigenous initiation and development of greater mutual trust and respect is also reduced. Actually, it is not that states do not have capacities for cooperation, on the contrary, the main problem is that the use of those capacities is generally present only in situations where it is an initiative or a forum under the patronage of external actors. The reasons for such situation can only be analysed from the perspective of insufficient mutual trust between the states.

On the other hand, the advantage of indigenous regional cooperation is based on the thesis that states can best identify common functional needs and interests by themselves, and at the same time, the perception of imposed and forced cooperation in certain situations is avoided. In this regard, the Council for Regional Cooperation and Open Balkans, can be singled out as positive examples.

On the other hand, in situations where indigenous regional cooperation is absent or deficient, certainly that the cooperation initiated "from outside", represents the best acceptable solution. From the perspective of the research focus in the work, it is characteristic of the Western Balkans that such cooperation in the past period enabled the creation of a new political energy, which, in contrast to the previous disintegration, is increasingly aimed at the integration of the region. Namely, in contrast to certain open issues that burden the relations between the states in the region, today we can talk about a new positive impulse and environment, which largely eliminate the possibility of using force and the occurrence of armed conflicts.

Certainly, further continuation of such trend is necessary, among other things, due to the objective dependence and orientation of the neighbours towards each other, especially from the aspect of the limitation of the national markets, the need for infrastructure development and the necessity for regional regulation of the largest possible number of social and economic issues. In addition, contemporary security risks and threats, necessarily point to the need for a common approach and response, as well as the "pressure" from the EU to establish better and more efficient regional cooperation is no less significant.

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ARMS TRAFFICKING AS A FORM OF ORGANIZED CRIME

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Abstract

There are many causes that contributed to the profiling of small arms and light weapons in the world. The availability of weapons, especially illegal ones, is more and more pronounced, and therefore their use in criminal activities. The goal of this paper is to point out the great social danger that arises from uncontrolled trade, namely, arms trafficking. After the introductory remarks, the authors provide a brief historical overview of the arms trafficking in Serbia (historical method). By analysing the content of the literature, the authors try to give the most significant characteristics of arms trafficking, where the stakeholders of the arms trafficking, the method of payment, and the methods of illegal transporting weapons are particularly targeted. An important segment of the analysis is the legal and organizational framework, where the authors use a normative method to analyse the international and national (Serbian) legal regulations governing this area. In the end, the authors conclude that illegal arms trade as a form of organized crime can seriously threaten the basic social values, which is why a systematic state and social response to this threat is necessary.

Keywords: arms, trafficking, organized crime, regulations

1. INTRODUCTION

The large number of terrorist attacks in the world shows that the illegal and uncontrolled arms trafficking[49] is a growing problem. This is a criminal voyage that is carried out for the purpose of gaining profit from illegal activities, and its maintenance is ensured by the use of force, threats, monopoly control and bribing of public officials. Accordingly, the primary elements of organized crime are: the existence of a permanent criminal organization, planned and rational criminal activity, gaining profit and power as the ultimate goal of criminal activity, and the use of force or threat and resorting to corruption in order to achieve goals and preserve 'abolition' from the enforcement of law. Regional conflicts, state and private security groups, legal weapons and handmade, modified and 3D printed weapons can be singled out as the main sources of arms trafficking (Vázquez del Mercado, 2022: 3-9).

Research on crime related to the unlawful possession and carrying of weapons in Serbia shows that this type of crime is on the increase and most often concerns the unlawful possession/carrying of firearms. It was concluded that the procedures of

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[49] In the Anglo-American speaking area, the term *arms trafficking* can have variations. It can have the prefix *illicit* or *illegal*; instead of the term *arms*, the terms *weapons*, *guns* or *firearms* can be used; and in addition to the term *trafficking*, the terms *trade* or *smuggling* can be used

legalization (voluntary hand over) of weapons in 2015, 2020 and 2023 did not lead to a reduction of this type of crime. The penal policy of the courts in Serbia for this type of crime is mild, and conditional sentences and fines are the sanctions that are most often imposed on perpetrators of crimes and misdemeanours (Lestanin, Nikac, 2023: 185-186; Lestanin, Nikac, 2024). The *Roadmap for a sustainable solution to the illegal possession, misuse and trafficking of Small Arms and Light Weapons and their ammunition in the Western Balkans by 2024*, among other goals, stipulates, by 2024, to significantly reduce the illicit flows of firearms, ammunition and explosives into, within and beyond the Western Balkans and substantially decrease the estimated number of firearms in illicit possession in the Western Balkans (SEESAC, 2024).

States have specific problems on the internal level and, depending on socio-economic, political and other circumstances, they fight against crime. Developed countries were the first to encounter the most serious forms of crime and adopted solutions at the legislative and institutional level. Undeveloped and countries in transition encountered these problems later and under significantly more difficult circumstances, so they tried to respond to challenges, risks and threats to national security, following the example of the developed countries (Nikac, Lestanin, 2019: 144-145). However, democratic and social development does not create the resistance of society and the state to arms trafficking and its consequences, which can be seen from the examples of Sweden and Norway, which are considered one of the developed countries of Europe (Duquet, Vanden Auweele, 2021: 29). That is why the issue of arms trafficking is one of the priorities in combating organized and serious crime in the EU (https://www.europol.europa.eu/crime-areas-and-trends/eu-policy-cycle-empact).

Frequent war conflicts and war hotspots, requests for arms from many countries, guerilla movements, terrorist organizations, international conflicts of many criminal and other groups on various grounds, weakened or threatened security of individual countries or regions, unstable personal security and distrust of public authorities and fear for personal and property security, are only some of the factors that created favourable conditions and expressed the need for increased arms trade (illegal and legal). There are many types of modern organized crime. Some of these include: economic and corruption crime, drug mafia, human trafficking, migrant smuggling, 'sex mafia', gambling mafia and many others. One of the most prominent forms of modern organized crime is the arms trafficking.

In order to improve the rate of detection and solving of organized crime, the police must first evaluate both the perpetrators and themselves. When assessing perpetrators, the police must collect measurable intelligence related to their personal information, family members, apartments, houses, warehouses, vehicles, legal or illegal firearms, associates, places of assembly (pubs, restaurants, hotels etc.), means of communication (personal computers, tablets, laptops, mobile phones, radios etc.) and all other intelligence data that are important for the assessment of perpetrators. For an effective assessment of the police, it is necessary to know what their resources are (people, vehicles, communications etc.), whether they need additional resources, whether they have trained officers, whether they have enough human and technical resources to carry out operations. After assessing both sides, operations can be planned and implemented (Lestanin, Nikac, 2019: 111-112).

2. BRIEF HISTORICAL REVIEW OF THE ISSUE OF ARMS TRAFFICKING

As a state, Serbia faced many armed conflicts in the past, so it was only in 1922 that the regime of possession and carrying weapons and ammunition was regulated by law. Until the passing of the Possession and Carrying of Weapons Law of 1922, this area was regulated by the decision of the Ministerial Council, the Order of the Minister of the Interior on the carrying of weapons, as well as various decrees of the Ministry of the Interior. On the one hand, the law lays down the free possession of weapons (rifles and revolvers) in homes, and on the other hand, it introduces a system of approval – a weapon list for weapons – and prohibits the possession of military weapons (Serbian *Possession and Carrying of Weapons Law, 1924)*. Also, the Law on the Protection of Public Safety and Order in the State of 1921 considered the production and collection of weapons, tools, devices or explosives as a crime, as well as the concealment of these items for the purpose of changing the constitutional order or revolution (Serbian Law on the Protection of Public Safety and Order in the State, 1921).

The Possession and Carrying of Weapons Law of 1922 was quite 'inconvenient' and unadoptable for certain parts of the country, so it was replaced by the new Possession and Carrying of Weapons Law of 1928. This law defined weapons and ammunition, regulated the area of possession, carrying, sale, importation of weapons and ammunition, as well as issues of distribution, possession and carrying of military weapons and ammunition and penal provisions for offenders (Alimpić, 1928: 685-692). It must be emphasized that at that time both laws were also valid in the territory of present-day North Macedonia.

The Second World War led to the interruption of the monarchical-constitutional framework and the establishment of a social-communist regime. Immediately after the liberation, the new authorities passed the Law on the Invalidity of Legal Regulations Enacted before April 6th, 1945 and during the Enemy Occupation (Official Gazette of the FPRY, No. 86/46), which invalidates all legal regulations of the Kingdom of Yugoslavia and the occupying forces. However, the legal regulation of the area of weapons and ammunition had to wait until 1971, when the Acquisition, Possession and Carrying of Weapons Law (Official Gazette of the SRS, No. 49/71) was passed, which only applied to the interior of Serbia because there were also provincial laws governing this area. The law underwent a total of four amendments (1974, 1977 on two occasions, and 1991) until 1992, when, after the dissolution of the SFRY, a new Weapons and Ammunition Law was adopted (Official Gazette of RS, No. 9/92). After 1992, Serbia carried out several revisions to this law (1993 on two occasions, 1994, 1998, 2003, 2005 on two occasions, 2011, and 2013) so that in 2015, as part of harmonization with European legislation, the new Weapons and Ammunition Law (Official Gazette of RS, No. 20/15) was passed. It did not take long for the Serbian legislator to redact this legal regulation in 2019, 2020 and 2022.

At the beginning of the 21st century, acquisition of weapons and their resale was commonplace, and it appeared that many organizations illegally produced, above all, some light and small weapons, so there was no need to buy them beforehand, but they were immediately transported to the illegal buyer. According to the data at the time, weapons and ammunition from these countries went, for example, from Russia to Angola, Algeria, Burma; from Ukraine to Algeria, Burundi, China, Congo; from Bulgaria to Angola, Chad, Syria; from Serbia to Iraq, Liberia and Burma (Bošković, 2003: 149).

Smuggling and illegal (illicit) trade of weapons and ammunition is one form of organized crime, primarily transnational organized crime. A variety of weapons and

ammunition are smuggled, from those for which citizens can obtain a proper permit, if they meet the requirements for possession and carrying, to those that are not in free circulation. Modern weapons and ammunition used for warfare, as well as chemical, biological, radiological and nuclear weapons are also trafficked (Bošković, 2003: 147).

Throughout the history covered by frequent war conflicts, terrorist organizations, international conflicts of many terrorist and other groups, weakened or threatened security of many countries or regions, unstable personal security and distrust in the public authorities as well as fear for personal and property security, are just some of the factors that have created favourable conditions and expressed the need for illegal and legal trade in weapons and ammunition. In addition to those factors, the economic and political crisis of many countries, the insufficient control of weapons and equipment, the disintegration of the countries of real-socialism, was a situation that enabled many criminal organizations to come into possession of various weapons, ammunition, and various types of equipment; however, what was most dangerous was the fact that they became available to various terrorist organizations that also hired experts to train their members. The cessation of some wars and the appearance of new war hotspots immediately led to the reaction of transnational criminal organizations and the redirection of smuggling and arms trafficking to those regions because they wanted to take advantage of the opportunity for profit. Thus, the decades-long economic crisis in the former republics of the Soviet Union and the countries of the East enabled some terrorist organizations to acquire weapons and dual-use technology.[50]

The events in the Western Balkans created favourable conditions for the excessive use of weapons and therefore for the development of arms trafficking. Arms trafficking developed a lot during the wars, before and after the wars ended, in the territory of the former Yugoslavia, when a greater need for weapons was felt. A large occurrence of this type of organized crime was represented in Kosovo and Metohija, for the needs of terrorist activities in that area. The Kosovo Liberation Army (KLA) collected large sums of money through its immigration in Western Europe and the USA, which they used to buy weapons for terrorist attacks. According to the UN Security Council Resolution 1244, all these weapons should have been handed over to KFOR, and the KLA was to be disbanded; but this did not happen.[51] In the Western Balkans, there are still local communities whose residents, according to their tradition and customs, 'should' have firearms, as well as certain local regions that are traditionally known for arms trafficking.

One study claims that the region of South Eastern Europe is the primary source of weapons smuggled into the EU, often following the same routes used for drug trafficking. Organized criminal groups from Serbia (Kosovo and Metohija), Montenegro, North Macedonia, and small-scale groups in Central Serbia, are involved in smuggling weapons to Croatia, Hungary, Slovakia, Slovenia and Austria, wherefrom they are further distributed to EU countries, including Romania (Siracusa Institute, 2020: 129). The study relies on data from the European Commission Report of 2019, and the report quotes data from the Global Initiative Against Transnational Organized Crime (hereinafter: GIATOC) report from the same year (European Commission, 2019: 2; Global Initiative Against Transnational Organized Crime, 2019).

According to the GIATOC, Serbia remains one of the largest arms producers in Eastern Europe, and firearms are diverted to the illegal market. Improved border control, a certain

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[50] Further reading: Savona & M. Mancuso, 2017
[51] Further reading: Stevanović, 2015

degree of market saturation, and increased law enforcement capacity have led to a significant drop in the level of arms trafficking (score from 7.5 to 6.5), as evidenced by a decrease in the number of firearms and ammunition intercepted at the border in recent years. However, the market for illegal firearms remains significant. Guns are easily available to criminal actors, and arms trafficking is a popular source of income for criminal groups in Serbia. The country is also a transit hub in the flow of convertible weapons through the Western Balkans. Illegal arms trafficking operations typically involve a few well-connected individuals with ties to organized crime groups who coordinate purchases and transfers (https://ocindex.net/country/serbia).

3.   SOME CHARACTERISTICS OF THE ARMS TRAFFICKING

In addition to the legal form of arms trade, there is also illegal arms trade (arms trafficking), especially firearms that are supplied to paramilitary formations, terrorist organizations and other criminal organizations. Four ways of arms trade are known in the literature: 1) authorized trade, in which transfers are fully in accordance with domestic and international laws and regulations; 2) semi-legal traffic, in which different aspects of transmission may be permitted or prohibited; 3) illegal trade sanctioned by the state, implies the direct complicity of state officials who have political approval for their actions; and 4) completely illegal and unauthorized arms trade (*Marsh, Pinson, 2021: 216)*. Legal trade and legal ownership, as well as the use of certain weapons, especially conventional weapons for cultural, historical, recreational and sports activities, should be permitted and protected by law (Lestanin, 2017: 169).

Smuggling and arms trafficking is one of the important activities of transnational organized crime[52] that brings huge profits. However, in addition to the motive of becoming rich, which is the priority of organized crime, there may be other motives, for example, of a political nature. According to Marsh and Pinson, illegal weapons offer the following three advantages. First, individuals who would otherwise be barred can acquire guns. In particular, national regulations may prevent legal acquisition by people convicted of violent crimes or members of extremist groups. Second, people can acquire prohibited types of weapons, especially powerful weapons designed for military use, such as grenades or fully automatic firearms. Third, it may be difficult or impossible for law enforcement officials to trace the illegal arms trade (*Marsh, Pinson, 2021: 217)*.

In order to better understand the essence of arms trafficking, it is necessary to clarify the way in which the legal procedures of buying and selling weapons work, because the line between legal and illegal ways of arms trade is very thin. Namely, arms trade is a strictly regulated area in every country, and there are specific legal procedures for it that must be followed. The legal regulation in the area of weapons and ammunition should reconcile two opposites, namely, freedom of movement and trade and the right to personal safety, on the one hand, and maintenance of public safety, order (and peace), on the other (Lestanin, Nikac, 2024). National legislations have regulated this area in different ways; however, these differences do not affect the final outcome and purpose of introducing these measures. Consequently, every business entity that deals with the sale of weapons must have the appropriate permits and approvals. The permit is not comprehensive, so that for each individual business related to the sale of weapons, the business entity must obtain a special consent from the competent public authorities. This procedure is quite

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[52] Further reading: Nikac, 2015

complicated and tied up with constant processes of checking various aspects (financial, business, political, security etc.).

Arms trafficking often occurs together with drugs trafficking. It has three basic characteristics: it takes place secretly, it is accompanied by high costs, and it ends with money laundering. Although the number of criminal proceedings for this form of crime is very small, there is no doubt that, in recent years, there has been an intensive development of arms trafficking in the territory of former Yugoslavia (Nikolić-Ristanović, Konstantinović-Vilić, 2018: 200). Moreover, the authors believe that other characteristics can be attributed to this form of crime: the use of weapons for personal use[53] or their further resale, cooperation with other organized criminal groups and terrorist organizations, cooperation with business entities that legally deal with weapons etc.

3.1. STAKEHOLDERS OF ARMS TRAFFICKING

Stakeholders of arms trafficking can be diverse. One of the stakeholders can be the state. In such situations, things are quite simple. Namely, it is easiest for the states to create the appropriate documentation, realize the transfer of 'goods' and make the payment. States appear as patrons in situations of arms trafficking for several reasons conditioned by different motives. Sometimes, the intention is to help a terrorist organization, guerrilla or revolutionary movement that is working towards a violent change of government in a certain country. In addition, it can also be about planned destabilization of a certain region with the aim of creating preconditions for military intervention. It is not a rare phenomenon that certain regimes use it as a kind of 'economic strategy' (Parezanović, 2012: 358-359).

Therefore, when the state is an illegal trader (trafficker), fictitious documents are most often created about humanitarian aid, food, spare parts or some other type of goods that do not attract special attention. Weapons shipments are then transported by direct flight or ship, without stopovers, to minimize the risk of detection. Therefore, transportation by air and water represents one of the priority ways of arms trafficking. For this purpose, cargo aircraft and ships are used, which can safely and quickly transfer large quantities of weapons in a very short period of time. This speed in transport is especially evident when it comes to crisis areas where rapid armament is necessary. The study of Langlois, Rhumorbarbe, Werner, Florquin, Caneppele and Rossy (2022: 300) showed that, in the arms trafficking from the USA, road, postal and cargo means of transport are most often used, while commercial airlines and crossing the border on foot are less common. Further, when considering criminal gangs, this study suggests that the number of people involved does not correlate to the volume of arms trafficking. Lee (2018: 235) and the UN Security Council (2023: 17) claim that arms trafficking, in addition to other criminal activities related to drugs, money laundering, child pornography, is present on the Dark Web as well as on the 'Clear Web'. This leads us to the conclusion that the Dark Web is one of the ways, that is, one of the auxiliary means in the arms trafficking.

As far as private business entities and organized criminal groups are concerned, the process of trafficking and smuggling is realized significantly differently and is fraught with many difficulties. If we are talking about smugglers and traffickers who do not enjoy the support of the state in which they are residents, meetings related to the purchase and sale of weapons are usually held on the territory of third countries. Then, when choosing a

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[53] According to Azaola (2018: 551-568), organized criminal groups in Mexico can be cited as an example of the use of weapons for their own purposes

country, care is taken to ensure that the meetings are held in a neutral country or a country that in a certain way supports the country or organization that is the buyer. All these are necessary prerequisites for eliminating potential risks of failure. Consequently, special attention is paid to taking the necessary measures that result in secrecy and security protection of the transfer of weapons and the money itself (Parezanović, 2012: 359-360).

Here, however, one of the biggest problems concerns the provision of an End-user Certificate (EUC). In these situations, traffickers resort to engaging a neighbouring country, with which the country under international embargo can make an agreement for that country to issue an EUC and declare itself as the buyer. In this case, further activities are most often carried out in two ways.

The first way involves the proper import of weapons into the country that is declared as the end user in the EUC, observing all international standards and business principles, and then illegally transferring the weapons through smuggling channels to the territory of the country that is under international embargo. This method is very safe for the country that is under international embargo, because the government that issued the EUC bears the greatest burden of responsibility, but is compensated for this by having its interests fulfilled, the range of which can be very wide, from political to financial, and is primarily conditioned by the actors of these illegal activities.

Another way of realizing the arms trafficking implies, as in the previous case, providing a valid EUC, which can withstand all checks. However, the cargo is not transported to the country that has issued the certificate, rather, it is transported directly to the country under international embargo where it is unloaded. After that, the government that issued the EUC does not make any payment to the supplier because it states that no arms have been delivered, thereby partly removing responsibility from itself, even though it had information from the very beginning that its EUC would be misused. At the same time, this illegal delivery is being collected from the country under international embargo through well-established criminal-financial mechanisms. With this method of implementation, the role of the freight forwarder is particularly prominent. In the world of arms smugglers, there are so-called 'black freight forwarders' who are ready to transport any weapon, whether it is rifle ammunition or radioactive materials, for appropriate amounts of money. Bove and Böhmelt (2021: 1130) discovered that there is a systematic increase in the import of weapons to the neighbouring countries of the countries in conflict, i.e. countries which are embargoed to import weapons.

To this we can add a third modus operandi, which involves the smuggling of weapons across the border (customs) line, which occurs in two modalities. The first modality is smuggling across the border line outside the border crossing via some alternative routes and using specific transportation (off-road or all-road vehicles, animals etc.). Another modality is smuggling across the border line through a border crossing with the weapons hidden and another type of goods shown in the documentation. In this modality, there is a specific application of the 'decoy' tactic, which consists of sending a smaller quantity of weapons or drugs immediately before a large shipment of weapons, which is sent to the border crossing and is reported to the border police or customs and is detected. While the public authorities are busy working on this seizure, a large amount of weapons passes without detailed control.

3.2. *Methods of Payment*

Payment in the world of arms smugglers takes place in several ways. Paying in cash is the most tempting way for smugglers, although it is fraught with many problems, primarily because it is not at all easy to secure large sums of money in cash. However, regardless of these difficulties, this method of payment is relatively safe for participants in illegal trade, because no traces remain, nor can it be established with any control of bank transactions that a payment has taken place. Another characteristic of this type of payment in the process of arms trafficking is that buyers and sellers demand firm guarantees that the purchase and sale will proceed in a pre-agreed manner. Since smugglers in this case do not use bank guarantees or other forms of regular financial business, the only guarantor is the human life. In addition, in cash transactions, the payment is usually made so that the buyer pays half of the value of the shipment immediately before the illegal delivery of the weapon, and the other half after the transaction is completed (Parezanović, 2012: 361).

When there are no objective conditions to make a cash transaction, traffickers resort to the engagement of bankers and financial experts who work for criminal organizations. Their professional orientation is such that they are in the service of organized crime and for this purpose they specialize in ways to launder money and bring it into legal frameworks.

In addition to the above, in the world of arms smugglers, it is not uncommon for weapons to be paid for with drugs, precious metals, diamonds, oil or some other natural raw materials. This is especially present in certain countries of the African continent or the Middle East, which are rich in these resources.

3.3. *Methods of Transport*

If the cargo of weapons is transported by ship, there must be a representative of the buyer on board, who controls that the cargo arrives safely at its destination. This is done in order to prevent the risk of the seller trans-shipping the cargo on the open sea to another vessel, and then sinking the original ship by faking a shipwreck or some other disaster. In this way, the seller is left with the goods, but also with the advance paid to him by the buyer immediately before delivery, which creates room for future tensions between smugglers.

Unlike ship deliveries, air transport does not require the presence of the customer's representative in the aircraft, because, if an incident occurs, e.g. the plane crashes and the cargo of weapons is destroyed, the news will certainly be officially announced, because all the world's media report on plane crashes (Parezanović, 2012: 362).

4. LEGISLATIVE AND ORGANIZATIONAL FRAMEWORK FOR THE FIGHT AGAINST ARMS TRAFFICKING

The legislative framework for the fight against illegal arms trade consists of legal regulations at the national and international level. In Serbia, the legal framework for the fight against illegal arms trade consists of several laws (and related secondary legislations), namely:
1) Production and Trade of Weapons and Military Equipment Law (Official Gazette of RS, No. 36/18);
2) Weapons and Ammunition Law (Official Gazette of RS, Nos. 20/15, 10/19, 20/20, and 14/22; hereinafter: WAL);
3) Testing, Stamping and Marking of Weapons, Devices and Ammunition Law (Official Gazette of RS, No. 87/18);

4) Prohibition of the Development, Production, Storage and Use of Chemical Weapons and on Their Destruction Law (Official Gazette of RS, Nos. 36/09, and 104/13);
5) Prohibition of Development, Production and Stockpiling of Bacteriological (Biological) and Toxic Weapons and on Their Destruction Law (Official Gazette of RS, No. 87/11);
6) Transport of Dangerous Goods Law (Official Gazette of RS, Nos. 104/16, 83/18, 95/18 – other law, and 10/2019 – other law);
7) Transport of Dangerous Cargo Law (Official Gazette of RS, Nos. 88/10, 104/16 – other law, and 83/18 – other law);
8) Criminal Code (Official Gazette of RS, Nos. 85/05, 88/05 – corr., 107/05 – corr., 72/09, 111/09, 121/12, 104/13, 108/ 14, 94/16, and 35/19);
9) Criminal Procedure Code (Official Gazette of RS, Nos. 72/11, 101/11, 121/12, 32/13, 45/13, 55/14, 35/19, 27/21 – CC's decision, and 62/21 – CC's decision)
10) Foreign Trade Operations Law (Official Gazette of RS, Nos. 36/09, 36/11 – other law, 88/11, and 89/15 – other law);
11) Customs Law (Official Gazette of RS, Nos. 95/18, 91/19 – other law, and 144/20);
12) Border Control Law (Official Gazette of RS, No. 24/18).

Ratified international agreements and contracts and generally accepted rules of the international legal framework, according to Article 16 of the Serbian Constitution, form an integral part of the legal framework of Serbia and are directly applicable. The legal framework at the EU level, which regulates the issue of weapons and ammunition, consists of: the Schengen Agreement (Chapter 7), Directive (EU) 2021/555 on the control of the acquisition and possession of arms, the EU Code of Conduct on Arms Exports (1998) etc. (Lestanin, 2016: 10).

The main international instruments relevant to the fight against the illegal arms trade require different responsibilities from governments: Firearms Protocol – 2001, UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (PoA) – 2001, International Tracking Instrument (ITI) – 2005, Arms Trade Treaty (ATT) – 2013, UN Sustainable Development Goal (SDG) Goal 16.4 – 2015 (*Marsh, Pinson, 2021: 222-223*).

In the Republic of Serbia, in accordance with the WAL, weapons can be divided into four categories. Weapons from category A cannot be acquired, possessed and carried by persons, legal entities and entrepreneurs, except in the cases provided for by WAL and other laws. It is prohibited to place on the market, sell, or import ammunition with flammable, explosive grains with impurities or a coating of radioactive, poisonous and harmful substances, as well as grains for such ammunition, and ammunition for pistols and revolvers that have an explosive effect, and grains for such ammunition. Category B weapons can be acquired, possessed and carried on the basis of a document issued by the competent public authority. Weapons from category C can be freely acquired in the cases provided for by the WAL, and kept with a report to the competent public authority. Weapons from category D can be acquired and held without a document and report to the competent public authority (Article 5 of Serbia's WAL). The categorization of weapons will have to be changed, bearing in mind that Directive (EU) 2021/555 on the control of acquisition and possession of weapons categorizes weapons differently. Moreover, other

provisions will have to undergo certain changes in order to harmonize the legal framework of Serbia with the EU acquis in the field of weapons and ammunition.

In Serbia, the most important role in the fight against organized crime, and therefore arms trafficking as one of the forms of organized crime, is played by the Fight against Organized Crime Service (SBPOK), which is organizationally located in the Criminal Police Directorate at the headquarters of the General Police Directorate, Serbia's Ministry of Interior. Through its specialized units, the SBPOK deals with the suppression of all forms of organized crime observed so far: drug smuggling, human trafficking and illegal migration, arms and explosives smuggling, international smuggling of stolen vehicles, kidnapping, extortion, blackmail with elements of organized crime, money laundering, corruption, money forgery, payment card frauds, high-tech crime (criminal acts related to abuse of computer systems, abuse and violation of intellectual property rights, child pornography) (http://www.mup.gov.rs/wps/portal/sr/direkcija-policije/ojdpp/uprava+kriminalisticke+policije/sbpok).

In addition to the already listed international and national legal regulations, SBPOK finds its legal foothold primarily in: the Organization and Competence of State Bodies in the Suppression of Organized Crime, Terrorism and Corruption Law (Official Gazette of RS, Nos. 94/16, 87/18 – other law, and 10/23), the Police Law (Official Gazette of RS, Nos. 6/16, 24/18, and 87/18), the Confiscation of Property Derived from a Criminal Offense Law (Official Gazette of RS, Nos. 32/13, 94/16, and 35/19) etc.

SBPOK, together with other state bodies of the Republic of Serbia, in addition to national legislation, implements and applies international agreements relevant to the fight against organized crime. The key international treaty in this area is the UN Convention on Transnational Organized Crime (Palermo Convention) with additional protocols, specifically the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition.

The goal of this Protocol is to investigate and prosecute crimes listed in the Protocol, which have an international character and when an organized criminal group is involved. On the other hand, it is issued that the Protocol will not be applied to transactions between states or to state procurement in cases where the application of the Protocol would threaten the right of a member state to undertake actions that are in the interest of national security in accordance with the UN Charter. Actions that should be qualified by the Protocol as felonies are the illegal production of firearms, their parts, assemblies and ammunition, then the illegal trade in firearms, parts, assemblies and ammunition, forgery or illegal erasure, removal or alteration of markings on firearms (Article 5 of the Protocol).

The Protocol provides for seizure and confiscation of criminal items. States are advised to adopt, if possible, in national legislation, the measures necessary to enable the confiscation of firearms, parts, assemblies and ammunition, which have been illegally manufactured or trafficked. Record keeping, marking of firearms, temporary disabling of firearms, permit or certification system for export, import and transit, security and preventive measures, information, cooperation, training and technical assistance and mediation in traffic are envisaged as prevention measures.[54]

As we have already mentioned, some studies put Serbia in the context of being one of the largest producers of weapons in Eastern Europe, and firearms are diverted to the illegal market. In this sense, the authors investigated the disproportion between reported

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[54] Further reading: Nikač, 2015: 265-290

imports/exports by Serbia and its trading partners in 2022. For this purpose, the PoA mechanism was used, which showed that Serbia reports more pieces of small arms and light weapons than its trading partners, both in terms of what is imported and exported. Serbia's trade partners, on the one hand, did not report that they exported over 3.5 thousand pieces of small arms and light weapons to Serbia, and on the other hand, they did not report that they imported over 90 thousand pieces of small arms and light weapons from Serbia (https://smallarms.un-arm.org/country-profiles/SRB). We can only guess where all these weapons ended up, but the inescapable conclusion is that further resale was done on the illegal market. It was not possible to apply the PoA mechanism to North Macedonia in the given period to compare the data. Also, this mechanism could not be applied to the USA, Russia and China because they are not part of this mechanism.

5. CONCLUSION

Socio-political instability, economic crisis, armed conflicts, terrorism, mistrust in public authorities, insufficient control over the flow of weapons and ammunition, non-compliance with international rules are just some of the conditions that contributed to the development of arms trafficking as a form of organized crime. The Balkan region, in the centre of which is Serbia, has long been faced with armed conflicts that were once part of the global, and more recently local level, which created the preconditions for the development of arms trafficking as a form of organized crime. Already in the early stages of its social development, the state government in Serbia decided to legally regulate the field of weapons. Although the aftermath of the World War II brough about socio-political changes and changes to the constitutional framework, the practice of legally regulating the field of weapons continued even after the war, accompanied by frequent amendments to the law.

Arms trafficking is not only a segment of organized crime, but also a complex phenomenon that touches the political, military, security and economic spheres. This type of organized crime can cause numerous disturbances within the borders of a country, but also produce harmful consequences internationally and regionally. By means of this form of crime, it is possible to influence the formation of crisis hotspots, manage conflict situations to a significant extent, determine the epilogue of armed conflicts, in a word, influence the formation of new military-political relations in the order of social communities or states.

The main participants in the arms trafficking are organized criminal groups together with representatives of public authorities associated with manufacturers and end users of weapons and ammunition. As we could see in the authors' analysis, the modus operandi of illegal arms trade can be different, but they are mostly based on falsification of documents and smuggling, while payment is mostly made in cash. Although international and national legislation foresees a wide range of preventive and repressive mechanisms in the fight against this type of organized crime, significant suppression has not yet occurred. One of the reasons the authors have identified is that the countries that are the biggest arms exporters are not part of the international community in the most important international documents. Regardless of the fact that, after 2019, no studies have been made on arms trafficking, the EU still considers the area of the Western Balkans a hotbed for this type of trafficking. In our previous research, we concluded that the main suppliers of illegal weapons are organized criminal groups from the area of Kosovo and Metohija, where there are still accumulated weapons from the armed conflict.

In any case, no matter how difficult the fight against arms trafficking and any other crime is, especially when they are committed by organized criminal groups, this fight should be continuous, and the state itself, but also the society, should invent new methods and means of opposing all these forms of crime. However, the most important mechanism for eliminating this type of trafficking is the elimination of its root causes, which are self-insecurity and the existence of armed conflicts anywhere. In a situation where many armed conflicts are ongoing even today, it seems to be a 'mission impossible'.

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CUSTOMS SERVICE OF THE REPUBLIC OF SERBIA AS A SUBJECT OF NATIONAL SECURITY

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Abstract

Many theoreticians see the Customs Service exclusively as an organ of state administration that mainly has a fiscal role, primarily the collection of customs duties, taxes and other duties. The Customs Service is seen as an executive department of the state whose main goal is to replenish the budget and, on that basis, to meet the needs of the state towards its users such as the army, the police, education, health, inspection services, social benefits etc. Over time, the role of the Customs Service has changed, so that it has now become an important subject in preserving the national security of the Republic of Serbia. The Customs Service within national security has a significant role in preserving the economic, political, health, and military security of the state. Although, at first glance, the Customs Service seems not to be linked to the security services, it does have rather big importance and influence on the establishment of the national security of the state. Although the Republic of Serbia has included the Customs Service in its National Security Strategy, it still, to an extent, does not consider it to be a factor of significance for national security of country.

Keywords: Customs Service, national security, economic security, political security, customs officer.

1. PREAMBLE

In most cases, the Customs Service is viewed only as an executive department whose main task is the collection of customs and other duties, that is, its fiscal character is overemphasized. However, the Customs Service is complex, it implements and applies a number of regulations such as the Customs Law, the Law on General Administrative Procedure, the Law on Misdemeanours, the Law on Foreign Trade, the Law on Foreign Exchange, the Law on Import and Export of Arms, and a number of other regulations.

The Customs Service controls the import and export of goods, which then prevents the illegal import and export of goods; controls the import and export of foreign currency and prevents the illegal import and export of foreign currency; prevents the illegal import of goods that are under the protection of intellectual property; prevents the illegal trafficking of narcotics assets, gold, gold jewellery, articles of precious metal, weapons, ammunition; prevents the illegal entry of migrants etc.

It is necessary to understand that the Customs Service has a very important role in preserving the national security, although neither the community nor the government fully appreciate the importance and the role of the Customs Service in preserving the national security. It is, thus, necessary to point out the importance of the Customs Service in

preserving political and economic security, because the economic and political stability of the country largely depends on its successful work.

2. CUSTOMS SERVICE AND NATIONAL SECURITY

There are many definitions of national security, including that "security is considered a basic need, value and interest of an individual, society, state and the wider environment" (Bajagić, 2011). National security is important primarily to preserve the national interests of a country, and these interests can be different. There are certain areas that play an important role, so "the national security system determines a set of activities that includes five areas of state action: military, political, economic, social and ecological" (Buzan, 1991). Each of the aforementioned areas is very important for preserving the security of the state and its citizens as a whole.

The most important factors of the national security of the Republic of Serbia are the Security and Information Agency, the Military Security Agency and the Military Intelligence Agency, but it must be noted that "businesses in the field of national security are also performed by state administration bodies", and one of the significant state administration bodies is the Customs Service of the Republic of Serbia.

It is important to list the subjects "whose primary task is to achieve, preserve and develop national security: the police, the army, the intelligence and security services, the prosecutor's office, the customs, the inspection, the authorities for the execution of criminal sanctions and private security services" (Stevanović, Isajeva, Ranđelović, & Lović, 2020). The Customs Service of the Republic of Serbia is one of the important entities that cares about and contributes to the preservation of the national security of the country.

The importance of the Customs Service for national security can be seen from the fact that "the Customs Service can obtain very significant data on the recorded criminal and intelligence activities of individuals, institutions, and emigrant organizations" (Đorđević, 1986). During their work, customs officers may obtain important information from domestic and foreign persons, legal entities, representatives of foreign companies, persons who have violated customs, foreign exchange or other regulations. Information collected by the customs officers themselves during their work at border crossings and in customs offices, as well as the data obtained by the intelligence department of the Customs Service and of the Republic of Serbia, can be of great importance for preserving the national security of the Republic of Serbia.

3. CUSTOMS SERVICE AND ECONOMIC SECURITY OF THE REPUBLIC OF SERBIA

Within the national security system, one of the important segments is economic security, which represents "a set of activities, measures, procedures and rules aimed at preventing and reducing the risk of intentional or unintentional endangerment of the economic system and property of natural and legal persons, all within the national security system of the state" (Milošević & Sajić, 2021, p. 113). The Customs Service of the Republic of Serbia, as an executive and fiscal authority, greatly influences the economic security and stability of the country through its work.

The Customs Service of the Republic of Serbia, in addition to the significant amount of money it collects from customs, taxes and other duties, maintains the economic security by controlling the entry and exit of foreign currency. The Law on Foreign Exchange Operations establishes that the customs authority controls the departure from the Republic

of Serbia and the entry into the Republic of effective foreign currency, dinars, checks, securities in passenger, goods and postal traffic.[55]

In accordance with the Law on Foreign Exchange Operations, customs officers temporarily confiscate undeclared foreign currency, dinars, checks, securities, as well as declared foreign currency that exceeds the amount prescribed by the National Bank of Serbia, and initiate misdemeanour proceedings at the competent court.

Table 1. Seized foreign currency by the Customs Service of the Republic of Serbia in the period 2019-2022

	2019	2020	2021	2022
Foreign currency offenses (EUR and other currencies)	3,082,044.00 EUR	7,448,735.00 EUR	3,349,016.00 EUR, 4,530.00 BAM, 10,300.00 BGN, 96,180.00 CHF, 63,660.00 GBP, 50,000.00 HRK, 933,840.00 SEK, 19,805.00 USD (3,639,099.69 EUR)	4,320,550.00 EUR, 726,265.00 USD, 131,260.00 CHF, 32,550.00 GBP, 8,950.00 AUD, 1,420.00 BAM, 243,355.00 UAH, 31,650.00 DKK, 4,000,000.00 HUF (5,201,458.42 EUR)

Source: Act UC No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

Chart 1: Seized foreign currency by the Customs Service of the Republic of Serbia in the period 2019-2022

	2019	2020	2021	2022
■ Foreign exchange offenses in euros	3.082.044	7.448.735	3.639.099	5.201.458
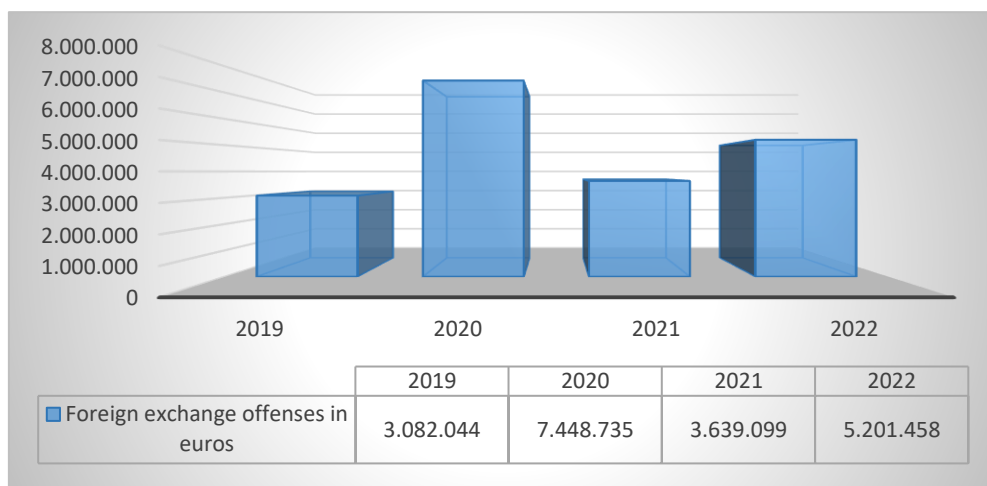
Source: Act CA no. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

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[55] Art. 47 of the Law on Foreign Exchange Operations (Official Gazette of RS No. 62/2006, ..., 30/2018)

It can be observed that the Customs Service of the Republic of Serbia, in the period between 2019-2022, confiscated and temporarily retained 19,371,337.11 eur[56]. The seized foreign currency can come from various criminal activities both in the Republic of Serbia and from other countries. The assumption is that the confiscated foreign currency comes from prostitution, gambling, drugs trafficking, trade, weapons, ammunition etc., that is, it comes from illegal flows.

Illegal foreign currency, if brought into the customs territory of the Republic of Serbia, can destabilize the economic market, and at the same time, illegally acquired money entering the country can be used to create extremist groups, terrorist organizations, the spread of prostitution, the development of the drug market, illegal financing of non-governmental organizations, all of which together significantly affects the economic instability of the country.

If illegal foreign exchange funds are taken out of the state, the assumption is that they were acquired in an illegal way, that they were acquired outside of regular economic activities, that is, they were acquired from activities over which the state has no control, where taxes, contributions and other duties have not been paid for such activities, which damages the state budget and creates economic instability of the state itself.

With regard to the economic security of the Republic of Serbia, the money that originated from criminal activities, and which was seized and temporarily retained by the Customs Service, could be used to destabilize the domestic currency, destabilize the economic market, which may later affect the political and military security of the country.

The role of the Customs Service in controlling the entry and amount of foreign currency is important, which greatly contributes to the preservation of the economic security of the Republic of Serbia.

Table 2: Seized gold and gold jewellery by the Customs Service of the Republic of Serbia in the period 2019-2022

	2019	2020	2021	2022
Gold (grams and pieces)	11,362.00 g and 171 pcs of gold jewellery	8,544.28 g and 186 pcs of gold jewellery	11,445.65 g and 453 pcs of gold jewellery	31,690.00 g and 453 pcs of gold jewellery

Source: Act CA No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

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[56] Currency parity for 2021 was taken as on 31.12.2021, and the currency parity for 2022 was taken as on 31.12.2022.
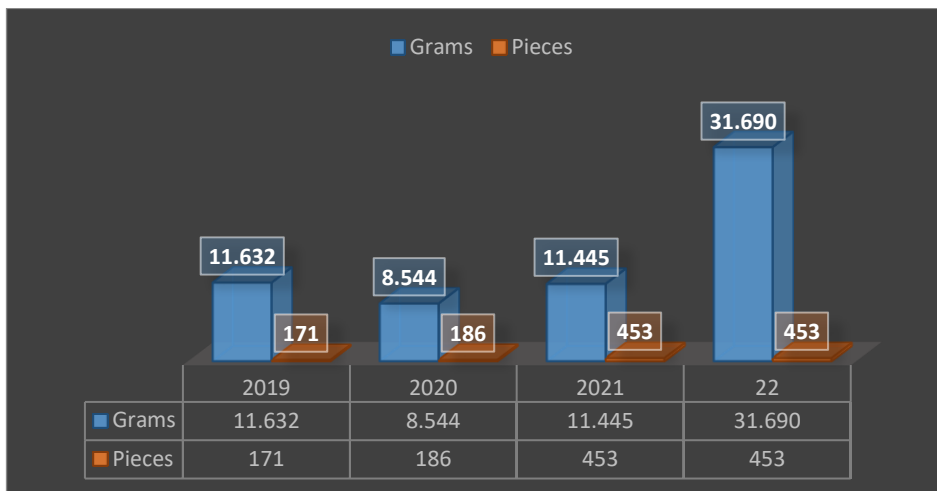
Chart 2: Seized gold and gold jewellery by the Customs Service of the Republic of Serbia in the period 2019-2022

	2019	2020	2021	22
Grams	11.632	8.544	11.445	31.690
Pieces	171	186	453	453

Source: Act CA No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

In the period between 2019 and 2022, the Customs Service of the Republic of Serbia has confiscated, in total, 63,041.93 grams of gold and 964 pieces of gold jewellery. Gold is a commodity that always has a high price on the market, and at the same time it can be used as a means of payment. The gold which is illegally taken out of the Republic of Serbia affects the economic stability of the country, because it was created as a result of illegal activities, such as drugs trafficking, arms and ammunition trade, prostitution, gambling etc.

At the same time, the illegal import of gold and gold jewellery in the Republic of Serbia can contribute to the financing of extremist and terrorist organizations, can be used to bribe civil servants, politicians, and can be used in criminal activities, which overall can lead to economic instability of the state and the society, and can also collapse the economic activity and the economic security of the Republic of Serbia. The role of the Customs Service of the Republic of Serbia consists in preventing the illegal entry into the Republic of Serbia and illegal exit from the Republic of Serbia of gold and gold jewellery, as well as of other precious metals, all with the aim of preserving the economic stability of the country.

4. CUSTOMS SERVICE AND POLITICAL SECURITY OF THE REPUBLIC OF SERBIA

National security is largely represented by the area of political security, which represents "the organizational stability of the state, the system of government and ideology, which give legitimacy to a certain system of government" (Dragišić, 2009). In addition to other roles, the Customs Service has a very important role in preserving the political security and stability of the country.

One of the important tasks of the Customs Service of the Republic of Serbia is the prevention of illegal import and export, as well as the illegal trafficking of weapons and ammunition. The customs authority, within its powers, carries out constant control over the

import of weapons and military equipment.[57] The customs authority checks whether the consignments that are imported or exported contain weapons, military equipment, whether these goods are covered by appropriate permits from the competent ministry with the attachment of import or export documentation, whether dual-use goods are possibly imported. Dual-use goods are goods that can be used for both civilian and military purposes. Dual-use goods are regulated by the Law on Export and Import of Dual-Use Goods.

Table 3: Seized weapons and ammunitions by the Customs Service of the Republic of Serbia in the period 2019-2022

	2019	**2020**	**2021**	**2022**
Weapons	36 pcs	474 pcs	23 pcs and 7 parts	27 pcs and 7 parts
Ammunition	2,373 pcs	33,851 pcs and 11 kg gunpowder	507 pcs	2,601 pcs and 2 kg gunpowder

Source: Act CB No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

Chart 3: Seized weapons by the Customs Service of the Republic of Serbia in the period 2019-2022
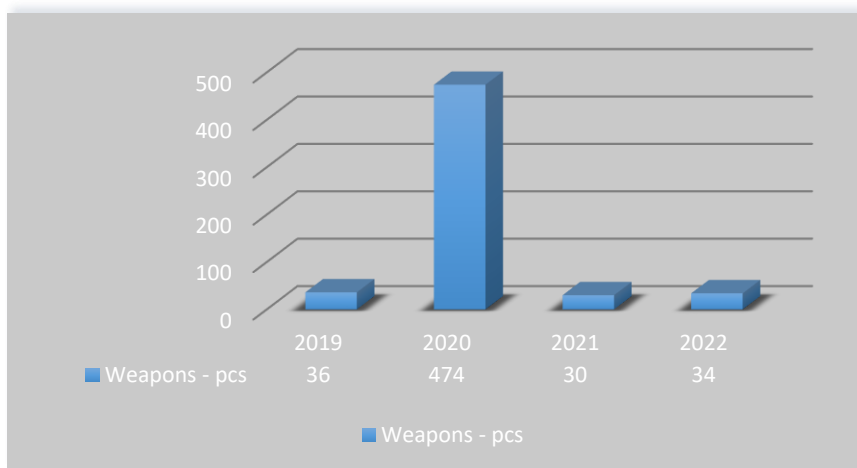
Source: Act CB No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

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[57] Art. 33 Paragraph 2 of the Law on the Import and Export of Weapons and Military Equipment (Official Gazette of the RS No. 107/2014)

Chart 4: Seized ammunition by the Customs Service of the Republic of Serbia in the period 2019-2022
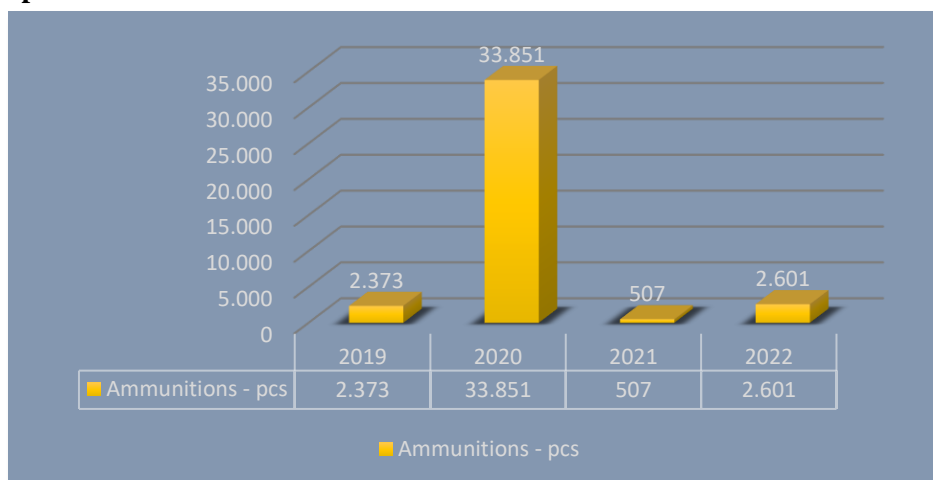
Ammunitions - pcs	2019	2020	2021	2022
Ammunitions - pcs	2.373	33.851	507	2.601

Source: Act CB No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

In the period between 2019 and 2022, the Customs Service of the Republic of Serbia confiscated a total of 560 weapons and 14 weapon parts, and 39,332 pieces of ammunition and 13 kg of gunpowder. The weapons and ammunition confiscated by the Customs Service of the Republic of Serbia could be used to carry out criminal, terrorist activities, to commit murders in criminal, business, economic or political circles, all of which can lead to instability of the state, citizens' distrust in the present government.

Illegally brought or imported weapons and ammunition can be used to supply extremist and terrorist groups, which can lead to political instability in the Republic of Serbia. The political instability of the state leads to its economic instability, which all together can lead to the collapse of the same state and its institutions.

When detecting illegal import or export of weapons, customs officers and municipalities immediately inform the competent authorities of the Ministry of the Interior. Confiscated weapons and ammunition are handed over to the members of the Ministry of the Interior, most often the border police, while illegally imported or exported weapons and the ammunition are also handed over to the representatives of the Ministry of the Interior. The procedure for committing a misdemeanour is carried out by the Ministry of the Interior and the Ministry of Justice.

The Customs Service largely contributes to the political stability of the country through its work and efforts to detect the illegal import and export of weapons and ammunition.

One of the important functions of the Customs Service of the Republic of Serbia is the prevention of the illegal trafficking of narcotic drugs, various types of tablets etc.

Table 4. Seized narcotic drugs and other narcotics by the Customs Service of the Republic of Serbia in the period 2019-2022

	2019	**2020**	**2021**	**2022**
Narcotics and pills	3,934,746 g and 679 pcs (cannabis seeds and various pills)	1,488,989 g and 6,430 pcs (cannabis seeds and various pills)	717,188 g and 2,145 pcs (cannabis seeds and various pills)	479,011 g and 1,125 pcs (cannabis seeds and various pills)

Source: Act of the Customs Administration No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

Chart 5. Seized narcotics in grams by the Customs Service of the Republic of Serbia in the period 2019-2022
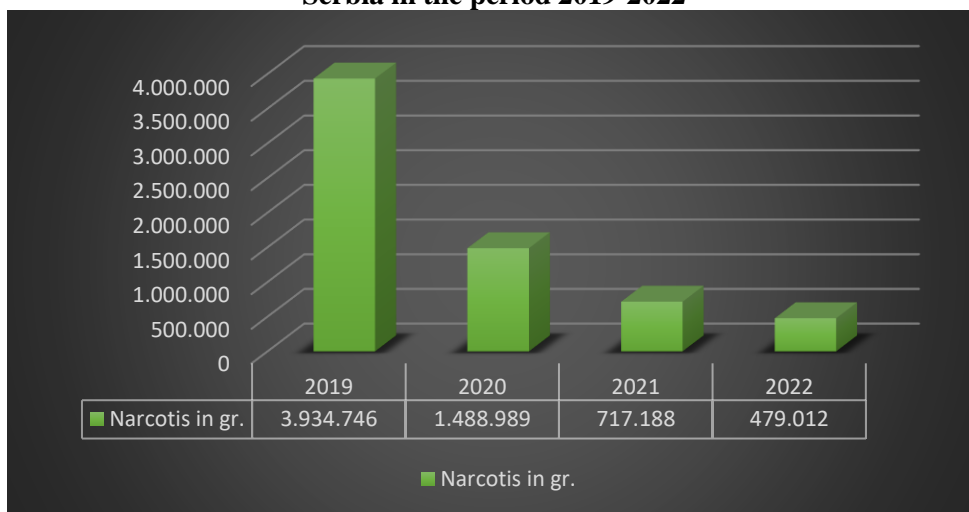
	2019	2020	2021	2022
Narcotis in gr.	3.934.746	1.488.989	717.188	479.012

Source: Act of the Customs Administration No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

Chart 6. Seized cannabis seeds and various pills in pieces by the Customs Service of the Republic of Serbia in the period 2019-2022

Source: Act of the Customs Administration No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance

In the period between 2019 and 2022, the Customs Service of the Republic of Serbia seized a total of 6,579,935.20 grams of narcotics (heroin, marijuana etc.) and 10,379 pieces of cannabis seeds and various tablets. On the black market, the value of confiscated opiates and narcotic drugs seized by the Customs Service is very high.

Illegally acquired money from the trade in narcotic drugs can be used to further spread criminal activities both in the Republic of Serbia and abroad, then it can be used to arm extremist and terrorist groups, groups that can politically destabilize the country by carrying out various terrorist attacks on the army, police, citizens. Money obtained from the trade in narcotic drugs can be given to certain groups of citizens, political dissidents who can cause riots in the streets or demonstrations which can destabilize the political and social system of the country.

By successfully working to detect the illegal trafficking in narcotic drugs, the Customs Service successfully protects the political security of the country.

5. FINANCIAL POSITION OF CUSTOMS OFFICERS IN THE REPUBLIC OF SERBIA

One of the significant factors that influences the successful execution of the tasks assigned to the Customs Service of the Republic of Serbia is the financial position of customs officers. It is very important that the customs officers are on a higher earning scale in order to successfully perform the assigned tasks in terms of collecting customs and other duties, in terms of detecting the illegal trafficking in narcotic drugs, weapons, ammunition, foreign currency, all in order to preserve the national security of the state.

Table 5. Average net salary of customs officers and average net salary of workers in the Republic of Serbia in the period 2019-2022[58]

	Average net salary in the Customs Service in the Republic of Serbia	Average net salary in the Republic of Serbia	Ratio of average net earnings in the Customs Service and RS
2019	54,370.30 dinars (462.52 EUR)	59,772.00 dinars (508.47 EUR	90.96%
2020	59,113.15 dinars (502.79 EUR)	66,093.00 dinars (562.15 EUR)	89.44%
2021	75,059.96 dinars (638.35 EUR)	74,629.00 dinars (634.69 EUR)	100.58%
2022	69,226.71 dinars (590.15 EUR)	84,227.00 dinars (718.02 EUR)	82.19%

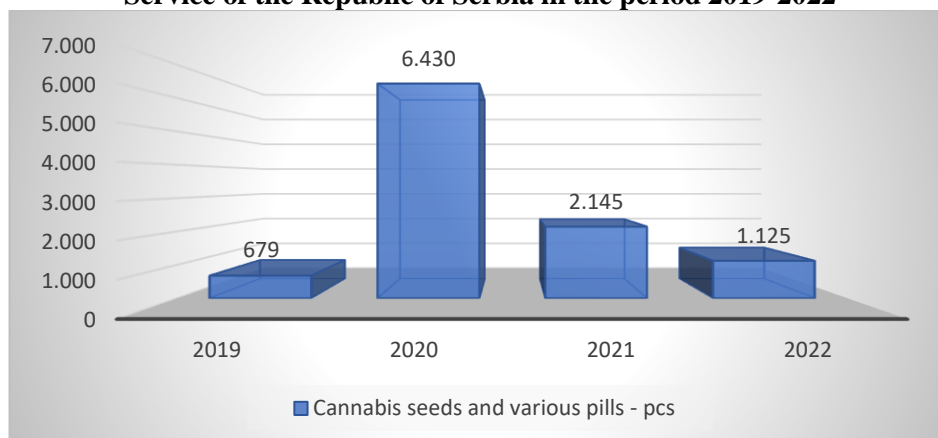**Source:** Act of the Customs Administration No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance, Official Gazette of the RS No. 15/2023, 27/2022, 17/2021, 34/2020

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[58] The courses taken are: 31.12.2022. (1 EUR=117.3040 dinars), 31/12/2021 (1 EUR=117.5838 dinars), 31/12/2020 (1EUR=117.5704 dinars, 31/12/2019. (1EUR=117.5529 dinars. The official middle exchange rate of the National Bank of Serbia was used
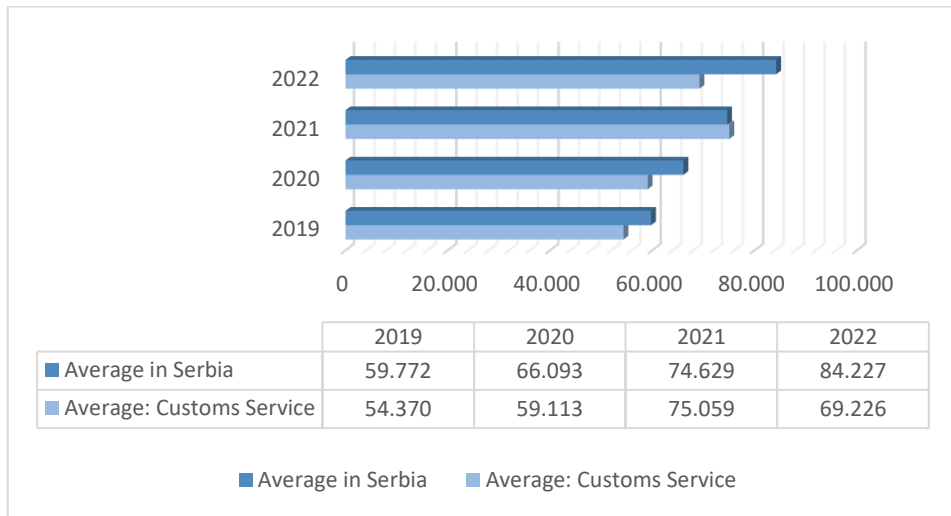
Chart 7. Average net salary of customs officers and average net salary of workers in the Republic of Serbia in the period 2019-2022

	2019	2020	2021	2022
Average in Serbia	59.772	66.093	74.629	84.227
Average: Customs Service	54.370	59.113	75.059	69.226

Average in Serbia   Average: Customs Service

Source: Act of the Customs Administration No. 148-III-650-03-34/5/2023 of September 4, 2023 – access to information of public importance, Official Gazette of the RS No. 15/2023, 27/2022, 17/2021, 34/2020

Based on the previous table, it can be seen that the average net salary in the Customs Service in 2019 was 9.04% lower than the average salary in the Republic of Serbia; the average salary in 2020 in the Customs Service was 10.56% lower compared to the average salary in the Republic of Serbia. In 2021, the average salary in the Customs Service was almost identical to the average salary in the Republic of Serbia; but in 2022 the average salary in the Customs Service was again 17.81% lower compared to the average salary in the Republic of Serbia.

It must be noted that a hot meal and holiday allowance are included in the salary received by the customs officers. Low wages in the Customs Service can cause the outflow of professional personnel from the Customs Service, lack of interest in working in the Customs Service, and the emergence of corruption, which can greatly affect the economic and political security of the state, as well as the overall national security.

Customs officers of the Republic of Serbia do not receive monetary rewards for discovered customs and foreign currency violations, for discovered narcotics, drugs, weapons, ammunition. For many years now, customs officers have not received apartments, and they have not received loans for the purchase of apartments. By way of a special law[59], members of the Ministry of the Interior, the Army of the Republic of Serbia, the Security Information Agency, and the Ministry of Justice are covered for the construction of apartments, as members of the security forces, and this law does not apply to customs officers at all, as one of the factors of national security.

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[59] Law on Special Conditions for the Implementation of the Project of Construction of Apartments for Members of the Security Forces (Official Gazette of the RS No. 41/2018, and 54/2019)

CONCLUSION

The Customs Service of the Republic of Serbia is an important executive body, which has great fiscal importance for the Republic of Serbia. However, many forget that the Customs Service has a significant role in preserving the national security of the country. In the National Security Strategy of the Republic of Serbia, the Customs Service is listed as one of the important subjects of national security.

In addition to economic and political security, the Customs Service has a significant influence within its activities on preserving the military security of the state and the health protection of its citizens. The complexity of the Customs Service is reflected in the wide range of its activities, which includes not only customs clearance of goods and customs control, but also includes intelligence work, customs investigations, data analysis of potential offenders.

It is necessary to mention the collaboration and cooperation of the Customs Service of the Republic of Serbia with other state bodies such as the Ministry of the Interior, the Army of the Republic of Serbia, security services, inspection services, all with the aim of preventing the illegal export and import of goods, detecting potential offenders of customs and perpetrators of criminal acts, all of which significantly affects the preservation of the national security of the state.

In order to work better and more efficiently, it is necessary to improve the financial position of customs officers in terms of earnings or salary, monetary rewards for successfully detected customs and foreign currency violations, the possibility of being exempt from paying taxes when purchasing goods in stores. Within the framework of the Law on Special Conditions for the Implementation of the Project of Building Apartments for Members of the Security Forces, it is necessary to also include the members of the Customs Service, or adopt a special law where customs officers would be included in the allocation of apartments on favourable terms.

It is necessary to pay more attention to the improvement of the financial position of customs officers, and at the same time to raise awareness in the country of the importance and the role of the Customs Service in preserving the national security of the country. It is also necessary to empower the Customs Service with technologically more advanced equipment so as to ensure a better performance of this important subject of national security which will further contribute to better preservation of the national security of the state.

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o Law on the Import and Export of Weapons and Military Equipment (Official Gazette of the RS No. 107/2014)
o Law on special conditions for the implementation of the project of construction of apartments for members of the security forces (Official Gazette of the RS No. 41/2018 and 54/2019)

PROCEDURES FOR HANDLING RADIATION DETECTION AT BORDER CROSSING IN THE REPUBLIC OF NORTH MACEDONIA

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Abstract

The aim of this paper is the assessment of radiation threat as a basis for establishing an appropriate radiological emergency through the preparedness and planning systems for radiological emergency response. Strengthening the ability of the staff at the border crossings in the Republic of North Macedonia, their procedures for checking persons and vehicles, for the possible presence of radioactive materials outside regulatory control, in an attempt to prevent smuggling and illicit trafficking in such funds and materials, including the radiation equipment used at the border crossings to control and check the entire import and export for the possible presence of radioactive shipments.

Through the implementation of their competences, the institutions directly involved in border control are obliged to ensure the safety and health of people, the environment and cultural heritage. Creation of a National Coordination Mechanism for Border Management, which will be managed by the Border Police Service in cooperation with all other national services for border management, is required to achieve cooperation, coordination, joint support and exchange of information between them.

Keywords: *detection, radiation, border crossing, radioactive materials, control, illicit trafficking*

1. INTRODUCTION

In order to successfully counter radiation threats, law enforcement agencies, and especially those responsible for border management, must always be one step ahead. It is necessary to develop mutual communication, coordination of activities, planning and readiness to quickly and efficiently respond to threats. The above could not be realized without well-trained and inventive professionals. Well-designed, effective and continuous information exchange and intelligence procedures, correlated with operational planning are vital. To provide more training in the field of ionizing radiation and radiation protection, especially for officers working at border crossings. It is important for them to know all radioactive sources and the dangers they can cause, of course, how to protect themselves from unwanted effects, i.e. exposure to radiation, because a little carelessness can cause great damage to both the personnel and the entire environment. The personnel, the Border Police Service and the Customs officers should know how to handle all the instruments they possess for detecting radiation and if any incident occurs at the border crossing, they should immediately notify the regulatory body in the State to act in accordance with the law.

Radiation threat assessment is the basis for establishing appropriate radiological emergency preparedness and planning systems for radiological emergency response. Thus,

this assessment of radiation threats actually identifies objects, activities or locations where there is a probability of an emergency in the territory of the Republic of North Macedonia, as well as sources of ionizing radiation[60] that can lead to a radiation emergency that requires taking appropriate actions and measures to protect the population, persons participating in the intervention and the environment.[61]

Through the realization of their competences, the institutions directly involved in border control are obliged to ensure the safety and health of people, the environment and cultural heritage. Creation of a National Coordination Mechanism for Border Management, which will be managed by the Border Police Service[62] in cooperation with all other national services for border management, is required to achieve cooperation, coordination, joint support and exchange of information between them.

2. EQUIPMENT FOR DETECTION OF RADIATION AT BORDER CROSSING

Customs officers and Border Police have equipment for the detection and identification of radioactive material:[63]

A **personal radiation detector (PRD)** is a small, self-contained device used to detect gamma radiation. This device is basically used to determine a safety zone or perimeter during field operations to protect the officers.

The **Radioisotope Identification Device (RID**) is a compact hand-held device used to locate the source of radiation and determine the specific isotope present. The device has a remote, computerized data transfer capability to send the isotope data to technical experts who are not present on site.

Portal Radiation Monitors (PMRs) are larger fixed systems, located in the areas provided for basic control and inspection, and are used to detect gamma and neutron radiation. Typically, the operation and use of the PMR is controlled by a computer.

A Geiger counter is a hand-held device that helps operators locate the radioactive source(s) in a timely manner.

Mobile Detection System (MSD) – this type of instrument is designed to operate in a vehicle such as a van. It is used mostly as checkpoints in locations with controlled traffic flow. Once the source is located, other instruments can be used to identify the radioactive source. These devices detect neutron and gamma radiation. In the Republic of North Macedonia, there are two vans-mobile systems for detection of ionizing radiation owned by the Ministry of the Interior-Border Police.[64]

Backpack Detector – This type of measuring instrument can be carried on the back, leaving the hands free for other tasks. The backpacks detect small increases in normal natural radiation. These instruments are particularly useful in covert operations, especially in crowds.

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[60] Instructions for Work when Detecting an Increased Level of Ionizing Radiation (CU of the Republic of Macedonia) - 2011, available at: https://customs.gov.mk/index.php/mk.

[61] Marina M. Sazdovska 2013. International protection of the environment.

[62] Standard Operating Procedures (Customs, Border Police and DRS)-2016.

[63] Emilija Petrova, Zlate Dimovski, Metodija Dojcinovski 2020. Dealing with illicit traficking in sources of ionizing radiation in the territory of the Republic of North Macedonia, Yearbook of the Faculty of Security.

[64] Instructions for Work when Detecting an Increased Level of Ionizing Radiation (CU of the Republic of Macedonia) - 2011, available at: https://customs.gov.mk/index.php/mk.

Table 1. Equipment for radiation detection at the border crossings of the Republic of North Macedonia

State border	Radiation pagers	Geiger-Miller counter	Panel Detectors
North	23	4	3
East	12	1	3
South	24	2	3
West	11	2	2
Total	70	9	11

Table 1. Shows the total number of detection equipment used by customs officers and border police officers. From this we can conclude that the equipment used by officers is as follows: radiation pagers, Geiger-miller counters and panel detectors. On the territory of the Republic of Northern Macedonia, the customs and the police officers have a total of 70 pagers for radiation, 9 Geiger-Miller counters and 11 panel detectors.

2.1. ORGANIZATION RESPONSIBILITY

2.1.1. Customs Administration/Border Police

The Border Police and the Customs Administration of the Republic of North Macedonia are competent institutions for initial control of border crossings for entry and exit from our country and responsible for initial reaction and action in case of activation of a certain alarm and its assessment. RSD (Radiation Safety Directorate)[65] is responsible for making sure that all necessary secondary checks and controls are performed and that all other agencies are properly informed, which should act in case of identification of suspicious alarms or threats.

Customs administration: The main tasks of the customs service are: implementation of customs supervision, implementation of customs control, customs clearance of goods, implementation of customs control, investigative and intelligence measures aimed at preventing, detecting and investigating customs violations and criminal acts, initiating proceedings customs and other offenses, as well as criminal acts established by law and collection of mandated fines, calculation and collection or return of export and import duties, taxes and other public duties and fees during import, export or transit of goods, as well as implementation of forced collection of the same in accordance with the law. Conducting customs-administrative proceedings in the first instance, performing control of the import and export of effective domestic and foreign money, checks and monetary gold, performing control of the export, import and transit of goods for which prescribed special measures of interest to safety and public morality, preservation of health and life of people, animals and plants, environmental protection, prescribed by the Law on Customs Administration, other laws and regulations. Custom administration is competent for the EXIM system (issuing licences for import, export and transit) for dangerous goods include radioactive materials. In this way all goods from 16 institutions are controlled in our country.

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[65] Law on Protection against Ionizing Radiation and Radiation Safety (Official Gazette of the Republic of Macedonia No. 48/02, 135/07, 53/11, 43/14).

Ministry of Interior (Border Police): The main bearer of activities in the area of border management is the Ministry of Internal Affairs (MI) through the Border Police, which functions as part of the Public Security Bureau (PSB). According to the Police Law, border control in the Republic of North Macedonia is under the jurisdiction of the Ministry of Internal Affairs, and the security of the state border and border control (border surveillance and border checks) is performed by the border police, as part of the Ministry of Internal Affairs. Border control is carried out in accordance with the Law on Border Control and includes matters related to border checks and border surveillance, as well as analysis of national security threats and analysis of threats that may affect border security, and is carried out with the aim of: prevention and detection of crimes and misdemeanours and detection and capture of their perpetrators, prevention and detection of illegal migration and human trafficking, protection of life, health of people, personal security, property, environment and nature and prevention and detection of other dangers to public order, legal order, national security and international relations.

The Border Police[66] is an integral part of the PSB and for efficient performance of its tasks it is structured on three levels: central, regional and local.

2.2. OPERATIONAL PROCEDURES

In the case of a radiation emergency event[67] (an event that requires an immediate response and is used in communication between state authorities and institutions that participate in responding to the event) basic inspection and control, secondary inspection and control, and tertiary inspection and control are applied at the border crossing.

2.2.1 Basic inspection and control

Basic inspection and control begins when a certain person or means of transport enters or exits the terminal or border crossing. When entering or leaving the country, vehicles pass through the PMR (Portal Radiation Monitor) systems placed along the road lanes. For the purposes of proper control using PMR, traffic must be regulated to ensure adequate speed and flow of vehicles. The basic inspection and control of persons and vehicles at the entrance or exit of the terminals or border crossings[68] can also be carried out with the help of other hand-held or compact devices and devices for measuring radiation, such as PRD (Personal Radiation Detector), Geiger counters, RID (Radiation Identification Device) and backpacks with equipment to detect radiation.[69]

2.2.2. Secondary inspection and control

If one of the radiation alarms is activated, the managing officer directs the person or vehicle to the place provided for secondary inspection and control. After determining the safety zone with the help of the PRD, the officer will separate the passengers from the vehicle and start checking and controlling both the vehicle and the persons who represent a potential threat. After the officer has located all the potential sources of radiation, with the help of RID he should try to identify them. After the identification of the sources and the initial on-site investigation (through the analysis of the relevant documentation and

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[66] Standard Operating Procedures (Customs, Border Police and DRS)-2016.

[67] Instructions for Work when Detecting an Increased Level of Ionizing Radiation (CU of the Republic of Macedonia) - 2011, available at: https://customs.gov.mk/index.php/mk.

[68] Method for Developing Arrangements for Response to a Nuclear or Radiological Emergency – IAEA.

[69] Emilija Petrova, Metodija Dojcinovski 2020. Border management and procedures in case of increased level of ionizing radiation at the border crossings in the Republic of North Macedonia, Journal of Criminology and Criminal Low-Belgrade.

examination of the suspected persons), the officer should determine whether it is a harmless alarm or the presence of possible radioactive material outside regulatory control.[70]

2.2.3. Tertiary inspection and control

Tertiary inspection and control is usually carried out by RSD (Radiation Safety Directorate) with appropriate knowledge in the specific area, by the regulatory bodies and authorities in charge of radiation detection, through the use of more sensitive and sophisticated equipment for measurement and detection, in order to assess and identify the threat. RSD can perform checks for possible contamination and perform supervision and control over the very process of raising and securing the source. After the analysis of all the data, provided through the tertiary inspection and control, RSD can make a decision to retain or let the person or vehicle that activated the alarm. If the RSD determines that it is a radioactive material outside of regulatory control, the officers should detain the suspicious persons and assets and secure the radioactive source.

2.3. PROCEDURE FOR DETECTING IONIZING RADIATION

In case of detection of an increased level of radioactive radiation, the customs officers are obliged to check and confirm the radiation, while making sure that the time for checking is as short as possible.

If it is a means of transport on which customs markings (seals, stamps) have been placed, during the inspection it is strictly forbidden to damage or remove them without the prior approval of the Commission (Commission established by the Customs Administration).

When detecting with a panel detector, in order to enable system reset and additional control, the key from the central control unit of the panel detector is briefly turned on to position 2 (5-10 seconds), then it returns to position 1 again.[71]

If the radiation level will exceed 0.20-0.25 µSv/h or level number 2 on the pagers and at a distance of 0.3 to 0.5 meters or more from the vehicle, the customs officers immediately move to a distance where the instruments they do not detect radioactive radiation, that is, only natural radiation (background) is registered (0.03-0.15 µSv/h, pager level 0 or 1).

Access to the means of transport is prohibited and not allowed to anyone, until the arrival of a commission from the Radiation Safety Directorate and the members of the Commission.

When detecting a source of ionizing radiation, indirect and direct contact with the source is prohibited and not allowed, without prior consultation with the members of the Commission and the experts from the Radiation Safety Directorate.

Wherever possible, the vehicle in which a source of ionizing radiation has been detected is placed in a position where the source of ionizing (radioactive) radiation will radiate in the direction of a natural barrier (hill, mountain etc.) or in an area where there will be no movement.

In the event of a detected increased level of radioactive radiation, as well as in the event that the detected ionizing (radioactive) radiation deviates even minimally in relation

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[70] National Strategy for the Development of Integrated Border Management – 2014-2019.
[71] Emilija Petrova, 2016 – Master's thesis. Dealing with illegal trade in sources of ionizing radiation in the Republic of Macedonia – UKIM, Faculty of Philosophy.

to the natural radiation in a small segment along the length and height of the means of transport, the customs officers, i.e. the immediate managers, are obliged to immediately notify the Risk Management Department[72] – Coordination and Communication Service (RMD-CCS), which immediately contacts and informs the President of the Commission or his deputy.

In the event that a vehicle that has previously been returned due to the detection of a radioactive source in another country arrives on the territory of the Republic of North Macedonia, the vehicle is allowed to enter the territory of the country, only on the basis of written consent from the Radiation Safety Directorate.

Based on the notification of the received notification, the Commission communicates and provides written consent from the Radiation Safety Directorate to allow the vehicle to pass. Medically treated patients with radioactive source[73] (thyroid gland, cancer diseases) are treated humanely and are advised not to move between small children, pregnant women or between large groups of people.

Example 1: Based on a report from the technical service and a representative from the DOC Duty Operation Centre for Border Management, it was reported that an increased dose rate was measured in a passenger vehicle with Kosovo licence plates, and the Radiation Safety Directorate was called, and the following was found: The vehicle was stopped, pulled to the side, it was checked by the border officers from the Ministry of the Interior and the passengers were questioned. After the checks carried out and the statements taken from the passengers and the documentation they submitted, it was established that it was medical treatment with a radiopharmaceutical of an elderly woman who, due to health problems, was treated in one of the private clinics in Skopje. Due to the low speed measured, the vehicle was allowed to continue and instructions and advice were given.

2.4. PREVIOUS EXPERIENCES AND RESULTS

In the period from 2008-2010, there were 20 incidents of illicit trafficking[74] in radioactive material on the territory of the Republic of Northern Macedonia, of which 15 incidents were recorded at the following border crossings: Bogorodica, Blace and Tabanovce. In 14 of the incidents, the presence of a radioactive source was detected in trucks loaded with scrap metal, while in one of the incidents, a truck loaded with consumer goods was returned due to the presence of thorium lamps. The other five incidents that occurred on the territory of the Republic of Northern Macedonia confirmed the presence of an ionizing scrap metal fire reporter (Am-241) in two incidents and the presence of a radioactive source from a radioactive lightning rod (EU-152, Co-60) in scrap metal in three incidents.

Namely, in the period from 2007 to 2012, there were 27 incidents of illicit trafficking on the territory of the Republic of North Macedonia, with the largest number of incidents occurring in 2008, at the border crossing Blace. In the period from 2017 and 2018, there were a total of 8 incidents with illicit trafficking at the border crossings in the Republic of

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[72] National Strategy for Integrated Border Management 2021-2025.
[73] Law on Protection against Ionizing Radiation and Radiation Safety (Official Gazette of the Republic of Macedonia No. 48/02, 135/07, 53/11, 43/14).
[74] Emilija Petrova, 2016 - Master's thesis. Dealing with illegal trade in sources of ionizing radiation in the Republic of Macedonia - UKIM Faculty of Philosophy.

North Macedonia, with which the majority of incidents are recorded at the border crossings Tabanovce and Blace. We can conclude that most of the extraordinary events in the period 2007 – 2012 occurred at the border crossing Blace during import. The reason for this is the fact that in Kosovo at that time the area of protection from ionizing radiation, including radioactive sources, was not properly regulated. The lack of a regulatory body is the reason for the increased number of emergency events, especially in 2008. Following the establishment of an appropriate regulatory body in Kosovo, which was established on 21.06.2011, there has been a significant decline in the number of emergency events at the Blace border crossing. On 06.06.2018, the Radiation Safety Directorate of the Republic of North Macedonia and the Agency for Radiation Protection and Nuclear Safety of the Republic of Kosovo signed a memorandum of cooperation. Co-60, Th-232, Eu-152/154, Am-241, Ra-226 and others appear as sources in most of the extraordinary events in this period. These are radioactive sources built into lightning rods that were installed in the past on the entire territory of SFRY by the Institute of Nuclear Sciences "Vinča", ionization fire alarms and radioactive sources that are part of measuring instruments.

The detected radioactive sources are usually of 5 categories or are excluded from the control, but they have enough activity to be detected. In case of detection of a radioactive source at the border crossing, actions are taken to respond and deal with the situation. The following are performed: basic, secondary and tertiary inspection and control. The Border Police and the Customs Administration of the Republic of North Macedonia are competent institutions for initial (basic) control of the border crossings for entry and exit from the Republic of Macedonia and responsible for the initial reaction and action in case of activation of a certain alarm and its assessment. Of course, they are also responsible for performing a secondary check that will highlight the initial signs of a threat.

Agencies, which should act in case of identification of suspicious alarms or threats. The Radiation Safety Directorate for each incident that will occur at the border crossings receives the notification from the responsible person of the Customs Administration through the Duty Operations Centre DOC or through the NCCBM[75] (National Coordination Centre for Border Management).

In **Figure No.1**, a schematic representation of response to an incident in case of measured higher values of ionizing radiation at a border crossing is given. The first to be affected by this incident are the officers at the border crossings, the police and customs officers. The incident is reported to the Directorate for Radiation Safety through DOC or through NCCBM.[76] The technical services are authorized by the Directorate to measure the dose rate at the border crossings and to issue reports on the measured values.

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[75] Law on Border Control DOC Duty Operation Center (Official Gazette of the Republic of Macedonia No. 171/10).
[76] National Strategy for the Development of Integrated Border Management – 2014-2019.
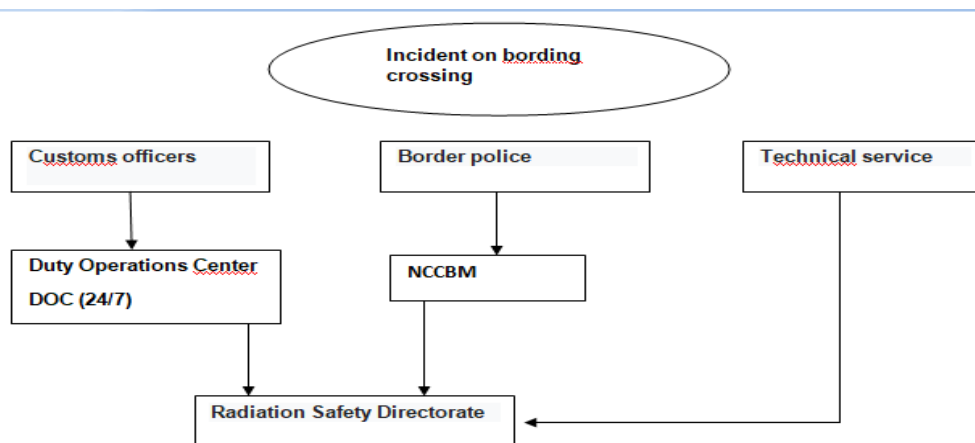
Figure 1. Schematic representation of the response in case of an emergency with radioactive sources at the border crossing

2.5. BORDER MANAGEMENT IN THE REPUBLIC OF NORTH MACEDONIA

2.5.1. The national system for IBM and NCCBM

2.5.2. Integrated Border Management (IBM)

The Republic of North Macedonia adopted Integrated Border Management (IBM) as a national model back in 2002, when it was decided to abandon the so-called "militaristic" concept in which the Ministry of Internal Affairs was responsible for border crossings, assigned the security of the "green border", or the border line was under the jurisdiction of the Army, or the Ministry of Defence. In October 2003, the first Strategy for Integrated Border Management was adopted, which, among other things, provided for the transfer of competences for the supervision of the state border from the Ministry of Defence to the Ministry of Internal Affairs and the establishment of border police within the same.

2.5.3. National Coordination Centre for Border Management (NCCBM)

In order to establish efficient coordination, exchange of data and information and establish a higher level of integration in border management, NCCBM[77] has the following competences: to implement the national strategy for integrated border management and the national action plan for integrated border management, to promote cooperation , the exchange of data and information, as well as the coordination between the state authorities that have competences in border management, proposes to the Government measures and activities[78] in connection with the development and improvement of the system of integrated border management, to monitor the situation with human resources in the state authorities that have competences in border management, which are tied to their responsibilities for border management, to achieve international cooperation in connection with activities for integrated border management.

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[77] National strategy for Integrated Border Management 2021-2025.
[78] Joint Convention, National Report, Safety of Spent Fuel Management and on the Safety of Radioactive Waste Management, 2020-IAEA.

The ministries and institutions that are part of the border management system[79] are represented in the NCCBM through their representatives in the capacity of officers and deputy liaison officers. Representatives of the Ministry of the Interior, the Customs Administration and the Agency of Food and Veterinary are permanently located in the NCCBM, while the liaison officers and their deputies from the Ministry of Foreign Affairs, Ministry of Defence, Ministry of Health, Ministry of Environment and Spatial Planning, Ministry of Agriculture, Forestry and Water Management and Radiation Safety Directorate are located in the composition of their bodies.

3. CONCLUSION

In the direction of improving the overall processes, and taking into account the latest developments in the world in terms of risks and dangers, which could happen both here and in our closer and wider environment, and based on the strategic determinations of the Government of the Republic of North Macedonia in terms of the management of activities related to the border, it is necessary to further improve and upgrade the existing system and capacities. The further development of this system will ensure even greater facilitation of the flow of people and will contribute to the intentions of improving communication and cooperation between neighbouring countries and beyond. The fulfilment of the basic competences and obligations represent a great challenge in the process of achieving the basic goals in the conditions of an increasing number of challenges arising from the development of technology and the increasing movement of the population and trade in material goods.

In order to improve the entire coordination system and fulfil the strategic objectives of the Government of the Republic of North Macedonia, the main goal of the work of the National Coordination Centre for Border Management is the challenge of strengthening its place and role in the implementation and fulfilment of its competences and obligations and in the function of protecting national interests. It is necessary to strengthen the mutual relations of institutions at all levels, whereby they will at all times be aware of the situation and possible indications of illegal migration or people smuggling and detection of criminal activities, illicit trafficking in dangerous goods on the one hand and ensuring the free flow of people and material goods across the border, on the other hand. The improvement of the process for the exchange of information and data will help in preparing a comprehensive inter-institutional and therefore national analysis of all relevant information and data. The summarized data and information will be returned to the competent institutions responsible for handling operational activities and strategic policies.

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[79] Law on Customs Administration (Official Gazette of the Republic of Macedonia No. 46/04, 81/05, 107/07, 103/08, 64/09, 105/09, 48/10, 53/11 and 113/12).

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IS A COMMON ENERGY STRATEGY A VIABLE POSSIBILITY FOR SOUTHEAST EUROPE?

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Abstract

Southeast Europe is not a region rich with energy resources. As such, ensurng its energy security – one of the basic concepts in any country's national security, is a complex matter that has not yet found its solution. Some of the countries in the region as part of the EU follow its main energy policy – namely decarbonisation, diversification and subsidising of renewables, but many outcomes now point to its inefficiency economically and politically. Economically, because the region is forced to diversify away from cheap energy resources, politically – because the EU has not become the political leader of green transition for the world, that it aimed to become. Meanwhile, for many countries such as Bulgaria, EU's policy has only made matters worse in terms of energy independence and from a previous exporter of electricity, it is a now a net importer of electricity. Looking at the resources of the countries in the region, an assessment is made as to how they can go further down the road of energy independence and whether a regional cooperation in the field of energy is a reasonable goal. By evaluating the foreign policies of the countries, their relations and goals in terms of energy security, it seems that the region may yet find a way to cooperate towards a strategy of energy projects of common interest.

Keywords: *Southeastern Europe, energy, cooperation*

1. INTRODUCTION

A spectre is haunting Europe – the spectre of Southeast Europe. The specificity of the region and its people has been studied largely, in all matters of social science, culture and history. Divided into small countries, each has its own politics separate from that of its neighbours, so separate that cooperation between the countries in the region so far seems to be an unlikely turn of events. However, in the past years a new trend has been emerging worldwide, with scholars and authors being divided on the specifics – "slowbalisation", "deglobalization", "onshoring", "friendshoring". Essentially all these terms mean a move away from the speedy globalisation processes, that had been taking over the world for the past 30 years, and towards a more regional or local approach, or approach based on cooperation with friendly countries. This has its effect on the economy, industry, energy sector, and overall – on the free market. Protectionist policies are undertaken from various governments, with political considerations being the main factors, instead of economic factors. All these trends must be explored and studied, especially when it comes to the energy sector. Energy security has become one of the most important aspects of national security for every state and is crucial both for the economy of a state, and for the general well-being of the people. In a volatile international order the states in Southeast Europe are far from actually working towards a common plan of tackling the complicated issues of

international relations and the international market. Through empirical analysis of data, statistics and available literature and studies, this paper aims to answer the question: is a common energy strategy a viable opportunity for the southeast Europe (SEE) region? For the purpose of this study by SEE region the author means Albania, Bosnia and Herzegovina, Croatia, Kosovo, Montenegro, North Macedonia, Romania, Serbia, Greece and the European part of Turkey.

2.   THE POLITICAL, GEOGRAPHICAL AND ECONOMIC REALITIES OF THE SOUTHEAST EUROPE REGION
2.1 Energy security and the Southeast Europe region

When studying the energy sector in any country, the most used term in past few years is energy security. Energy security is important for every state because it is the foundation of economic development and provides the basics for a normal standard of living. Energy security can be based on three main components – price or affordability, security of supply and sustainability (Franki, Viskovic, 2015). Through the prism of geopolitics Bozhilova (2009) outlines two variations of security of energy supply – the political view that stable supply at affordable price is crucial regardless of specific circumstances; and that the leading factor in energy security is the efficiency of providing energy to consumers. She distinguishes between them as a political viewpoint (the first one), and an economical one (the second one). Indeed, it seems nothing can be more logical for the energy sector than to have the predictability of knowing that the chain of supply is secured and at a reasonable cost. This report assumes security of supply and affordability to be key factors when it comes to a stable energy sector. Sustainability essentially outlines the political aims that are to be encompassed in the energy sector, in order to make sure the development of the sector aligns with the goals regarding the fight against climate change. Such goals are known as "green transition" or the Green Deal in the EU. This way of politicising the energy sector, however, does not necessarily lead to positive effects on energy security, due to the fact that they intervene with the principles of free market, thus helping the trend of deglobalization. This is why an objective analysis is needed, especially regarding a region such as the SEE, where economic instabilities have severe effects for the economies and the population.

The region of Southeast Europe has long been one which raises concerns regarding its energy security and its dependence on imports of energy resources. Countries in the region are poor in both oil and gas, thus making energy imports inevitable (Golusin, 2011). Besides the unavoidable import of gas and oil, their electricity distribution systems are yet to be upgraded, and their gas infrastructure leaves much to be desired. For example, North Macedonia does not have a well-developed gas infrastructure. One of the main gas import points for the region is Turkish stream – transporting natural gas from Russia through Turkey, then to Bulgaria and then to the rest of the countries in SEE. It is essential for Bulgaria, Serbia, Greece, North Macedonia and Bosnia and Herzegovina. There are a few gas infrastructure projects in the region (North Macedonia-Greece - proposed; Serbia-Bulgaria - completed) and there have also been some improvements to the electricity networks, but at the moment there is still much to be desired. Just in June this year (2024) there was electrical disruption that led to a few countries in the region being left without electricity for a few hours (3e-news, 2024A). Bosna and Herzegovina, Montenegro, Croatia and Albania all experienced disruptions, which initially started in Montenegro and then spread out to the other countries. The lack of energy stability and security leads to

some problems causing a domino effect, essentially creating a serious destabilisation in the region. Therefore, regarding the energy security of the SEE region, it is a goal, which so far has not been achieved, and the question whether the current energy policies are the answer, remains.

2.2 The geopolitical aspect

While the region's geographical position can provide it with plenty of opportunities in terms of trade and connectedness, perhaps it also explains why the region is slower to grow economically than the rest of Europe. Southeastern Europe is at a crossroads between Europe, Asia and Africa – thus having the geostrategic importance and opportunity to act as a transport and energy connector. However, it could be argued that this crossroads position makes the region unstable due to the various political and economic influences, leaving it struggling to define its own interests. The region seems to be under the influence of one or another great power and to base its energy (and not only) policy based on the current political climate. Major projects in southeast Europe have yet to emerge. Indeed, out of the few projects that were once planned and would have benefitted the region (such as Nabuco pipeline project, part of which was to pass through Bulgaria and Romania, or South Stream pipeline, which would have passed through Bulgaria and Serbia) today have not been built and furthermore, have been cancelled entirely. Both projects were opposed to each other, thus creating additional tension in the region. It could be argued that the reason for the failure of such projects is geopolitical, as the region has become somewhat of an energy battlefield for the Great powers. Ostrowski (2020) compares 2018 to 1980s in that the US are rather opposed to German-Russian gas linkages because they undermine sanctions policy or the policy of containment. He argues that US can challenge European-Russian relationship based on the EU dependence on US for security. The US do not distinguish between political and economic spheres and generally oppose western European countries in their path towards deepening energy ties with Russia ever since the Cold war (Ostrowski, 2020). The perception of Russian investments (such as in gas infrastructure) anywhere in Europe is taken as a step towards the resurrection of the Soviet Union. Following the US' lead, Europe and Southeast Europe have also accepted Russia as a threat. The SEE region is part of that issue and is therefore put in the middle of this battlefield. However, this is a political issue which has economic implications. This has led to many sanctions, which undermine the principles of the free market, whereby the largest consumer and the largest supplier in a region would have or should have been able to find a path towards mutual cooperation that benefits both parties. It must be noted that the countries in the region do not represent the majority of the gas demand in Europe. 14% of EU consumption of Russian gas is in the EU-11 central and eastern European (CEE) states, while the rest is western European consumers such as Germany, France, Italy (Ostrowski, 2020). While countries such as Bulgaria and North Macedonia were dependent almost 100% on Russian gas imports, they do not represent the largest consumers in terms of volume. The largest actual consumer of Russian imported gas was Germany, followed by Italy and the Netherlands (Kaya, 2022). This points towards the conclusion that the region is not central to Russian economic interests. The diversification in the region is not based on economic goals such as the economic disablement of Russia. This leaves one other option – a political one - the aim of disconnecting these countries entirely from Russia. This corresponds well with the policy adopted by the EU, and NATO or the United States. Both powers have been seeking to undermine Russian influence in the region and Russia's invasion in Ukraine proved to be a

timely opportunity for this. However, the pressure to abandon Russian energy sources has led to exceptionally high energy prices and inflation (ACER, 2024). Ostrowski (2020) states that the solution to Europe's energy security will not be found until the US finds a solution to its relations with Russia.

2.3 The SEE region and the EU

For now, countries in the region seem to have their policy aligned with the goals stated by the European Union and the Paris Agreement. Given the fact that some countries from the SEE region are already members of the EU, while others hope to become members in the future, it is clear that EU energy policy has considerable influence over the region and its sector. The countries that are not yet members of the EU are highly likely to follow EU energy policy due to the possibility of potential accession to the Union (Franki & Viskovic, 2015). Some of the main priorities of the EU energy policy are decarbonization and diversification. Production of energy from renewable resources – another priority of the EU, has been defined by all countries in the region as a strategic objective (Golusin, 2011). In terms of energy sector policies several conclusions can be made about the region – they are committed to sustainable development; energy imports make up the majority of the sector; they have agreed to an increase of up to 20% of renewable sources in their energy mix; activities to increase energy efficiency are adopted (Golusin et al., 2011).

The EU has an official framework for cooperation with the countries in the southeast Europe region. While the countries do not have an official cooperation mechanism between themselves, most of the countries in Southeast Europe have signed the Energy Community treaty. It was signed on 25th October 2005 in Athens and entered into force on July 1, 2006 with 34 participating countries and aims to expand EU energy strategy in southeast Europe. This was done with the idea of helping create a larger market, which is more stable (Vlahinic, Rosanda, 2014). The contract aims at establishing a single regulatory framework for trading energy across South-East Europe and the EU on the same terms. Another means of cooperation is the Central and South Eastern Europe Energy Connectivity high level group, which "works to accelerate the integration of central eastern and south eastern European gas and electricity markets (European Commission, 2024). Initially set up with the idea of helping the completion of projects in support of gas diversification, develop regional gas markets and help with the implementation of EU rules, since September 2017 it also includes renewable development. In addition, there are other means of cooperation with the EU, which aim to better energy infrastructures across Europe, such as the Connecting Europe Facility, which can also include non-members to the EU.

3. POLITICS OF ENERGY RESOURCES
3.1 Introduction of protectionist measures

Aside from the framework for cooperation between the EU and the SEE region, the main energy policies of the EU, as mentioned, have been embraced by the countries in SEE. It is disputable whether they are the best for the region. For quite some time the EU has been moving away from the principles of the free market, focusing on protectionist policies, by imposing additional taxes, sanctions (taxes on energy from coal; taxes on electric vehicles from China etc.). Not acting on the principles of free market, heavy subsidizing of renewable sources has led to serious disruptions in the energy sector. For example, Bulgaria used to be electricity exporter for the region. All the excess electrical

output, which was around 20-30% of the general output was absorbed by Turkey, Greece, Serbia and North Macedonia (National Statistical Institute 2016). For the past year Bulgaria has become a net importer of electricity more than once (NSI, 2023; ESO, 2024). This is due to a combination of heavy subsidizing of renewables and the taxes on energy produced from coal. Due to EU's taxes on energy, produced from coal, Bulgaria has actually exported coal to Serbia, which then produced electricity in its thermal power stations from that coal, and Bulgaria imports that electricity, due to its lower price.

3.2 Consumption of gas and diversification
3.2.1 Natural Gas
Another major goal in Europe's energy policy is lowering gas demand. Natural gas consumption in the industry sector in Bulgaria, Romania and Greece is projected to fall between 37% and 43% by 2030 as opposed to 2018, which would contribute to almost 20 TWh reduction in gas demand (Rangelova et al., 2023). Next to this it is expected that electricity demand from the combined industry sector in Greece, Romania and Bulgaria will increase by only 6% or 3 TWh by 2030 (Rangelova et al., 2023). However, when we look at the numbers pointing towards less demand from the industry sector, we must ask the question whether this is not due to lower level of industrialisation? Europe's industry production is 5.7% lower in January 2024 compared to January 2023 (Eurostat, 2024). For Bulgaria, industry production in January 2024 compared to January 2023 falls by 7.6%. It is clear that EU's energy policies are hurting its industry and competitiveness, and these statistics explain why there are more and more voices in Europe, asking for a re-evaluation of the Green deal and rethinking of the green transition in terms of its applicability.

Furthermore, the idea that countries have given up or diversified away from Russian energy resources is not exactly correct. When in April 2022 Bulgaria refused to pay Russia in roubles for gas, its gas import was cut off. However, the country continues to receive Russian gas through Greece, where two of Greek gas companies agreed to pay for gas in roubles (Rangelova et al., 2023).

3.2.2 Liquified Natural Gas
Another part of diversification is the focus on Liquified Natural Gas (LNG). Ten times have increased Russian LNG shipments in 2022 (Rangelova et al., 2023). When in 2022 pipeline natural gas imports from Russia dropped drastically, the imports of LNG noted a serious increase (ACER, 2024). This means that a fair amount of Russian pipeline gas was substituted for Russian LNG gas. In addition, in June this year (2024) LNG imports from Russia to Europe were larger than those from the US, for the first time in two years (3e-news, 2024, B). This occurred in the month of May with Russia LNG imports composing 15% of overall import. These were then distributed towards the UK, Switzerland, Serbia, North Macedonia and Bosnia and Herzegovina. In comparison US import was 14%.

In addition to that, there a few points of concern with LNG that must be noted for the upcoming winter and further ahead. LNG capacity for Europe last winter (2023-2023) was freed up because of the overall reduction of natural gas demand due the warmer winter, as well the slow recovery of the Chinese economy and the restart of Japanese nuclear power reactors (ACER, 2024). Indeed, according to KPLER (2024) should the coming winter (2024-2025) prove to be cold, this would lead to serious issues and risks for Europe and there will be a competition for LNG between regions, especially due to limited liquefaction capacity growth. In addition, Norwegian gas imports will decline, projected to

stabilize at 90 bcm in 2030, while the potential of pipeline imports from Algeria is still not entirely clear and will likely be more modest than what is hoped for (ACER, 2024).

This information must be taken into account along with the fact that last year Russian LNG imports in Europe reached record levels. 14 bcm Russian gas pass through Ukraine every year, that flow into Europe and replacing that quantity by expanding the capacity of the gas corridor between Europe and Azerbaijan will not be enough to cover that quantity (3e-news, 2024, B). Another danger is Russian gas pipeline through Ukraine stopping entirely at the end of the year – with officials from Ukraine stating that Ukraine will not be auctioning capacity of its pipeline. This means that Austria, Slovakia, Hungary and Italy will be in need of a new natural gas or LNG imports in 2025 (KPLER, 2024). This combined with the fact that LNG deliveries can prove to be uncertain in the coming winter season, can lead to the perfect storm for Europe. This shows that Europe has not successfully diversified away from Russian gas and that Europe still relies on Russia when other sources fail in meeting its energy needs. Furthermore, projections for lower gas or LNG demand are not realistic and basing energy security on that prospect does not guarantee the availability of these resources.

3.3 Sustainable energy transition and renewables

Another part of EU's energy policy and energy security strategy mentioned above was sustainability. Sustainable energy transition requires reducing energy consumption, increasing energy efficiency and reducing energy production from fossil fuels, while increasing energy production from renewable energy sources, reducing gas emissions, reducing energy poverty and reducing energy intensity of the economy (Hribar et al., 2021). According to Hribar et al. (2021) the European Union is the best example for energy transition. This next discussion assesses whether that statement is true and whether it is of the best interest for countries in the SEE region.

It was already mentioned how the taxes on coal energy have led EU members in SEE to export them to another country in the region and then import the cheaper energy that was produced from them. This shows the weakness in EU's policy regarding taxes on coal. Another part of the green transition are renewables. There is the argument of the untapped potential for renewable energy sources as the panacea for the current energy issues, with estimations that Bulgaria, Romania and Greece could easily add an additional 20 GW solar and wind capacity, given the removal of existing administrative and market barriers (Rangelova et al., 2023). According to some projections by 2050 renewable sources (RES) consumption can become more than 85% in the region. However, the model also predicts that countries like Albania and Montenegro with high RES potential become exporters, while Bulgaria and Serbia for example will likely have increased import dependence, due to lower potential for RES growth (Szabo et al., 2018.). It must also be taken into consideration that in summer 2024 electricity price from photovoltaics were at 0 euros per MWh, some below. This was seen in Bulgaria, but also in western Europe. The reason is that at noon there is high production of energy, and not such high demand. In the evening, however, when demand is peak, there is not enough energy from renewables and energy becomes more expensive, because additional energy must be bought or made available. Peak consumption of electricity in June this year was in the evening, 21 o'clock with a price of 421,93 euro/Mgwh. Lowest price was at noon with 78.56 euro/MWh. These prices were at the Romanian power exchange OPCOM (3e-news, 2024, C). Another problem is that overflow of energy from renewables puts additional pressure on the energy system and sometimes they have to be shut out, because they lead to serious disbalances.

Balance and know production of energy are crucial for the stability of the energy system. Energy from renewables is not very predictable and stable – the sun shines during the day, and wind is not ongoing. This type of energy needs to be balanced from basic sources such as nuclear power, from thermal power station or even from gas. Therefore, some predictions point to natural gas demand increasing by 2% by 2030 compared to 2021, mainly due to its role as an alternative backup to renewable energy (Rangelova et al., 2023). While renewables are part of the sustainable energy transition, they cannot be the sole actor in it.

Finally, regarding the climate change, we have to address another major issue. As mentioned, the EU aims to be a leader with regards to the fight against climate change. According to the latest data, however, emissions from the energy sector worldwide have increased by 1.1 % in 2023, reaching a new record of 37.4 billion tonnes (IAE, 2024). In this context the EU is attempting to project itself as a leader in the fight against climate change, which seems to have not been very successful. As mentioned, EU's industry production is suffering, and its economy is not growing. This makes it unlikely for other countries and governments to follow EU's lead simply due to its good intentions and with the potential risking of their economies, production and development.

4. CONCLUSION

This article aimed at evaluating the energy policy of the states ion the SEE region with regards to the EU's energy policy. While not all countries in the region are members of the EU, they do aim at implementing the main goals of its energy policy into their own. For now, this proves to not be the best course of action, both for Europe, and for the SEE region. The region needs to be extremely careful and make its own assessments regarding the best course of action and not simply follow the lead of others, because this can lead to disruptions in the economy that will affect them harder due to the smaller size of the economies. Another problem is the inability of the countries in the region wo cooperate together and develop major infrastructure projects. For Bechev (2018) the main issue in the region is deficient governance. This is likely true, given the countries inability to defend the projects that would have benefitted them financially and geopolitically. One could also make the argument that a willingness to give up sovereignty may also be a problem for the countries of the region. Perhaps these issues could be overcome to some extent when an official energy union is formed, that would help them balance each other's energy out, work together on infrastructure projects and develop plans that benefit the region overall. Indeed, the countries of Southeast Europe are a "natural, historical and economic entity" (Golusin et al., 201, p.1). Given the region's specific history and relations between countries, a common energy policy is perhaps only viable if it is to be performed on very specific terms, that are based solely on expertise and steer away from politics. Cooperation between the countries in the region is pure pragmatism and should be based on pragmatic solutions. The countries in the SEE region need exact solutions and plans, developed by experts, rather than idealistic promises and unstable experiments.

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STANDARD PROCEDURES FOR THE RESPONSE OF MEMBERS OF PUBLIC AND PRIVATE SECURITY TO A REPORT OF TERRORIST ACTIVITY AND PROFILING OF THE REPORTED PERSON

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Abstract

In modern circumstances, terrorism is manifested through various forms, methods, and means of action. Terrorists themselves plan, model, and execute acts with the most efficient means to achieve the most effective results. Following the phenomenology of terrorist acts, one comes to the conclusion that, by and large, the execution of terrorist acts is preceded by an announcement, which can include correct information or misinformation. The goals are identical for the promotion of the terrorist group and for achieving the basic goals expressed such as fear, panic, and the commission of psychological violence on the citizens.

The paper elaborates on certain emerging forms of announced or unannounced but confirmed cases of the existence of a terrorist plan, with specific means. The ways of acting are also different in labour, because there is not exactly the same situation, but some elements are identical. The paper has an application value and refers to practical procedures that should be standardized in certain described situations of terrorist activity.

Keywords: terrorism, improvised explosive devices, security services, private security services

INTRODUCTION

The execution of the terrorist act has a primary and a secondary effect. The primary action is to attack a certain object, person, or institution, and, according to their plans, most of the time it all takes place with minimal casual casualties. A secondary effect, as a rule, is one that, according to the importance of any terrorist organization, exceeds the primary by several times, and that secondary effect is the public. For that effect, attractive targets are usually chosen, without major consequences for innocent victims. By communicating the news to the public, the main effect is achieved, and publicity is obtained, while the effect of fear, insecurity, distrust in the authorities etc. occurs among the people, which achieves the basic element of terrorism.

After a terrorist act has been carried out, regardless of the means by which it was carried out, there is usually a wide area of deformed bodies, objects, assets, and living space. In such a situation, there are many traces, and potential evidence that, if identified and collected from the scene, will be able to be examined and evidential material will be obtained that would talk about the method, means, and perpetrators of the terrorist act. In addition to this, this section will emphasize certain situations of the use of terrorist means

in the function of destruction of life force and contamination and destruction of the environment[80].

PROCEDURES FOR RESPONDING TO A TERRORIST ACT

The procedures to be followed after receiving information about the preparation or implementation of a terrorist act will be described through several special situations that differ according to the object of the threat, the means of the threat, the entities that threaten, as well as the assumed consequences.

This paper will describe action procedures in situations where we have a report of an explosive device placed in a facility that is being secured, a suspicion that an explosive device has been left in a facility or in an open space that is being secured, left luggage, bag, backpack in places that are provided, car bomb, suspicious person (possible suicide), hostage situation, suspicion of used biological, chemical, radiological or nuclear means to destroy and contaminate people, animals or living space.

An explosive device or bomb has been planted or left behind.

Certain persons, on their own initiative or for the most part as implementers of the ideas and goals of terrorist organizations, before or most often after placing an explosive device in a certain building or in an open space where there will be an event with the presence of a large number of people, report that it is planted explosive device or bomb. However, the number of cases is not less when, in order to achieve a certain effect of intimidation, postponement of gatherings, postponement of activities in schools, sports centres etc., certain persons falsely report an event of alleged placement of an explosive device and normally expect a reaction[81]. From the appropriate law enforcement services, but also from private security agencies if the facilities are secured by them. In such situations, a hypothetical question is always asked: What if...? What if there is a false report, what if there is a real threat, what if the asset explodes, and we have not taken measures and actions to detect the asset, rehabilitate facilities, evacuate people and goods etc?

According to the international documents and the practice that is transferred as a valuable experience from other states[82] and services in all situations when there is a report of an explosive or another type of device placed, which by the nature of its own action would threaten the normal life of citizens, with the possibility of endangering and losing human lives, as well as contamination and endangering animals and the environment, the services that received the report must immediately start taking appropriate measures to assess the threat, start determining the authenticity of the report in terms of creating opportunities to find and safely remove the threat, assess the risk that may arise, the vulnerability of the object, as well as taking steps, in coordination with other services and authorities of protection and evacuation.

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The persons who report the placement of explosive devices in the previous practice on our premises, report by phone[83], usually from a public speaker or by using a card from another person (stolen or lost card), or by mail or personal delivery in a secret way to a mailbox, through email addresses that are used only once and through publicly available Wi-Fi networks.

In conditions where the report is made over the phone, in most cases the report goes through private security agencies, through journalistic houses, through services that are from the sphere of security but are not directly involved in securing facilities or property. Why are they reporting there? They are aware that the police services are gradually being modernized and have systems for number identification, recording conversations, locating calls, as well as training the personnel who are directly engaged as recipients of the call (security and surveillance centre, communications services). The training is carried out in order to take necessary measures immediately after confirming that the conversation refers to the transmission of a message - a threat of a planted explosive device. Such training and indications should be implemented with several public services, but also with the duty centres of the private security agencies. In that way, the person who will be engaged and will receive the message will be able to act in order to determine certain specifics of the caller and the environment from where he/she reports.

Bomb threat procedures

In conditions where there is a threat of planted explosive devices, several circumstances should first be clarified, for the sake of a more comprehensive and effective action. The basic questions that need to be answered are:

• when the bomb threat was received;
• questions that should be asked to the whistleblower;
• immediate action to be taken after receiving the threat;
• asking for directions[84].

In order to leave a proper trace of the documented call with the threat of an explosive device, it is necessary to fill out Form 1.

Name of the staff person who received the information/number to which it was called	
Time of the conversation/duration of the conversation	
Content of the information from the caller	
Specificities/characteristics of the caller	
Comments/reasons for reporting	
Characteristics of communication/certain profiling elements noted	

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Interview results and threat assessment	
Who was the message/threat intended for	
Name of the staff person who received the information/number to which it was called	

Actions taken

When the report is received, the recipient should act according to the following:

• to keep the caller on the line as long as possible;

• to try to give as much data as possible about the explosive device;

• to convey more information about the object, including the place where the explosive device was placed;

• to understand the motive and purpose of setting up the device;

• to whom it is intended;

• how dangerous it is;

• what the explosive device is made of;

• how it will be activated (with a remote control, with a sensor, on opening-closing, with a mercury switch etc.);

• how it was entered into the facility;

• whether there are assistants in the building or outside it;

• which organization he is from;

• what message he wants to convey.

Attached is a template of necessary information that should be obtained through the conversation with the caller.

TELEPHONE THREATS
DO NOT PUT THE PHONE DOWN! STAY CALM! TAKE THE CALL SERIOUSLY!
Designate a person who will call the emergency response services (Ministry of Internal Affairs, fire department, ambulance) while you talk.

BOMB THREAT
QUESTIONS THAT SHOULD BE ASKED TO THE CALLER:
When will the bomb explode?
Where is the bomb placed (object, place, what is around, what is hidden in)?
What does the planted explosive device-bomb (description) look like?
What kind of bomb is it?
What will it cause if it explodes (power and accessories to increase the firepower effect)?
Who planted the explosive device? (If it is, continue with questions about the device itself and the place of installation).

Why did you plant the bomb? What do you want to achieve?
CALLER TONE:
- Calmed down
- Normal tone
- Laughs
- Expresses anger
- Scared
- Excited
- Furious
- Specific – indefinite
VOICE PITCH:
- Deep
- Soft
- Squealy
- Saddened
- Furious
-Nasal
- Stuck-panting
HOW TO REGISTER:
- Quickly
- Slow down
- With interruptions
- Talkative
-Fluent speech
-Stuttering
-Accent
-Slang- regional characteristics of expressions
SPECIFICITY IN EXPRESSION - REGIONAL PRONUNCIATIONS
-Accentuation
-Vocals of expression
SOUNDS (NOISES) IN THE BACKGROUND:
- Street, beach
-Factory
- Machines
-Voices (noise)
- Animal noise
-Clear (intelligible) from a quiet place
- Sound reflection from a narrow space
- Household noises
-Music

-Vehicle sounds (fast driving, slow driving, horns)
-Sounds from a public speaker
-Calling from the office
- Other
QUESTIONS TO ASK:
- Who reports
- Address
- Telephone number for communication
- Why is he reporting?
- What he saw, heard, how he behaved
LANGUAGE IN WHICH THE THREAT IS ADDRESSED:
-Macedonian language
-languages of another nationality
-foreign language (which)
- fluent message
- switch
- message read
-forgiving speech with threats and vulgarities
-incoherent speech
-irrational
-other remarks
OTHER CHARACTERISTICS OF THE CALLER:
-Sex
-Nationality
- Age
- Assessment of the possibility of further communication
DIRECTION OF THE THREAT:
- to whom the threat is intended
-who should get hurt
- what the threat expects
THE CALL IS IMMEDIATELY REPORTED TO: (indicate expressly by name, surname, position, time and given directions)
Date and time: Recipient's first and last name

During the communication (reporting by the reporting party about a planted explosive device-bomb) certain obstacles to the communication may arise such as:
• weak or defective equipment;
• inadequate staff training;
• literacy skills;
• speech difficulties;
• accents;

• use of jargon;
• slang;
• nervousness or anxiety;
• incorrect reporting of information to the respective parties;
• complacency (it is considered that sufficient data has been obtained);
• assumption that others transmitted the information;
• correct interpretation is not used;
• incorrect identification of features/sounds in the caller's environment;
• covering up the sound as an element of not understanding the message in its entirety;
• changing the voices as an element of not understanding the message in its entirety.

Personality characteristics of callers

In order to understand the caller's motives, on the one hand, and the need to obtain as much information as possible that can be obtained with a well-staged approach and action, in this section we will give a view of certain characteristics of the people's personality. We will look at the reasons why people speak freely, and such nature helps us to extract information as an intelligence technique, using several basic aspects of human nature:

• Most of us want to be kind and helpful, so we answer even strangers' questions;

• We want to appear well-informed about our work and therefore may be tempted to say more than we should;

• We want them to appreciate us and think that we are doing something significant and useful. As a result, we often speak at length to boast about the value or importance of our work;

• If we are open and honest people, we are often reluctant to withhold information, lie, or suspect other people's motives;

In addition to the prepared message to be conveyed by the caller, if we stimulate him appropriately, we can extract more information. Extracting information from personal information is an effective tool. It can exploit numerous human weaknesses:

• Enjoyment and sometimes an irresistible urge to gossip. If the inquirer can establish a relationship of mutual trust, there are many who will be eager to tell him the latest gossip;

• Need for recognition. The lonely, the neglected, the vain, the resentful, and those with an inferiority complex are easily receptive to anyone who flatters them and makes them feel important. Tactful courtship unties many tongues;

• The habit of advising, teaching, correcting, confirming, challenging, contradicting. Professors, scientists, directors, bosses, and others may sometimes be provoked by deliberately misrepresenting their field, or doubting their statements;

• When a person is emotionally affected, there is a tendency to be indiscreet. Provoking some subjects (for example by doubting their expertise) can yield interesting information that would otherwise not be available.

Techniques used to extract information (through means of communication or directly)

• If the interrogator seeks confirmation of a particular piece of information, he can present it as a fact to elicit confirmation or denial ("No one in this town can make a good forgery of a visa!", or a reference to an unverifiable newspaper article, a book whose title you cannot remember, or other such informant.);

• To keep the conversation flowing, partially disagree with the subject's facts or opinions; not outright disagree, as that can often end the conversation; I don't fully agree with drying, because it can exhaust the conversation;

• Feel free to flirt but in moderation. Talk to the subject as if he or she is an expert on the subject being discussed, even if that is clearly not the case; Treat the subject as your equal. Praise the subject or his family, country, or profession when you can convincingly do so. But of course, don't overdo it;

• Share confidential things with the person: (for example "I will tell you something in confidence if you tell me something");

• Make passing or partial remarks about the subject's profession, in the hope that this will provoke a detailed exposition. From these remarks the subject may also assume that the examiner knows more about the subject than is really the case; in this way, the examiner could induce the person to reveal more than otherwise. The examiner might also make his comments in a way that actually implies that he knows a lot more about the subject and thus lead the subject to think that there is nothing wrong with talking about something that is already known;

• Use similar or comparative situations, for example, direct the conversation to a situation close to the topic that interests you in the hope that the person will make the transition to the topic that really interests you;

• Use a negative approach, such as stating that no one here could possibly know anything about it, which might prompt the person to demonstrate their expertise;

• Be sceptical. Express disbelief that such a situation (fact, attitude) can exist and ask for proof. The person could provide information to justify their position or claim;

• Silence is a good technique to get someone to talk. Often after the conversation begins to flow, the examiner may stop talking and the subject will feel the need to break the silence and begin to speak. Be prepared to start talking again if the person takes the pause as a sign that the conversation is over;

• Avoid arguments: the only way to benefit from an argument is to avoid it.;

• Show respect: never say "You're wrong". Even if the examiner does not completely agree with the subject, the examiner should try to make the subject think that he understands his point of view. If you are wrong, admit it immediately and unequivocally. Try to really see things from the other person's point of view. Be understanding of the other person's ideas and wishes.

Personalities and characters

At first, it is unlikely that the person will talk freely and openly with the examiner, especially if the examiner is an "outsider". But in all walks of life, few people talk freely about their life history or consciously reveal personal traits to anyone, especially not to a stranger they are meeting for the first or second time. Usually, the examiner must develop a close relationship with the subject (informant). The fact that the person is in contact with the examiner at all indicates at least some willingness or curiosity on the part of the subject to talk, so accordingly the examiner should find one or more areas of mutual interest. This, in turn, may possibly create an opportunity to observe and report on the subject's personality and character. This will enable a more accurate assessment of the subject as a person. Such information will provide insight into the subject's strengths, weaknesses, and motivation, as well as operational assessment (prophylaxis) of the subject.

The problem of finding a suitable subject that will easily reveal feelings, personality, and character will of course vary for each person. To the extent that discretion

allows, any of these topics could be usefully used in conversation and information extraction:

• Review of social and cultural issues; for example, literature, music, sport, food, art, or customs;

• Attitude towards spouse and children; ambitions and hopes for everyone individually.

• Personal aspirations, professional, intellectual, and economic;

• Opinions on certain domestic and foreign scientific and technical achievements (maybe East versus West);

• Review of the political and economic situation in other countries (intervention from the West, democracy in developing countries etc.);

• Religious views; emotional reactions and attachments; interpretations of current events;

• Subject's attitude toward the job or workplace and toward others in higher or lower jobs (be especially alert for any indications of dissatisfaction or disapproval);

• Discuss popular films that contain moral issues to see what his opinions and feelings are;

Without information about the subject's personality and character, it will be difficult to determine the subject's mood, or for other examiners (or handlers) to prepare for what to expect. The following are examples of behavioural traits of the subject that should be observed:

Habits and traits

• General degree of activity – passive, n nervous, fast, or slow interlocutor.

• Way of dressing – conventional or unique to the culture; appropriate or inappropriate for the situation being observed.

• Signs of tension – finger tapping, nail-biting, constant movement, itching, moving objects.

• Smoking – frequency and manner.

• Drinking – amount, way, and what he wants to drink.

• Eating – amount, manner, what he likes and doesn't like to eat.

• Profanity – frequency, situation, mean, moderate or skilful.

- Interpersonal behaviour

• The subject's attitude towards other people – natural, pleasant, polite, warm, shy, passive, measured, aggressive, arrogant. Is the subject smiling or usually serious?

• Composure to the subject, maturity, judgments, and confidence.

• Is he friendly or reserved?

The personality and behavioural habits that were mentioned above should be present in the detection report and the subsequent reports of a report of a planted explosive device, if some elements can be assessed.

CONCLUSION

The basic motive for carrying out a special conversation, in that assembly retaining and motivating the reporter for a longer conversation, is obtaining as much relevant data as possible about the reporter and his role in the event. If it is a person setting up the device, the assumption is that he will be short, clear, and decisive in carrying out his part of the activity, which is intimidation. A logical question arises as to why someone would report and want to achieve a certain effect. It is in a close constellation with the characteristics of the people's personality, their desire for the promotion of ideas, intimidation, highlighting

their role and the role of the terrorist organization in social trends, efforts through this way to mobilize forces and spend as much funds as possible from the respective state. Also, the desire for personal promotion, satisfying one's own ego, but also showing courage in front of the "comrades" are some of the possible motives.

In whatever way the report is made, from the moment of receiving the threat (information) about a planted explosive device or bomb, the service (agency) must quickly, in accordance with the plans for rapid response, mobilize its resources and proceed to confirm the report, finding the explosive device, destroying it (disabling it), remedying the situation as soon as possible, evacuating the people present, determining an appropriate perimeter and informing and working on the ground together with the services for responding to emergency situations.

After receiving the report, it is necessary to inform the services of the Ministry of the Interior (and they, within the framework of their competencies, ANB, AR, the Anti-Terrorism Department, the Fire Service, the Ambulance, the Public Prosecutor's Office etc.) and until they arrive on the ground, appropriate measures must be taken. Measures to protect people, facilities, and overall infrastructure.

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BLOCKCHAIN TECHNOLOGY AS A TOOL FOR INCREASING TRANSPARENCY AND REDUCING CORRUPTION IN THE PUBLIC SECTOR OF NORTH MACEDONIA

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Abstract

North Macedonia faces significant challenges in its development, primarily due to high levels of corruption, which hinder stability, growth, and prosperity. This research explores the potential of blockchain technology to address these issues by increasing transparency and reducing corruption in the public sector. Utilizing a combination of surveys and literature reviews, the study gathers data from individuals with basic or advanced knowledge and experience in cryptocurrencies and blockchain. The findings suggest that blockchain's characteristics of decentralization, immutability, and transparency can effectively minimize human factors in decision-making processes, thereby reducing opportunities for corrupt activities. Despite the challenges identified, such as a lack of expertise, inadequate regulatory frameworks, resistance to change, and high implementation costs, the study concludes that blockchain technology holds significant promise for the Macedonian public sector. Recommendations include enhancing regulatory frameworks, investing in technological infrastructure, conducting extensive public official training programs, and learning from international best practices. This research contributes to the broader understanding of blockchain's application in public administration and highlights its potential to improve transparency, increase efficiency, and reduce corruption in North Macedonia. The implications of this study suggest that with the right strategies and implementations, blockchain technology could play a crucial role in transforming the public sector and fostering a more transparent and accountable governance system.

Keywords: blockchain technology, transparency, corruption, public sector, administration

INTRODUCTION

North Macedonia, as a country striving towards development and growth, is burdened by a high degree of corruption, which poses a significant obstacle to its stability, progress, and prosperity. According to the Corruption Perception Index published by Transparency International for the year 2023, North Macedonia ranks 76th out of 180 countries, with a score of 42 on a scale where 0 represents the most corrupt and 100 represents the least corrupt nation. Despite a slight improvement of nine places compared to the previous year, North Macedonia remains in the lower half of countries in the region in terms of perceived corruption (Transparency International, 2023).

Corruption is a deeply ingrained issue within Macedonian society, with serious repercussions on the efficiency and trust in public institutions. According to Transparency

International Macedonia, any score below 50 points indicates significant corruption problems in the public sector. Over the past decade, North Macedonia has faced substantial challenges in its fight against corruption, as noted in Transparency International'21s 2023 report (Transparency International Macedonia, 2024).

One of the primary causes of corruption is the human factor in decision-making and law enforcement processes. This includes the abuse of official positions, bribery, and various forms of illegal influence. The judiciary and public healthcare sectors have been identified as areas with the most severe problems, characterized by low public trust in these institutions. According to Blagoj Pendovski, president of Transparency International Macedonia, corruption remains at a very high level with no real improvement in the performance of the institutions expected to lead the fight against corruption (Radio MOF, 2024).

Blockchain technology emerges as a potential solution to some of the most pressing issues facing the Macedonian public sector. With its features of decentralization, immutability, and transparency, blockchain offers a new way of managing data and processes in the public sector. One of the main advantages of blockchain technology is the elimination of the human factor in many processes, significantly reducing the opportunity for corrupt activities. It holds substantial potential for application in institutions with extensive archives and databases, such as cadastral services, financial institutions, and other administrative bodies. The implementation of this technology could lead to increased transparency, faster and more efficient administrative processes, and a significant reduction in corrupt behaviour.

This research aims to explore the perceptions and attitudes of people with basic or advanced knowledge and previous experience with cryptocurrencies and blockchain technology in North Macedonia. It also seeks to analyse existing research, theoretical proposals, and other relevant written materials on the potential of blockchain technology to address issues of corruption and transparency in the Macedonian public sector. By utilizing surveys and literature reviews, the research will aim to answer whether and how blockchain technology can contribute to improving administrative processes, increasing transparency in the public sector, and reducing corrupt behaviour. This methodological triangulation will provide a solid foundation for validating the hypothesis that blockchain technology can lead to a reduction in corruption and an increase in transparency in Macedonia's public sector.

BLOCKCHAIN TECHNOLOGY AND ITS POTENTIAL APPLICATION IN THE PUBLIC SECTOR

The research on the application of blockchain technology to increase transparency and reduce corrupt behaviours in the public sector of North Macedonia is based on both theoretical and empirical knowledge, as well as the analysis of existing scientific and practical insights. Blockchain technology is a decentralized digital database that enables immutable and transparent transaction records. This technology was initially introduced by Nakamoto (2008) in the context of Bitcoin, but its potential has expanded to other areas, including the public sector. Tapscott and Tapscott (2016) emphasize that blockchain technology can revolutionize public administration by increasing transparency and citizen trust in institutions. According to these authors, blockchain provides traceability and verification of all transactions and data, significantly reducing the possibility of manipulation and corruption.

Additionally, research suggests that blockchain technology can be used to improve transparency in electoral processes and the management of public resources (Swan, 2015). Although these proposals are theoretical, they indicate the significant potential of blockchain technology to enhance public administration. Moreover, blockchain can offer secure and immutable data storage, which is crucial for public institutions (Zheng et al., 2017).

From an empirical perspective, the application of blockchain technology in the public sector is still limited, but there are several successful examples. In Estonia, blockchain technology is used to manage national data, including health records and judicial systems (McKinsey & Company, 2018). These examples demonstrate that blockchain can improve the management of public data and increase citizens' trust in institutions.

Although there is substantial theoretical and empirical knowledge about the application of blockchain technology, there is also "non-existent" knowledge, which often refers to inspiration as a specific spiritual state. This relates to new and innovative ideas that are not yet fully developed or proven but have the potential to bring significant changes. In the context of this research, the "non-existent" knowledge may refer to ideas for applying blockchain technology in new areas of the public sector where it has not been used before.

RESEARCH OF THE PHENOMENON
Sample Formation and Methodological Procedures

The sample for this study was formed by targeting individuals with basic or advanced knowledge and previous experience with cryptocurrencies and blockchain technology. The selection process involved distributing an electronic version of the survey questionnaire to online communities related to cryptocurrencies and blockchain technology in North Macedonia. Participants voluntarily accessed and responded to the questionnaire. The sample size consisted of 40 respondents. The research employed several methodological procedures to gather and analyse data. These procedures included survey method, literature review, comparative and statistical methods.

As part of this research, a survey was conducted in June 2024 to examine the perceptions and opinions of individuals with basic or advanced knowledge and previous experience with cryptocurrencies and blockchain technology regarding its application in the public sector. The survey aimed to explore the respondents' views on the benefits of blockchain technology, its applicability in reducing corruption and increasing transparency, and the obstacles to its implementation. This research seeks to provide a comprehensive overview of the respondents' perceptions and attitudes towards the potential use of blockchain technology in Macedonia's public sector.

The primary objectives of the survey were to identify several key aspects. First, it aimed to assess the level of knowledge and understanding of blockchain technology and cryptocurrencies among respondents, determining if higher levels of awareness correlate with the belief that blockchain can reduce corruption and increase transparency in the public sector. Second, it sought to investigate respondents' attitudes towards the application of blockchain technology in the public sector, particularly its potential benefits for reducing corruption and enhancing transparency. Third, the survey aimed to identify the main advantages of blockchain technology, such as increased transparency, reduced human intervention, data immutability, and more efficient processes. Fourth, it aimed to determine the primary obstacles to blockchain implementation in the public sector, including lack of

regulation, technological infrastructure, knowledge, and resistance to change. Fifth, it proposed measures to facilitate blockchain implementation, such as improving regulations, investing in technological infrastructure, and training personnel. Lastly, the survey explored respondents' views on the government's role in regulating and promoting blockchain technology, and whether establishing appropriate regulations should be a priority.

Survey results

In this section, we present the results of the survey conducted to explore the perceptions and attitudes of respondents towards blockchain technology and its application in the public sector in North Macedonia. The survey was structured into several parts, including open-ended questions with multiple- choice answers, combined questions where respondents could select multiple answers and add any additional options not provided, open-ended questions, Likert scale items, and matrix questions that explored the level of awareness, beliefs about potential benefits, and obstacles to implementing blockchain technology.

In addition to presenting the results, we will conduct a detailed analysis of the responses to identify possible trends and significant relationships among different categories of respondents. This will include examining differences in responses based on demographic factors such as age, gender, education level, and professional status, as well as the level of knowledge and use of blockchain technology and cryptocurrencies. The survey consists of five parts, which will be discussed in the following sections.

Demographic Characteristics

Age Distribution: First, let us look at the structure of the respondents according to age. The results show that 45% of respondents are aged between 26-35 years, 33% are aged 36-45 years, 13% are aged 46- 55 years, 5% are aged 18-25 years and 5% are aged 56 years and above. This indicates that the majority of respondents are aged between 26 and 35 years, highlighting the active role of this age group in the research topic.

Gender Distribution: All respondents in this study are male, indicating a significant gender disparity. This may suggest specific interests or approaches to the topic among men.

Education Level: Regarding the education level of the respondents, 56% are individuals with higher education or a master's degree, 44% have secondary education.

Professional Status: The majority of respondents, 70%, are employed in the private sector, 10% in the public sector, and 20% are unemployed or students. This distribution shows that employees in the private sector are more involved in blockchain and cryptocurrencies.

Monthly Income: The question about the monthly income of the respondents reveals that 38% have an income of 20,000 to 40,000 MKD, 30% earn more than 80,000 MKD, and 20% have an income of
 40,000 to 60,000 MKD and 13% earn less than 20,000 MKD. This indicates a varied economic status among the participants, with the majority in the middle-income range.

Knowledge and Experience with Blockchain Technology

Duration of Awareness: Most respondents, 38%, have known about cryptocurrencies and blockchain technology for 1-3 years, indicating a relatively high level

of awareness and experience. 30% have known for more than 6 years, and 8% for less than a year.

Cryptocurrency Usage: When asked about which cryptocurrencies they use or invest in, 50% of respondents mentioned Bitcoin, 60% mentioned Ethereum, 30% mentioned Ripple, and 50% mentioned other different cryptocurrencies. Multiple choices were available, showing that Bitcoin and Ethereum are the most popular among the respondents.

Understanding of Blockchain Technology: A significant portion, 90%, of respondents make a distinction between blockchain technology and cryptocurrencies, indicating good knowledge of the topic.

Formal Education: Only 20% of the respondents have formal education or training related to blockchain technology, while 80% do not. This highlights a need for further education and training in this field.

Perception of the Use of Blockchain Technology in the Public Sector

Awareness of Blockchain Applications: When asked how familiar they are with the potential application of blockchain technology in the public sector, 25% of respondents reported being unfamiliar, 32.5% reported having limited knowledge, 32.5% reported having good knowledge, and 10% reported being very familiar. This indicates the need for greater awareness and education in this area.

Trust in Reducing Corruption: Most respondents, 67.5%, believe that blockchain technology can significantly reduce corruption in the public sector in North Macedonia, and 12.5% believe it can reduce corruption to some extent. Meanwhile, 12.5% are unsure, and 7.5% do not believe it can reduce corruption at all. This suggests a generally positive perception of blockchain's potential to enhance integrity.

Benefits in Public Tenders and Contracts: Respondents highlighted increased transparency (75%), reduced corruption (62.5%), faster and more efficient processes (67.5%), and cost savings (55%) as the main advantages of using blockchain technology for tracking and verifying public tenders and contracts.

Multiple answers were possible, which underscores the perceived value of blockchain in improving public sector processes.

Increasing Transparency: A significant majority, 75%, believe that applying blockchain technology can greatly increase transparency in the public sector in North Macedonia, and 15% believe it can increase transparency to some extent. Meanwhile, 5% are unsure, and 5% do not believe it can increase transparency at all. This indicates a generally positive perception of blockchain's potential to enhance accountability.

Challenges and Obstacles

Main Obstacles: The lack of knowledge and expertise (85%), resistance to change (77.5%), lack of regulation (62.5%), and lack of technological infrastructure (55%) are among the most significant obstacles identified by the respondents for implementing blockchain technology in the public sector in North Macedonia. High implementation costs (10%) were also noted, but to a lesser extent. Multiple answers were possible, indicating a range of challenges perceived by the respondents.

Regulatory and Technological Barriers: A significant portion, 37.5%, believe that regulatory and technological barriers are major challenges to the implementation of blockchain technology. 25% do not see these as barriers, and 37.5% are unsure.

Proposed Measures: Most respondents suggest training and educating staff (85%), investing in technological infrastructure (60%), and improving regulation (52.5%) as

measures to facilitate the implementation of blockchain technology. Additionally, 30% recommend public-private partnerships. Multiple answers were possible, reflecting a comprehensive approach to addressing the obstacles.

Important Steps for Implementation: In an open-ended question, respondents provided several suggestions for the most important steps North Macedonia should take to utilize the potential of blockchain technology in the public sector, including:

- Mass education of people about the benefits
- Adoption of a transparent way of working as a general good
- Digitalization of public sector work processes using blockchain
- Gathering knowledge and experience from experts in the field from abroad
- Introducing appropriate regulation and implementation
- Consulting with experts and adopting international practices

- Education and regulation to increase transparency and trust
- Investments in technological infrastructure and staff training
- Closed/private blockchain for specific processes and full legalization of crypto assets
- Continuous development and re-evaluation of technology

Regulation, Implementation, and Policy

Role of the New Government: Most respondents (35%) are unsure about the role of the new government in regulating and promoting blockchain technology, while 27.5% are neutral, 22.5% are positive, and 10% are negative about the new government's role. This shows a varied perception of how the government might handle blockchain initiatives.

Government Priorities: A majority, 52.5%, believe that one of the new government's priorities should be to bring appropriate regulation for the implementation of blockchain technology in the public sector, as well as regulating cryptocurrency trading. Additionally, 27.5% think it should be done during the government's term, 2.5% believe it should happen but not immediately, and 10% disagree, while 7.5% are unsure. This indicates a strong belief in the need for regulatory action to harness blockchain's potential.

Perception of Blockchain Benefits: Respondents rated their level of agreement with several statements related to the potential benefits of using blockchain technology. The majority agree or strongly agree with the following statements:
agree).
- Blockchain technology will increase transparency in the public sector (85% agree or strongly
- The lack of regulation is the main obstacle to implementing blockchain technology in North
Macedonia (60% agree or strongly agree).
- Investing in technological infrastructure is key to the successful implementation of blockchain technology (80% agree or strongly agree).
- Blockchain technology can improve citizens' trust in state institutions (85% agree or strongly
agree).
- Blockchain technology can reduce the time required to complete certain administrative tasks
(88% agree or strongly agree).

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• Collaboration between the public and private sectors is necessary for the successful implementation of blockchain technology (80% agree or strongly agree).
agree).
• Blockchain technology can reduce corruption in public procurement (85% agree or strongly
• Applying blockchain technology can reduce opportunities for corrupt actions in the public
 sector (88% agree or strongly agree).
Key Aspects of Blockchain Technology. Finally, respondents rated different aspects of blockchain technology according to their importance for reducing corrupt behaviours. Transparency (80%) and data verification (88%) were rated as the most important aspects in the fight against corruption.

Trends, Correlations, and Conclusions from the Survey Results

80% of respondents agree that blockchain technology can reduce corrupt activities, indicating a belief that the characteristics of blockchain technology are applicable for this purpose. 90% of respondents agree that it will increase transparency in the public sector, indicating a high level of trust in its potential to improve transparency. Respondents aged 26 to 35, who have the longest experience with blockchain technology, believe in the largest percentage that the application of blockchain will contribute to reducing corruption and increasing transparency. This suggests that this younger generation is the strongest supporter of innovation and new technological solutions. In the future, this could mean faster adaptation of blockchain technology. Respondents with higher incomes (over 80,000 MKD) show greater support for the application of blockchain technology and its potential in increasing transparency and reducing corrupt activities. This suggests that financial stability may be a factor contributing to the readiness to embrace new technologies. In the future, it can be expected that individuals with higher incomes will be leaders in the adoption of blockchain technology, which can lead to faster implementation and greater support for regulatory measures and investments in technological infrastructure.

Respondents invest in various cryptocurrencies such as Bitcoin, Ethereum, Ripple, and Cardano. These cryptocurrencies are known for their advanced blockchain technologies and high levels of security and transparency. Investments in highly ranked and technologically advanced cryptocurrencies like Bitcoin and Ethereum indicate respondents' awareness of the stability and security of these technologies. This awareness correlates with their perception that blockchain technology can increase transparency and reduce corrupt activities in the public sector. Individuals who invest in these cryptocurrencies believe that the advanced technologies supporting these currencies have the potential to provide security and accountability in public processes. In the future, this could mean that those familiar with advanced cryptocurrencies will be strong advocates for the implementation of blockchain technologies to improve the public sector.

 The analysis shows that there are no significant differences in attitudes towards blockchain technology based on different demographic characteristics. This can be explained by the fact that the survey was conducted among people who already have knowledge of blockchain technology, resulting in an apparent homogeneity of attitudes among different demographic groups of respondents, regardless of their age, gender, education, income, or length of knowledge of the technology.

The uniformity of attitudes among respondents suggests that those who are knowledgeable about blockchain technology believe in its potential to reduce corruption

and increase transparency. This is an important finding that supports the hypothesis that blockchain technology can have significant positive impacts on the public sector in Macedonia. Furthermore, these results suggest that appropriate education and public awareness can lead to broader acceptance and application of blockchain technology.

This understanding that technology has the potential to increase transparency and reduce corrupt activities in the public sector should serve as a foundation for future efforts to develop and apply blockchain in various areas. The future of blockchain in Macedonia will depend on the ability to identify and utilize specific opportunities and areas where this technology can be effectively applied.

It is important for authorities, state institutions, and experts to consider this understanding and think in terms of implementing blockchain technology. This can achieve significant progress in increasing transparency, reducing corruption, and improving the efficiency of public services. These findings confirm that blockchain technology has significant potential that can be harnessed to improve the public sector. In the future, these insights can serve as a basis for developing strategies for education and promotion of blockchain technology in various sectors, aiming to leverage its potential for public sector improvement.

Review of Authorial Contributions

One of the few domestic authors who have written about the use of blockchain technology in combating corruption is Prof. Miodrag Labović, PhD. In the third revised and expanded edition of his book titled "Systemic Rule of Law Against Systemic Corruption and Organized Crime", he discusses this issue in the context of his idea of a developed system of power division. He examines whether the implementation of blockchain technology reduces the need for other types of political and legal reforms. Labovic argues that the process of digitizing society, besides drastically reducing costs and waiting times for services, has other advantages. One of these advantages is that digitalization is directly proportional to the transparency of procedures, which in turn reduces the possibilities for avoiding responsibility, consequently leading to a reduction in corruption (Labovic, 2024, p. 357).

He also emphasizes that this technology could significantly contribute to raising transparency. Together with the development of artificial intelligence and the digitalization of the new information society, these processes are convergent and complementary with his developed system of power division and systemic rule of law. These are the most effective and efficient modes against systemic and institutionally organized corruption. They essentially rest on the same foundation: the demotion and decentralization of power (Labovic, 2024, p. 362).

Regarding the subject of this research, Per Aarvik believes that blockchain technology has the potential to be used as a tool in the fight against corruption by providing transparency and tamper-proof records. By creating decentralized and immutable records, blockchain can prevent manipulation and falsification of information by corrupt officials or bureaucrats. The distributed ledger and consensus mechanisms ensure that all participants in the network agree on the validity of records, which increases trust in the system. For example, blockchain can be used to register public procurements, track funds, and manage public records, thereby reducing the risk of corruption and making it easier to trace all transactions. The technology enables secure identity management and asset tracking, which are crucial for the transparency and accountability of public projects (Aarvik, 2019).

On the other hand, blockchain technology can reduce the required level of trust in institutions by transferring trust to the algorithms that govern the consensus among network participants. This transformation of trust from people to code can reduce opportunities for corruption since records become immutable and transparent. However, trust in blockchain technology depends on the quality of the code and the security of the devices that support the network. Therefore, it is essential to ensure that the code is well-written and tested to avoid security breaches and hacking attacks that could undermine trust in the system. It is also important to remember that trust in blockchain does not entirely eliminate the need for good governance and accountability of those who enter data into the system, as corrupt input data can lead to false but immutable records (Aarvik, 2019).

CONCLUSION

Blockchain technology represents a revolutionary approach that can significantly increase transparency and reduce corrupt activities in the public sector. By creating decentralized and immutable records, blockchain provides a high level of security and trust in the information entered into the system. This technology allows for the tracking of all transactions, reducing the opportunities for manipulation and falsification of data by corrupt officials.

In the context of this research, the hypothesis was set that the application of blockchain technology would contribute to increasing transparency and reducing corruption in the public sector of North Macedonia. The research included a survey that covered the views of people who already have some knowledge of blockchain technology. The survey results showed that respondents have uniform views, with no significant differences based on age, gender, education, income, or the length of knowledge of the technology.

The survey revealed that individuals with knowledge of blockchain technology firmly believe in its potential to increase transparency and reduce corruption. This suggests that appropriate education and public awareness can lead to broader acceptance of the technology. These results confirm the hypothesis and indicate the need for systemic reforms to support the implementation of blockchain technology.

The analysis of relevant papers, such as the research by Per Aarvik and the work of Prof. Miodrag Labović, PhD, also confirmed the hypothesis. These authors point out that blockchain technology can increase transparency and reduce corrupt activities by providing immutable and secure records, which increases trust in systems and reduces opportunities for abuse.

The main conclusion from the research is that blockchain technology has significant potential for improving the public sector in North Macedonia. The government and state institutions should take this into account and prioritize its implementation. It is necessary to invest in technological infrastructure, develop appropriate regulations, and encourage cooperation between the public and private sectors for the successful implementation of blockchain technology.

In the future, it is recommended to conduct additional research to identify the best practices and challenges in the application of blockchain technology. It is important to develop educational programs that will raise awareness of the benefits of blockchain technology and prepare professionals for its application. Only through a systematic

approach and cooperation can the full potential of blockchain technology be utilized to improve the public sector and combat corruption.

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THE CONCEPTS OF ENVIRONMENTAL SECURITY AND SUSTAINABLE DEVELOPMENT WITH SPECIAL REFERENCE TO NATIONAL PARKS

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Abstract

The environmental segment has been absent from traditional understandings of security for a long period of time. Although the concept of environmental security as a relatively new term appears in the 1960s, we see the initial ideas about the symbiosis of human and nature in the ancient philosophers. These origins are just an evolution of what is nowadays called environmental security – a concept which includes protection from harmful impacts, human safety, sustainability and legal framework. In addition to this, with the more increasing disturbances of the natural balance and the harmful processes for people's health and the environment, the question of how to achieve sustainable growth arose, as a logical continuation of the previous process – i.e. how to protect future generations from the irrational wasting of the resources today. Just between these concepts, the mechanism of nature protection called 'national parks' emerges as a real solution which, on one hand, will minimize and prevent the attacks towards the nature and, on the other hand, will provide space for development of the sustainable growth. The research continues to deal with the analysis of the two concepts and their understanding, presenting their presence in the international and domestic regulation, with a special focus on the national parks in the Republic of North Macedonia, which have assignments to form protected and natural entities. The analysis of the national parks, as a partial part, aims to reveal how these concepts are implemented on the ground, offering considerations of critical points and directions for national legislation.

Keywords: environmental security, sustainable development, national parks, natural resources, wars

1. INTRODUCTION

The reality, beyond the imagined and ideal version of society presented in Thomas More's Utopia, is filled with daily conflicts, continuous wars, use of lethal force, blood and poverty. Not only the present but a completely random look at history will very easily lead us to a world in which there is unbridled warfare. And history as such, *historia est vitae magistra*, however, in the context of our subject of interest, provides several key contents and points.

First, it is no coincidence that the first civilizations arose precisely around rivers and fertile lands – because life and developments are possible only where suitable conditions exist. The examples of ancient Mesopotamia, Egypt and mainland Australia confirm that natural resources are the key link in the process of living and development.

Second, when these (natural) conditions and resources are more than necessary for survival, the need to subdue them, to conquer them, but also to keep them, is evident. Right above them like a "smoke screen" spreads the completely natural intention to seize the prey by force, to attack and defend, and thus to give birth to the first wars and conflicts in history. In line with the idea that the one with the most resources is the winner, such head-scratching tempers proved to be the catalyst for most wars (starting, for example, with the wars for and around the Tigris and Euphrates in Mesopotamia, or the Nile in Egypt, or for example "blood diamonds" in Sierra Leone in 1990s).

Without specifically going into the motives for warfare and their relationship to natural resources and not wanting to reduce this paper to mere gimmicks (this paper is not intended to be an inventory of wars over natural resources), it is clear that people both then and now go to war for as many natural resources as possible. The current war hotspots and their backgrounds, followed by the enormous disturbance of the natural balance (Robinson, 2024) are proof that in the future we do expect a destructive repetition of military actions that will consciously or not spill over into their imagined ranges.

"All wars in the world are wars over natural resources" reads a journalistic article from 2011 (capital.ba, 2011), referring to a "Voice of America" article, in which it refers to a report by the Stockholm Institute for Peace.

The article states: "there are constant wars in the Congo for control of the mines in the eastern part of the country that produce the minerals found in almost all cell phones", adding that "it is pessimistic to assume that the world will never get out of the vicious circle of war and natural resources, because war makes resources available, while natural resources provide the means by which wars are waged".

The search for security is a continuous and endless process, and security is a conscious phenomenon, an indisputable and universal need. It is a goal towards which humans strive, and in a metaphysical sense, both plant and animal world (Gjurovski, 2021).

The paper further elaborates the concepts of environmental security and sustainable development. Not being only an introductory reading for these sciences and concepts, the research in a multidisciplinary way through its conclusions also gives several recommendations related to national parks, which reflect its practical value and not being completely theoretical.

2. THE INTEGRATION OF THE ENVIRONMENTAL SEGMENT INTO THE SECURITY CONCEPT

If we try to simplify the relationship between human and nature at least for a moment, using the knowledge of the first polytheistic religions and with a view to Olympus, then in that constellation of gods we will very easily find the protectors of nature, starting with Zeus himself – the lord of heaven and earth, Dionysus – the god of nature and the wine, Demeter –the goddess of fertility who taught people agriculture, and even in the age of totemism which, despite the various attempts to interpret it, it is often reduced to a primitive idea of the unity of all living beings.

However, although the symbiosis of human and nature has been present since the ancient thinkers (according to Aristotle, "in everything that is natural, there is something miraculous") the dominant understanding of security for a long time was exclusively for categories such as environment (or rather ecology, in a certain sense).

Rightly or wrongly, security, especially state or national security, was mainly centred on force, power and politics. The traditionalists located their concept around national security, and the reference object of security was the state. Supporters of the expanded concept of national security in the security agenda incorporated the new aspects: military, political, economic, societal and environmental. While the school of Critical Security Studies had the opposite view in relation to the traditional school and that of the expanded concept of national security, they argued that the concept of security threats is constructed and what needs to be investigated is where those threats come from (Gjurovski, 2021).

If the scientific community in a kind of advocated "whisper" expanding the term "security" and including the term "environment" in this concept, i.e. problematizing the traditional concept that was known until then, the biggest environmental disasters after the Second World War turned out to be a button that sounded the alarm for a more integrative understanding and approach to security. Especially the Chernobyl accident of 1986, which, according to a ranking of the "Time" magazine is in the first place among the biggest environmental disasters (Dnevnik.hr, 2010), intensified the activities and processes that demanded the inclusion of the environmental segment in security.

However, it would not be wrong if such late reception was directly connected with the late establishment of the right to an (healthy and clean) environment. As an illustration, the UNHCR recognized this right in 2021, while the UN General Assembly a year later. Of particular importance here is the constitutional regulation in the Constitution of SFRY from 1974, where Article 192 reads: "Man has the right to a healthy living environment. The social community provides conditions for the exercise of this right". The mentioned article stands out in the literature as the very beginning of the constitutional arrangement of the right in question in the world (Popović, 1980).

But when it comes to the security of the state today, it is much more than defence against attacks by nomadic tribes (as, for example, was the construction of the Great Wall of China, whose walls were built as early as the 7th century BC, and connected later by the first emperor of China) or the entry of the former Ottoman Empire into the heart of Europe (following the example of the construction of the new city – a fortress on the Drava, from the beginning of the 18th century, the work of Prince Eugene of Savoy). In the era of hybrid attacks and warfare with missiles and drones, security sciences must integrate new elements, among which undoubtedly the environment.

Concepts of security are theoretical and practical constructions for the protection and promotion of vital values and interests of individual categories of reference objects of security. Given that security is a dynamic category, the conceptual views of the objects and values that should be protected, of the dangers that threaten, as well as of the subjects and means of protection are also changing (Aleksić & Adžemović 2015).

The Copenhagen school defines the reference object of environmental security as the environment, or some strategic part of it (Buzan, Wæver & De Wilde 1998). Especially after the Second World War, the definition and scope of security has been focused on realpolitik[85].

In 1995 in a paper, author Marc A. Levy posed the question "Is the environment a national security issue?". However, he is quite right that "since both 'environment' and 'safety' are flexible enough to mean almost anything one wants, one must be explicit in defining them" (Levy, 1995). Although he is not so "benevolent" to the idea of integrating this segment into security, he does not dispute the impact on security (speaking more of "indirect ways"). Lavy argues that ozone depletion and climate change are the only significant environmental problems that currently pose direct physical harm to US interests.

He considers these issues to be security problems, but undoubtedly problematized the relationship with security. We consider this to be significant in order to free the area of safety and environmental protection from a kind of "greenwashing". However, judging by the time of publication of the paper, perhaps the author is more cautious, not just pessimistically cautious.

The concept of human security was actualized and promoted internationally, especially in the acts of the UN organization, which observes human security through as many as 7 significant dimensions – personal, environmental, economic, political, social, health, and food security. Thus arises the concept of security, which is universal and multifunctional, inextricably linked to the eradication of poverty, development and well-being, the prevention of violence and threats of violence, as well as the reduction or elimination of environmental risks. Finally, if security is understood in this new and comprehensive way, the broader concept of security must cover a much wider circle of population than it has before (Katić, 2011).

The 2004 Nobel Peace Prize awarded to environmental activist Wangari Maathai is a clear sign that the international community recognizes the interdependence between environmental security and human security (individual security). Simply, humans realize that threats to security are becoming more numerous and there are more issues such as diseases and droughts find a place in them, floods and hurricanes, industrial pollution, degradation of the environment, threats to human security from conflict, hunger and lack of resources (Ivanov, 2013).

Environmental security involves solving problems of insufficient resources, environmental degradation, biological hazards, which can lead to conflicts. Ways to solve these problems include the application of environmental technologies (use of renewable resources in order to reduce the consumption of resources in general, reduction of the amount of generated waste and its recycling etc.), sustainable development policies, legal and economic instruments from the environment, etc (Aleksić & Adžemović 2015).

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[85] It was only in the 80s that this area became known as ecological security (environmental security).

Taking into account the definition of security as the absence of danger, according to Malish Sazdovska (2010), environmental security can be defined as a state in which there is no threat or threat to the environment for the living world.

3 BETWEEN THE CONCEPTS OF ENVIRONMENTAL SECURITY AND SUSTAINABLE DEVELOPMENT

In a historical dimension, with the intention of adapting and reshaping the world more for themselves, humans are often faced with various dilemmas: whether to abuse nature or to act justly and fairly, to sacrifice their own or others'. The answer will largely depend on the awareness of the meaning of ecology and the environment in general as a broader term, that awareness, i.e. morality as a category, varies in different periods of time. The rudimentary forms of human collective living are a period in which humans create tools, and even a time in which they consider the signs of nature (rain, wind, sun etc.) as inherent, internal, and even warning.

And economics – as an older science and study deals with the use of limited resources and the creation of goods and services that are further distributed.

Additionally, to the concept of environmental security, the ever-increasing disruptions of the natural balance, impacts on the environment and harmful processes for human health and the environment, quite rationally raises the question of how to reach a society that has sustainable development. If resources, as in economics, are undeniably limited (and largely scarce), then how can we protect future generations from our current irrational consumption? How do we create a future that is sustainable?

Agriculture appeared somewhere between 8-10,000 years ago, so those who exhausted critical resources had to relocate or face collapse (Diamond, 2011). In Sri Lanka, nature reserves established during the reign of King Devanampiya Tissa date back to 307 BC, which were committed to sustainability and living harmoniously with nature (Mackee, Obbard & Briffett 2001).

The main turning point comes in the period of industrialization when pollution and attacks on nature take on serious proportions, perhaps unprecedented. Although a real boom is being experienced on the economic level, nature is among the first to be hit.

Some Enlightenment economists, as well as members of the romantic movement in the 1800s, were among the first to express dissatisfaction with the negative environmental and social impacts of industrialization. Thomas Malthus in an essay talk about overcrowding, after which his famous theory of Malthusianism (crisis point, population trap etc.) is formed, according to which, overcrowding happens when population growth exceeds agricultural production, causing famine or war.

However, the key clash with this kind of industrialization and economy is particularly noticeable in the 60s of the last century, when a real articulation of the problem was made through the formation of various movements and organizations.

3.1 What does sustainable development mean?

The author of the coinage "sustainable development" is the renowned intellectual Barbara Ward, author of bestsellers and adviser of two American presidents and several British prime ministers. But what is a sustainable development? Although there is no general acceptance and uniformity of this term and concept, the definition from 1987 by The World Commission on Environment and Development at the United Nations, the so-called Brundtland Commission is indisputable, according to which "sustainable

development is development that meets the needs of the present, without questioning the ability of future generations to meet their own needs".

Sustainable development is actually a process that should enable a balance between economic, social and environmental requirements. From this, three competencies arise, i.e. four: economy, society, environment, as well as an institutional framework, as an additional component that should bind and integrate the previous three. These components or pillars are interdependent and must be balanced to achieve sustainable development.

So, economic development must develop in a way that will not abuse and exhaust natural resources, nor will it cause irreparable damage to the environment. It must promote equality and justice, as well as preserve cultural diversity.

As important moments and documents that are significant to list are of course the American "Green New Deal" of the 2000s, which aims to reduce economic inequality and environmental destruction, using market mechanisms and economic methods, the 17 goals on sustainable development of the United Sciences from 2015, as well as the EU's Green New Deal, adopted by the EC in 2019.

On September 25, 2015, 193 countries, including our country, agreed on the following 17 goals according to the United Nations, due until 2030, which replace the previous "Millennium Development Goals". Briefly presented, the goals are the following: no poverty, no hunger, good health, quality education, gender equality, clean water and sanitation, renewable and affordable energy, good jobs and economy, innovation and good infrastructure, reduced inequality, sustainable cities and communities, responsible use of resources, climate action, sustainable oceans, sustainable land use, peace and justice, and partnership for sustainable development.

Of course, the provisions of the legal-political system of the Republic of North Macedonia are valuable for both concepts. So, even in Article 8, dedicated to the fundamental values, the following is established: "the arrangement and humanization of the space and the protection and improvement of the environment and nature". The Constitution in Article 43 declares the following: "Every person has the right to a healthy environment. Everyone is obliged to promote and protect the environment and nature. The Republic provides conditions for realizing the citizens' right to a healthy living environment". Especially interesting is the obligation to promote and protect the environment and nature, where it is one of the only ones in the Macedonian constitution.

Here, another provision is interesting, contained in Article 55, according to which it is made clear that the freedom of the market and entrepreneurship, which is also a fundamental value, can be limited, among other things, "for the sake of preserving nature". The Constitution is clear that the economy will be limited when it encroaches on nature. It is here that we see the basis for sustainable development (directly) as well as environmental security (indirectly).

Although sustainable development and environmental security are concepts that complement each other and serve as a factor in the adoption of policy measures, they are not one and the same. Sustainable development is focused on environmentally sound socio-economic development, and environmental security is focused on the prevention of conflicts related to environmental factors, on the additional use of the armed forces to protect their forces from environmental hazards and to repair the damage caused to the environment by military factors (Aleksić & Adžemović 2015).

Here we can notice that environmental security is more easily defined in its negative sense, as the absence of threats (but also the absence of fear, mistrust, instability) to the environment and the living world around us in general, while sustainable development is a

concept whose description can be more easily carried out positively – through active costing, advocacy, promotion, taking measures and activities.

Exactly on the line of this active costing, taking measures and activities is the mechanism of national parks, which will not only prevent possible decontamination of a space and everything that comes with it, but will "force" it to grow and develop. That is why we are on the opinion that national parks both conceptually and practically live the values of previously conceived concepts.

4 NATIONAL PARKS AS A PROTECTION AND ENHANCEMENT MECHANISM

Ratko Kevo (1971) rightly notes that the development of the movement for the protection of nature in the past hundred years passed several stages. He notes that "while the first beginnings were motivated by idealistic and romantic motives, and the bearers were primarily poets, aesthetes and passionate lovers of nature, who stood against the destruction of the beauty of the landscape and recommended the protection of natural rarities, gradually the knowledge about the damage caused by humans through uncontrolled and irrational exploitation of natural resources, thereby causing enormous changes in nature with simultaneous impoverishment of aesthetic, scientific and cultural values" (Kevo, 1971).

In 1865, the Society for the Protection of Natural Landmarks in England was founded. In Germany, in 1868, a decision was made to protect forests, and in 1872, the first Yellowstone National Park in America was declared (Šetić, 2017).

The National Park is an extremely interesting and valuable area that is protected by a decision of the Parliament. When the area is classified as a national park, it means that all its nature is protected: plants, animals, landscapes, geological and geomorphological phenomena (Janeš, 2015).

The Republic of North Macedonia has four national parks: Pelister and Mavrovo protected in 1948, Galičica protected in 1958, as well as Šar Planina declared as a national park in 2021. In fact, the last decision meant the declaration of a new national park for the first time since independence. Also, we finally got a rounded whole that is protected by three countries – Kosovo and Albania, in addition to our country, with a total area of 244,617 hectares.

Here, it is worth mentioning that the existing Law on Nature Protection[86] makes a categorization of protected areas, so the category I distinguishes strict nature reserves and wilderness area, category II refers to the national park, and the next categories refer to: natural monument, nature park, protected areas and multi-purpose area. Article 72 of the law defines what a national park is.

The law establishes the national park as a spatial natural area on land or water that includes one or more preserved or insignificantly changed ecosystems, with particular multiple natural values, which is established for the purpose of protecting ecological processes, as well as species and ecosystem characteristics complementary to the area. The

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[86] Law on Nature Protection, "Official Gazette" 67/2004 of 04.10.2004. More: https://kaops.localhost.mk/regulativa/nacionalno-zakonodavstvo/zastita-priroda/zakon-zastita-priroda Accessed on 06/18/2024

declaration and protection of the national park provides a basis for the preservation of the original natural and cultural wealth.

The law is decisive that the national park has an ecological, scientific-research, cultural, educational and tourist-recreational purpose.

4.1 Advantages and disadvantages of national parks

National parks play a key role in protecting natural resources and beauty, biodiversity and cultural heritage. However, it is clear that behind them there are new challenges and risks, such as environmental degradation, management problems (financial, waste etc.) as well as overcrowding.

Quality management of national parks and a good control system are the basic conditions for the development of tourism in national parks in accordance with sustainable development. National parks are the most famous type of nature reserves that the state puts under supervision in order to protect the nature of that space, but they are also unique entities that, in addition to preserving nature, also have cultural and traditional value that is important for preserving the identity in today's globalized society (Šetić, 2017).

National parks form a separate whole, decontaminated, and competent institutions (for example, ministries, national institutions) monitor the situations on a daily, weekly, monthly, quarterly and annual level. This enables promptness that was not observed until then, and the information received on a daily basis allows reacting in the same way. This means that these institutions, especially the newly established ones (such as the National Park "Šar Planina") should act both preventively and reactively. That is exactly their task.

A group of authors in a paper entitled "Ecotourism in National Parks and Protected Areas" (Skuhala, Varga & Zeman, 2022) talked about the advantages and disadvantages of this phenomenon in protected areas. According to them, the increase of economic opportunities and social benefits (creation of new jobs, especially "sustainable" and "green"), the protection of nature and cultural heritage (increased income will help to maintain nature and heritage), as well as the improvement of quality of life in communities (infrastructure, training and medical training for the population) are qualities in the group of advantages[87].

Ružić (2011) makes an interesting remark. He believes that "tourism in a protected area is like fire – 'a good servant, but bad master' and therefore tourism and marketing activity should be subordinated to the interests of protection so as not to harm the basic functions of the protected area – conservation, protection and education".

Furthermore, in the relationship between national parks and the need for sports and recreation, their relevance is indisputable. Between a healthy lifestyle and recreation, in the broadest sense of the terms, there is a high degree of complementarity, and at the same time, sports and recreational tourism are recognized as an important factor in preventive medicine. Nature, sports and recreation are an ever-present need of urban people, where staying in protected natural areas is especially valued. National parks are very high on that scale (Čolić, Gavrilović & Selenić 2022).

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[87] However, it is objected that (eco)tourism in such areas (regardless of whether it is a national park or some kind of protected area) has its own costs (financial-economic, social-cultural and environmental costs), and brings new risks (these areas are sensitive: construction of new facilities, erosion, increased use of water and disposal of water, motorized transport causes additional pollution, increased noise etc.).

In an analysis dedicated to Tara and Kopaonik National Parks (Đorđević, Lakićević & Milićević, 2018), the following is noted:

"National parks possess attractive natural values and attract a large number of visitors, which conditions contribute to the development of tourism areas. Planning economic activities in national parks is necessary in order to save the environment, especially those values that are protected by law, preserved for future generations. Sustainable development is the only possible way to develop tourism in national parks, so as not to degrade the specificity of these destinations, which is a unique natural resource."

Local features, traditions, geographical origin, ethnic architectural heritage, local styles and building materials should always and everywhere be emphasized. Planning of economic activities that precedes development always gives better results than actions of rehabilitation, restoration and reconstruction of already endangered natural elements. This is because in the modern world there is a prevailing understanding that it is very necessary to harmonize nature with human, because it is harmony with oneself (Mirković, 2002).

Španjol (1994) concludes that nature protection in the national park is not an end in itself, but serves as development of tourism, recreation, science, upbringing and education. By properly valorising the space of the national park, i.e. by using it properly and choosing activities according to protected zones, we will get adequate, proper and active protection of that space and prevent mistakes and devastation. According to him, "proper valorisation, arrangement and functioning of the national park are only possible if they are solved through an integral form of spatial planning concept" (Španjol, 1994).

Simovski (2015) in the paper dedicated to the natural successions in the forests of the Mavrovo National Park notes that "with the decreasing human influence, especially on pastures, in addition to the participation of abiotic factors, there is an inevitable increase in the forest stock, that is, a gradual expansion of forest areas".

He believes that very likely, part of the current progressive stages were previously under the forest, so now they are conquering the space again. This also applies to areas that were previously used as arable land and meadows. On the other hand, in certain areas, a measured and appropriate "refreshment" of the existing forests is consciously carried out, so that they do not lead to a natural climax. With controlled afforestation/reseeding with indigenous species, new areas under forest are also created (Simovski, 2015).

In particular, we believe that it will be challenging and motivating to follow Šar Planina National Park as the newest, because numerous challenges are set before it. Here, you will see how the modern state is setting up a new national park from the ground up and how ready it is for challenges, and of course for new missions - sustainable development, tourism, sports.

Among the challenges and risks that we can list now (appreciating the previous problems and situation) are wild cutting of trees, wild hunting, unstoppable urbanization, waste management of both visitors and permanent residents, issues of financial stability etc. But especially from the aspect of security, the question of whether it will be possible to establish international cooperation (trilateral) is important, taking into account that this area is actually a trilateral space. Ultimately, it will be worth watching to see if the newest national park placed on the border will act as an impenetrable shield or will still show serious anomalies, especially in the area of environmental crime and perhaps illegal crossing.

5 CONCLUSION

Especially after the great environmental disasters of the last century and after the Second World War, the need to include the environment in security is indisputable. The period of the Cold War requires to approach security with a more rational and realpolitik approach, which would incorporate elements that are not only part of the traditional understanding. The concept of environmental security was especially developed in the 60s and was accepted under that name 20 years later.

Although environmental security and sustainable development have common points of connection, they are not synonymous, but in a broader context we can understand them as two sides of the same coin. Environmental security, expressed in a negative sense through the existence of threats to nature, and sustainable development as a continuous process of growth and development with maximum respect for nature and resources.

The National Park as a mechanism represents the operationalization of the concepts of environmental security and sustainable development. What environmental security and sustainable development (especially the latter) advocate as an idea, the national park should achieve in practice. The Republic of North Macedonia has four national parks, out of which only the newest Šar Planina was declared after independence.

Although it can be judged that the benefits of national parks dominate (protection of nature and cultural heritage, creation of new jobs, support for the community), there are also serious risks and challenges behind them - financial and waste management, potential new pollution and urbanization (infrastructure). It will be especially interesting to follow these phenomena at Šar Planina National Park.

National parks act both preventively and reactionarily, which is why a solid institutional, professional and scientific approach is needed in order to promptly identify and prevent risks and to approach the already incomplete situations with as little damage as possible, as expeditiously and professionally.

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NATIONAL SECURITY OF THE REPUBLIC OF NORTH MACEDONIA AND ITS ROLE IN THE REGIONAL SECURITY SUBCOMPLEX – WESTERN BALKANS WITH SPECIAL REVIEW OF THE STRATEGY FOR MANAGING HYBRID THREATS

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Abstract

National security is a segment that is considered from the perspective of an integral part of the theory of regional security complex. The focus of this paper is to determine the relevance of the current Strategy for the Fight against Hybrid Threats, with special reference to giving appropriate proposals concerning a better management of these threats in the future and its more adequate complementarity during its review, which should take place in the coming year 2025. A secondary goal of the paper is to identify the current positioning of our national security system in the regional security sub-complex – Western Balkans, with a comparative understanding of the way hybrid threats were countered in certain neighbouring Balkan states. Efforts for reconfiguring and reworking the Strategy are necessary in order to monitor the fight against modern threats. Analogously, concrete proposals were given for the advancement of the Strategy by restructuring it and inserting the new modern threats lurking on the state systems.

Keywords: *national security, regional security sub-complex of the Western Balkans, hybrid threats, the Republic of North Macedonia.*
Field: Social sciences

INTRODUCTION

The purpose of this article is to create an overview of the phenomena and the resilience of the countries that gravitate in the Western Balkans Regional Security Subcomplex (WBRSS). It gives a short examination of the ways in which external actors create possibilities for hybrid warfare on the geographical territory of the WBRSS. In the WBRSS, Russian Federation, People's Republic of China and Türkiye, which, according to many experts, have significant influence in the region, are seen as the main foreign actors that provide ground for hybrid warfare.

This is a short perspective study of the susceptibility of the states comprising the WBRSS. In the beginning, we give an outline of the term *hybrid warfare* and the meaning of the WBRSS. Next, we provide several factors that are the reason for the weak response to the many modes and tools used for hybrid warfare.

In the second part of the article, we give a critical opinion about the current Strategy for Resilience, where we suggest several indicators on which the updated strategy should focus more. In the end, we conclude that the states which are part of the WBRSS

must strengthen their capacities to mitigate structural vulnerabilities to hostile influence and malign actors.

COMPLEXITY OF NEW THREATS

The modern security picture is characterized by complex threats, which have essentially changed since the period of two decades ago. Threats of attack with conventional weapons are unlikely, however, simultaneously, the danger of attacks with unconventional means has increased. For that reason, it is necessary to expand the understanding and the vision of defence of society by recognizing the modern spectrum of threats. Every modern society needs to build an effective concept for dealing with a series of challenges such as terrorism, violent extremism and radicalism, proliferation of weapons, disruption of energy supply, as well as defence against cyber and hybrid threats. Hence, every country should be able to adapt to the unpredictable, complex and changing security reality. Threats come from state and non-state actors who increasingly use "soft" power mechanisms (political, economic, informational) to weaken institutions, economies and societies and threaten their security. Taking into account the fact that modern threats have a complex content, the need to respond to the entire society is also imposed. This implies the need to build national capacities to improve resilience to these threats through a broader, more integrated and better coordinated approach at the national level (National Strategy for Building Resilience and Dealing with Hybrid Threats, 2021).

The world of today is characterized by fast and dynamic changes that bring new and often unpredictable risks and dangers to the security of states. Crises and disasters are high on the political and public agendas around the world. Practitioners struggle with the challenge of providing protection while maintaining legitimacy. They seek insights that are at the heart of public administration: designing effective institutions and preserving transparency; enabling and empowering citizens without undermining the coordinated response; balancing long-term risks against short-term needs; bridging the gap between theory and practice and between the public and private sectors. But in debates about designing institutions that protect against cross-border threats and critical infrastructure failures, the public administration community is curiously absent (Boin & Lodge, 2020).

The development of the theory of regional security complex, the researchers of the subject of Contemporary Security Studies, among other things, obtained the theoretical framework whose application is not limited to one level of security, but to four different levels, and potentially more. So, the founders of the Copenhagen Security School point to how the Theory of the Regional Security Complex (TRBC) can be used in the study of security at four levels, where the first level will refer to the relationships of internal features/units in the regional complex (sub-complex), then the second level will mean the relations between two states, i.e. state to state, next, the third level will include the relations of the Regional Security Complex with other neighboring Regional Security Complexes, and, finally, the fourth level would be the influence of global forces on the Regional Security Complex (Buzan & Waever, Regions and powers: The structure of international security, 2003).

THE UPRISE OF THE HYBRID THREATS

Since 2016, NATO allies may invoke Article 5 of the North Atlantic Treaty to address hybrid attacks on any NATO member. They have set up counter-hybrid support teams which help allies prepare against and respond to hybrid actions. Furthermore, NATO's hybrid analysis branch aims to improve situational awareness and analyse rising

threats on a systematic basis, a view shared by the EU. Therefore, EU-NATO coordination to address hybrid threats has been strengthening since the first Joint Declaration in 2016, where 20 common measures out of 74 were dedicated to countering hybrid threats. In addition, as some Western Balkan countries are NATO allies. and several are candidates for both EU and NATO membership, systematic and structural initiatives to fight hybrid actions undermining the perception of the EU and NATO in the region are critical not only for European and transatlantic, but also transnational security (Brethhous & Kovalcikova, 2023, p. 3).

Hybrid warfare remains a contested concept and there is no universally agreed definition of it. It has been subjected to a lot of criticism for lacking conceptual clarity, being merely a catch-all phrase or a buzzword, and not brining anything distinctly new to policy debates. Nevertheless, the concept furnishes us with key insights into contemporary and future security and defence challenges. To put it simply, hybrid warfare entails an interplay or fusion of conventional as well as unconventional instruments of power and tools of subversion. Hybrid warfare below the threshold of war or direct overt violence pays dividends despite being easier, cheaper, and less risky than kinetic operations. It is much more feasible to, let us say, sponsor and fan disinformation in collaboration with non-state actors than it is to roll tanks into another country's territory or scramble fighter jets into its airspace. The costs and risks are markedly less, but the damage is real. A key question here is: can there be a war without any direct combat or physical confrontation taking place? With hybrid warfare permeating inter-state conflicts, it is possible to answer this in the affirmative. This remains closely linked to the philosophy of war as well. The supreme art of war is to subdue the enemy without fighting, as the ancient military strategist, Sun Tzu, suggested. The second defining characteristic of hybrid warfare relates to ambiguity and attribution. Hybrid attacks are generally marked by a lot of vagueness. Such obscurity is wittingly created and enlarged by the hybrid actors in order to complicate attribution as well as response. In other words, the country that is targeted is either not able to detect a hybrid attack or not able to attribute it to a state that might be perpetrating or sponsoring it. By exploiting the thresholds of detection and attribution, the hybrid actor makes it difficult for the targeted state to develop policy and strategic responses. Considering the complex nature and dynamics of hybrid warfare, a range of policy and strategic responses have been propounded by experts. Some of these revolve around measures for detecting, deterring, countering, and responding to hybrid threats in a meticulous manner. Nevertheless, with the information, cognitive and social domains becoming the cornerstone of hybrid warfare, any set of solutions sans confidence-and trust-building will probably fall short of offering effective antidotes. Ultimately, what hybrid threats undercut is trust. It is for this reason that building trust must be deemed the key bulwark against hybrid threats, especially ones that are geared towards undermining democratic states and polities. Moreover, trust remains the *sine qua non* for any policy or strategic response to hybrid threats to come to fruition. In other words, nothing will work or produce the desired results in the absence of trust. The rise of populism in different parts of the world—including the Western countries—is symptomatic of greater socio-political polarisation within political communities. This results in jeopardising not only harmony at the societal level but also a community's social and political fabric, thereby making it difficult to develop consensus in decision-making processes on all levels. Building, re-building, and fortifying trust remains critical to creating durable resilience in the face of hybrid threats that acutely imperil the security at the state and societal levels. Trust-building within and across communities ought to be the linchpin of efforts to neutralise

hybrid warfare and threats. This requires sustained efforts at the structural and policy levels to develop strong links between the state and the people that are underpinned by meaningful transparency, ownership, and inclusiveness. (Bilal, 2021)

REGIONAL SECURITY SUBCOMPLEX – WESTERN BALKAN

The Western Balkans Regional Security Subcomplex (WBRSS) is part of the European Regional Security Complex. It unites the Western Balkan states of the Balkan Peninsula, which are categorized as states/countries of the so-called Western Balkans region. WBRSS was initially indicated and declared by Buzan and Waver, as a part of the European continent, in which the United States initially had the greatest external influence, then informally the Russian Federation, and finally the European powers and the rest of the world powers, of which the People's Republic of China stands out the most.

The states that are part of the WBRSS are characterized by societies that are insufficiently socially and sociopolitically developed, and the most characteristic dogma is the national identity, which is often a source of fear and conflict situations. Religion, as a term in RBC, is used as a dividing line between states and peoples, therefore it is one of the bases for future possible conflict situations between the states of the Western Balkans. Another feature of WBRSS is represented by minorities in almost all countries. They represent an inseparable segment to all states, as their presence in different parts of state territories is one of the main reasons for possible future potential triggering of new conflict situations due to various reasons.

The incoherence between several Balkan states is also a significant synonym for possible future conflict situations, mostly due to the insufficient democratic structuring of the states, the high degree of uneradicated corruption, but also the unsatisfactory level of restructuring of state systems and their complementing with European standards. The perception of the countries from the Western Balkans, which is imagined in the European security complex, is mainly based on the media's focus on the state leaders and their encouragement and presentation as primary links in the development of the states. On the other hand, there are still on the air phenomena of pointing out the Western Balkans as an insufficiently "matured" part of the European continent. Analogous to the above, three discursive, i.e. three causal consequences that have caused the Balkan wars are pointed out, namely: historical hatred, then the inability of local actors to maintain peace, and third, the division between actors in the Balkans and their constant desire for separation and distinctiveness. According to the previous, the most significant formal and informal influence of the WBRSS is the European RBC, so that any change that happens in the central one, will affect the special, that is, the sub-complex (Buzan & Waever, Regions and powers: The structure of international security, 2003, p. 385-396).

COMPARATIVE ANALYSE OF THE HYBRID WARFARE INFLUENCE IN THE SUBCOMPLEX

The Western Balkans Regional Security Subcomplex (WBRSS) represents a geographical territory in which, more or less, hybrid threats and the method of their prevention are mainly similar. The neighbours of our country, even though they have been NATO member countries since before us, still have certain problems in facing this type of threats. Montenegro, Serbia, BiH and Croatia as part of the sub-complex were simultaneously subjected to several hybrid threats, especially during the last year, 2023, with false reports of explosive devices in educational institutions in the states. In those

moments, the states were forced to design strategies and put up a real fight against this type of hybrid threats.

In relation to dealing with hybrid threats, the countries of WBRSS are mostly susceptible to influence by the Russian Federation, the People's Republic of China and the Republic of Türkiye. Regardless of how the hybrid attacks will be carried out, whether economic, military, through the spread of disinformation or other ways, the countries of this sub-complex, mostly due to the lack of modern information infrastructure as a basic, and then additional media illiteracy, susceptibility to disinformation, weak segments from the state system and other shortcomings that are the target of hybrid threats, provide the above-mentioned actors with an easy platform for influencing and carrying out their ideas on the territory of the sub-complex.

In the Western Balkans, hybrid warfare constitutes a set of low-cost actions or tactics designed to undermine public trust in institutions, weaken norms, and obstruct integration with NATO and the E.U. Hybrid war tactics include the use of disinformation, cyberattacks, influence operations and narratives of victimhood to undercut Euro-Atlantic institutions, develop pre-texts for conflict, promote discord, and maintain frozen conflicts. Hybrid warfare allows malign and hostile powers, especially Russia and to a lesser extent China and Türkiye, to carry out their grievances, exploit divisions, weaken resilience, or promote themselves and their preferred narratives (Dolan, 2022, p. 6).

Across the Western Balkans and Eastern Europe, the lack of independent media helps increase vulnerability to malign influence operations in the digital space. While North Macedonia and Montenegro do not have sufficient protections for independent media outlets, Serbia has even more vulnerabilities in the information landscape. Weak or poorly functioning media are fertile ground for disinformation, fake news, and propaganda to spread as it passes through to societies with little to no questioning or context. Consequently, the information space is filled with distorted information. In some cases, especially in Serbia and Montenegro, disinformation is spread by political leaders themselves through media outlets, which government drives public discussion or stifles debate (Dolan, 2022, p. 12).

COMPLEMENTARITY OF CURRENT STRATEGY FOR HYBRID THREATS

The first step in building resilience and dealing with hybrid threats is to define and theorize this security threat. The term "hybrid threat" refers to a combination of malicious and subversive activities, conventional and unconventional methods (diplomatic, military, economic, technological), which are used in a coordinated manner by state or non-state entities to achieve specified goals. These actions are coordinated, synchronized and are aimed at the vulnerabilities, that is, the weaknesses of the chosen target. They can be aimed at any domain of society – political, economic, military, civil or informational. It uses a wide variety of means, designed to remain undetected. Hybrid threats represent a combination of military and non-military means, including disinformation, cyber-attacks, economic pressure, the use and deployment of irregular armed groups, as well as the use of regular military forces. The intensity of hybrid threats is constantly changing, as is their scale and speed. Therefore, the definition of hybrid threats should be viewed broadly and flexibly, in order to respond to their evolving nature (National Strategy for Building Resilience and Dealing with Hybrid Threats, 2021).

Current strategy seems to be getting outdated as society nowadays develops faster than ever. The war that has escalated on the territory of Eastern European continent has proven to us that there was and will always be danger from conventional war. If we

observe worldwide strategies, we can observe and conclude that nowadays state actors plan and prepare for conventional war, but with greater danger than ever of using nuclear weapons.

PROPOSALS FOR FUTURE STRATEGIES

Having comprehensively and in detail reviewed the current Strategy, in this part of the paper, we will point to appropriate, in our opinion, specific parts, in which more effective engagement of the relevant state segments is required, and improvement of the level of realization thereof.

Considering the current developments on the political scene in our country, it is impossible to highlight the unfortunately still low level of self-awareness, culture and concern for the country. Corruption, as one of the most common causes of stagnation of a country and the impossibility of interoperable development at all state and social levels, is still represented at a high level. Although corruption as a problem is indicated in the current strategy, it is still necessary to disseminate the responsibilities of different state segments and expand the capabilities of the current State Commission for the Prevention of Corruption. The same is necessary in order, instead of pointing out and observing corrupt processes at various levels in the state, to have criminal proceedings that will serve as an example of repression and stagnation of corrupt processes in the state.

In terms of the development of information culture and knowledge at the level of social perception, greater investment is needed in the same, with a focus on the young population. The need for information knowledge, as well as adequate and competent infrastructure, is of great importance for the development of future generations, but also for the preservation of state interests, because, above all, with the development of the information world on a global level, it is necessary to constantly monitor and use the latest technologies. with the goal of competence with both regional and world powers.

Creating public opinion with technological development is a current and future challenge. Current, because public opinion is still based on fake news, which every day, both in the mass media and on the mostly used social platforms, serve to create the opinion of the population in the country, and for phenomena that are on the table of the daily political need. It is necessary to invest in research, civil centres, online education and education of the younger population from the very beginning, in order to avoid creating a society in which the population will be easily susceptible to fake news and public opinion will be created based on the opinion of a certain category of citizens.

Media literacy, as well as capacities for forming public opinion, are a constant challenge. Although indicated in the current Strategy, polls about the extremely low level of media literacy, where the elderly population is particularly affected, are gravitating in the media. It is necessary to invest in programmes for the education of the elder, but also the younger population, in order to increase the level of media literacy, because after all, a country cannot prosper in keeping with modern European and world countries if it does not have an educated population in all aspects.

The law on critical infrastructure is unfortunately still a current challenge for our state leadership. For the fourth decade, our country has not formulated and adopted a law by which the critical infrastructure on the territory of the country will be classified and determined. It is necessary to seriously consider the reasons due to the absence of political desire, but also the other possible reasons which are indicators or factors for the non-adoption of this law.

The political base of leadership and creation of state policies, unfortunately, is still partly based on its pre-election programmes on the disruption of inter-ethnic relations between nationalities in the state. We witnessed this during the election campaign in 2024, where, in particular certain parties from the Albanian bloc, initiated anti-Macedonian propaganda, which led to an avalanche of negative comments, both at the level of experts and at the level of ordinary citizens. Eradication of such or similar phenomena and a more committed prevention of phenomena of this type in the future is necessary.

CONCLUSION

According to what is highlighted in the paper and based on the proposals given by us, we appreciate that the current Strategy needs to undergo certain changes for the purposes of its future effective implementation at all state levels. The complementarity of the state system in the field of security, and here we are talking about the fight against hybrid threats, needs to be a topic of discussion and a state challenge on a constant time basis, not only in times when the state apparatus has a security challenge and real-time readiness is tested of the personnel and technology available to a state system.

Starting from complementarity with regional strategies, then aiming at Western European strategic settings, our country and the political elite must constantly make efforts for a timely change in viewpoints, challenges and modern security threats. Considering the duration of the current Strategy, it is due to be revised next year, when it will be necessary to also include the newly created threats and challenges which, at the time of writing the current Strategy, were not perceived as serious or back then were not imagined as possible to confront.

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CRIMINALISTICS

DIGITAL TRACE AS A PERSONAL AND CRIMINALISTICS OBJECT

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Abstract
This work focuses on the analysis of digital traces and their influence on the content of criminalistics knowledge and the privacy of individuals. The broad context and highlight of the purpose of the study is to analyse the various aspects of digital traces, including their creation, collection and use, and to examine what consequences they have from a criminalistics point of view and for the privacy and security of users of the online environment. The basic methods used in the study are the analysis of the individual's behaviour from the point of view of criminalistics and the wider cyber environment, the analysis of available literary sources, and the knowledge of the authors, which leads to the main finding of the article – synthetic evaluation of the concept of digital trace theory.

Keywords: digital trace, criminalistics, privacy, security, Internet

INTRODUCTION

In our actual lives, there is no branch of human activity where we would not encounter electronic devices and their connected digitalized applications. The near future will be characterized by an ever greater and deeper integration of information and communication technologies with other, now common home and office devices (Metenko, Metenko, Hejda, 2005) (television, telephone, car, refrigerator etc.). If we analyse the automatic processing of data and information that penetrates everywhere, known as internet of things, it is clear the development of modern human society is currently based on the use of new technologies. Technology will surround us at every turn, and it will still be honey (Rak, 2000).

On the other hand, it is the new and unused or unknown technologies, as a means or goal of an activity, that often raise doubts as to whether this is an action that is criminal or, for various reasons, punishable or still permitted (Metenko et al., 2004). The absence of corresponding provisions in criminal law raises and may raise doubts about the criminality of such an action, or about the need and the possibility of sanctioning such an activity otherwise. The knowledge of socially unacceptable processes related to the misuse of communication and information technologies[88] has been the subject of criminalistics for a long time. In many countries, often under the strong influence of English-speaking IT professionals, it is combined with the forensic approach, as, according to several criminalistics scientists, "criminalistics does not have its own methods of examining traces related to CaI technologies" (Kurilovská et al. 2017). In our opinion, this "non-existence of

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[88] In the text, we use *CaI*

our own methods in criminalistics" was associated primarily with a theoretical and practical shortcoming – the failure to process knowledge about the existence of traces in general, especially digital traces. The forensic concept of digital recording or digitized object has been used in English-speaking countries for quite some time; a comprehensive concept of the digital trace, as a separate type of trace, has not yet been developed in criminalistics as a fully accepted knowledge. Only if we accept the division of all the material criminalistics traces into substance traces, field traces and memory traces, as presented in the last years, can we accept this knowledge and evolution also in criminalistics. Then, in connection with digital traces, we can talk about one of the groups of field traces, in addition to traces related to electric charge and various forms of radiation. In this study, we will try to analyse the possibilities of examining the digital trace, its concept and its content, as a new segment of forensic and criminalistics traces. The basis for this analysis is, so far, probably the only one comprehensive work in Slovakia in this area, especially the content of its first part (Metenko et al., 2004). The detailed elaboration was carried out as part of the research by some of the dissertations resulting from this research project. Digital traces are typical of crimes related to the misuse of information and communication technologies. In their dissertations and studies, the authors distinguished between a number of divisions of the residues of criminal activities – many types of digital traces. The extensive research carried out as part of the research activity 3.3., both during and after the project (Centre for Excellence in Security Research, ITMS Code: 26240120034, co-financed by the Operational Programme Research and Development), showed a great diversity of the basic features of digital traces (Metenko, M., 2018; Mikulaj, 2018; Marcinov, 2015).

PROBLEMS OF DIGITAL TRACE RESEARCH

Due to the "long-term" novelty of the issue, we can find attempts to characterize the content of digital traces in the monograph that we had described as the basic and unsurpassed source for the theory of digital forensic and criminalistics trace. The Czech criminalistics scientists Porada and Rak, who were also co-authors of the monograph (Metenko et al., 2004), had a significant contribution in the digital trace analysis. One of the significant problems that many forensic scientists pointed out in connection with digital traces was the relative rigidity of individual identification. Meteňko, J. (2004) however, also pointed to a solution in the form of the use of metadata, which was later elaborated by their successors into actually usable methods, enabling individualization in criminalistics research as well. Data files often contain, in addition to primary content that is expressed through peripherals, such as text, photos, audio, video, and so on, the so-called metadata, which reveal important information about the file which characterizes it – individualizes it – among other objects. This can help determine, for example, when the picture was taken, under what lighting conditions, with what settings, and the type of digital camera, or even the owner of the device etc. This information, found on a computer that is in some way related to a crime, can provide essential information for forensic and criminalistics investigations and for the processing of their results, as well as for police investigations.

An outline of the history of digital traces

The history of "computer crime"

The term "computer crime" first appeared in the 1970s in the United States of America, in the works of Parker, as "crime by computer" or "computer crime" (e.g. Crime

by Computer, 1979). In the past, efforts to define this term were presented within the UN, the Council of Europe, and the Organization for Economic Cooperation and Development (OECD). However, no definition of this term has ever been completely exhaustive, given the extremely dynamic nature of information technology. It is a matter of a short time when any definition of computer crime becomes out of date, because it does not also include new elements of computer crime that were not known at the time of its introduction. Groups of computer crimes can therefore be seen as a suitable alternative for defining the term "computer crime" (Klimek, 2020). Two moments were decisive for the beginning of the computer age. The first of them was the invention of the telephone, which, at the time of its creation, was almost unrelated to computer, but later made it possible to connect computers to each other, because the first methods of communication between computers were carried out through a telephone line. The connection of computers through the telephone meant the emergence of the so-called cyberspace. The second important moment was the construction of the first ENIAC computer, which marked the beginning of the computer age (February 14, 1946). Although the first computers took up an entire room and cost several tens of thousands of dollars, information technology developed relatively quickly from this time, and the computer became a relatively easily accessible technology within two decades. At the end of the sixties and during the seventies, the important term *hacking* (*hacker*) was born from the point of view of computer crime. The term *hacking*, in the original sense of the word, had a different meaning than we understand it today. A hacker was a person, usually a programmer, who interfered with computers, computer systems, programmes and data, but not for the purpose of abusing or destroying them. The word "hacking" referred to such 24 interventions that were supposed to make the system work better and eliminate its errors and shortcomings. Thus, hacking was understood as a positive (beneficial) activity of the programmer (idem). In protest against the Vietnam War, the first hacker movements (so-called 'Yippies') began to emerge. Nowadays, hacking means something else. Its goal is no longer just interventions in the system for the purpose of removing errors and improving the system, but illegal hacking and misuse of technologies. The founders of this movement included Abbie Hoffmann and John Draper. Their initial business was to discover ways to trick the phone so that they would not have to pay for calls. Gradually, they began to break into telephone exchanges, telephone systems, and over time, their activity also began to apply to computers. They published the results of their "work" in the *Youth International Party Line* magazine. This illegal activity later became known as *phreaking*. At the end of the seventies, another important step took place, with the so-called BBS (Bulletin Board System). Based on this, any computer owner could connect his computer to a telephone line and thereby "enter" cyberspace (Matějka, 2002). In the 1960s and 1970s, substantial copyright infringement began to occur as music recordings began to be copied onto reel, and later on cassette, tape recorders. The introduction of the IBM PC on August 12, 1981 can be considered a turning point in the field of information technology. This computer was affordable for a wider range of people and thus gradually reached every household. There was also the already mentioned connection of a computer with a telephone line, and the predecessor of today's Internet was created in the form of BBS systems. At this time, the famous hacker group *Legion of Doom* was created. One of the activities of this group was hacking into the telephone system of the local telephone company (the so-called "Florida scandal"), which, however, had far-reaching consequences. There was a thorough investigation both by the telephone company and especially by the police and the prosecutor's office ("Operation *Sundevil*"). In 1986, the

United States Congress passed the Computer Fraud and Computer Abuse Act. In the early 1990s, the US national telephone network collapsed due to a software bug. This collapse was nevertheless attributed to hackers, and the police began cracking down on hacker movements. The *Legion of Doom* almost disappeared and some of its members were indicted. A special unit was created to fight cybercriminals at both state and federal level (FCIC) (Matějka, 2002). The second half of the twentieth century was characterized by the mass use of computers. Computers and new technologies and technical equipment are currently leading to transformation in the researched area, so we are now talking about *information and communication* crime.

DIGITAL TRACE. DIVERSITY OF THE CONCEPT?

The different perceptions of the digital footprint, often contradictory, result from its nature and the breadth it covers. There is a large number of different views that are more or less correct. In any case, they affect the overall knowledge in this area. However, we will deal with only two of them, namely the *criminalistics* and the *private* view. We emphasize, considering the text written in English, that this study includes a forensic, but only a criminological, point of view.

Criminalistics understanding of digital trace

Every technological device that acquires, processes, transmits or stores data leaves records – in terms of forensics, these are considered evidence, and in terms of criminalistics, these are called trace – as reflections on its activities. These records are forensic evidence. According to the classical theory of reflection, a person (or another object or subject related to his activity) triggers, modifies etc. the software, such as its settings, or otherwise controls the electronic technology (Metenko et al., 2004). These activities and the changes caused by them are then reflected in the material environment, inside the technology and out of the environment of the technology (Schevcuk, 2021). In terms of communication and information crime, the problem of devices working with data is much broader than just computer activity (Schepitko & Schepitko, 2021). In some works by renowned Czech or Slovak authors, we encounter the term computer trace, which is intuitively used rather than factually defined. The concept of computer trace originated in the same period of time as the concept of computer crime, i.e. approximately in the second half of the 1980s (Porada, 1987). It is clear that the term "computer" (footprint) is no longer sufficient today, because other electronic devices leave traces that have the same or similar nature, character, general or individual characteristics as a computer trace. There are several, very similar definitions in foreign literature, which define their commonly used term digital evidence – in the meaning of digital evidence. It should be noted that the word "record" has a special meaning when using a computer. For example, if a legally purchased software is used to falsify an official document by scanning and, subsequently, by graphic editing (e.g. Photoshop), both the application and the computer work completely by default. The only evidence of the act is the data file with the finished result of the forgery stored on the computer, and the records that it was processed by the software, at a certain time, by a particular person etc. However, there was no disruption of functionality or security measures. In English – in relation to forensic practice – the primary meaning is that of "evidence". We do not find the word "trace" in connection with modern technologies in foreign literature (we can find the meaning of "potential digital evidence", which has a close meaning to the term "trace"). The reason is simple and

pragmatically based – foreign theory and practice are strongly oriented to the outcome of the criminal process, i.e. the trace must be acceptable to the court (Olber, 2011). Therefore, in the perception and the subsequent use of the terms in English, there is an automatic identification of the terms trace and proof (English: evidence). Today, it is most often used in foreign literature, and it can be said that even the widest circle of forensic specialists accepted the definition that was proposed in 1999 by the working group SWGDE – Scientific Working Group on Digital Evidence. Digital evidence/record is any information with informative value, stored or transmitted in digital form. Another definition showing the development of the term is from the lecture of its author in 2011. A digital trace can be defined as any information that is stored or transmitted in digital form and that is related to the investigated event and can be secured, fixed and decoded by current forensic or technical means and methods. Our concept is more criminalistically oriented, in terms of the priority of the concept of criminalistics trace: forensic trace. A digital trace is any change in a digitized environment, characterizing any information related to a criminalistics relevant event that is searchable by criminalistics informatic methods, is available, stored, or transmitted in a digital form (Metenko et al., 2004). This definition is open to any digital technology. The digital trace defined in this way covers both the area of computer software and hardware and computer communication, as well as the area of digital transmission (mobile phones, but also digital TV in the future etc.), videos, audio, digital photographs, camera data (CCTV) systems, electronic security data systems, and any other technology potentially associated with hi-tech crime. Digital traces must be usable not only for crime control, forensics, but also for general forensic investigations conducted by state authorities (civil disputes, commercial law disputes etc.), and also for the needs of the commercial base, for the purposes of independent internal or external audits etc. (Lall, Tother, Opic, 2021). We define the digital trace to a similar extent even today. In connection with digital traces, other processes and entities have been defined, which are logically associated with digital traces and are important for the entire further process of working with digital traces:

- securing digital traces,
- data objects,
- physical objects,
- digital trace originals,
- duplicate digital trace,
- a copy of a digital trace (Metenko et al., 2004).

Individual understanding of digital trace

For an individual understanding of the problem, it is possible to perceive the concept and content of a digital trace significantly differently than in a criminalistics understanding, although it is the same object. By using the traces we leave behind in the digital environment, we enable others to follow us in the digital environment. Other network participants can thus see what places we visit in the digital world, what our journeys are, where we come from, what our behaviour patterns are, what our most intimate conversations are, or what the main changes in our lives are (Cocqo, 2021). In the broadest individual concept, a digital trace is anything that is recorded in the process of digital communication and captured in a suitable way; usually, it is also a condition that is stored on a suitable carrier. The collection of digital footprints creates a huge data set. The development of the digital footprint in individual use has led to its commercial abuse in

recent years. Applications for "data mining" create a promising tool for commercial tracking and use for marketing purposes, often outside the control of the trace creator and, as a result, for its abuse. Monitoring can usually result in numerous risks associated with the protection of personal data and their possible misuse. Data mining technology based on digital traces has various purposes. These include private commercial purposes, national security, and public interests (Cheng & Wang, 2018). Users leave a digital footprint when they are online. Among the actions that users leave while leaving the movement in the computer and other online environment are, for example, history of Internet activity, various clicks, browsing websites, creating personal profiles, "liking" on social networks etc. (Lambiotte & Kosinski, 2014). Many browsers (e.g. Google), social networks (e.g. Facebook, Instagram) or e-shops (e.g. Amazon) use artificial intelligence (AI) systems, which include machine learning algorithms that serve to collect data and which further proceed to develop formulas that serve to analyse our preferences, interests and goals. The goal of these algorithms is to implement such a process in which the digital footprint is monitored and where personal preferences, interests, goals etc. are derived. This process is called algorithmic tracking. According to researchers Zanker et al. (2019) and Youyou et al. (2015), during algorithmic tracking, computer systems make "judgments", "psychological inferences", and "assumptions about an individual's interests, goals, and preferences". According to Burr and Cristianini (2019), it can therefore be argued that that algorithmic tracking is based on a sample of the subject's observable behaviour. According to Peters (2022), algorithmic tracking can be of two types:

- algorithmic tracking,
- psychometric monitoring.

One of the goals of examining the digital footprint is to increase the protection of the security of digital space users.

Digital trace categorization and classification from criminalistics point of view

According to one of the above definitions, a digital trace is any information of informative value relevant to the investigation of a particular act or activity, stored or transmitted in digital form. Information is essentially intangible. However, for our case, it is created, transmitted, stored and archived in digital form, in the form of electrical, magnetic, optical or other similar manifestation of the field. At the moment of its storage, it materializes in the environment of the storage medium, and its recording has the character of an array. In order to be able to analyse the transmitted information, we must first capture it technologically and then store it permanently or temporarily on a storage medium. The digital trace has a non-substantive, but material character.

In general, the characteristics of the internal structure of the acting, reflected object are transferred to the reflecting object. Thus, the digital trace is a trace of the internal structure of the reflected object, the external characters are manifested in the format in which it is currently stored.

The digital trace is in its primary form, i.e. in the "form" in which it is stored or transmitted, with some minor exceptions, that is, according to Prada and Rak (2003), a micro-trace.

Technological equipment or user system and especially, subsequently, criminalistics, forensics or informatics software are needed for its visibility. The simplest, user-friendly technologies include monitors or displays showing digital information in a human-acceptable (perceptible) format (font, images, sound, video, vibration etc.). These

"communication peripherals" also allow the transfer of digital data to a native storage medium suitable for the needs of users – e.g. office paper, classic photography. We are able to perceive such transformed digital (information / data) tracks with our senses, especially sight and hearing, or tactile (Braille). User software (text, graphic editors, spreadsheets) can display common traces, similar to system software, which is significantly remote for ordinary users in terms of perception and possibilities of use. Specialized software of criminalistics and forensic nature can also read information about deleted files, break passwords protecting access to encrypted information etc. (Chaževskas, Belovas, Marcinkievicius, 2021). The digital trace is created mainly by the action of physical forces and energies. We classify the digital trace among the physical traces of the field of technological character as a reflection of the direct or indirect action of artificial artefacts or external natural forces of a physical nature. By direct action of artificial artefacts we mean direct, automatic, random or pre-programmed action of one technological element (artefact) on another. In the case of indirect action, we mean human action on the artefact (in the form of software or technical equipment or technology). Theoretically and practically (so far to a limited extent determined by research and development workplaces) the technology of storing or transmitting a digital trace can be based on principles other than physical – i.e. chemical, or even biological.

For today's technologies and trends in the transmission, processing and storage of digital information, it is striking to strive for maximum miniaturization of devices and the highest possible density of stored information (the largest possible data volume in the smallest possible physical volume of the storage medium). From this point of view, the physical principles seem to be exhausted in some respects, and scientific attention is focused on technologies close to the biological or biochemical way of processing information, i.e. a process similar or directly taking place in the human brain. Therefore, generally no nature-friendly characteristics of information storage and processing can be ruled out in the future.

Sources of digital traces as their carriers

Obviously, there is a large number of diverse sources of digital traces. Their number, type and diversity increase from day to day. It is therefore expedient to divide data sources into several typical groups, in which digital traces have a similar character, and thus the method of their search, retrieval, processing and further use is similar. A typical group requires specific technical equipment and knowledge of narrowly oriented digital traces specialists.

In different, including foreign, literature, we often encounter a logical classification into groups:

Open computer systems. This includes everything that people usually think of as a computer and its immediate peripherals – PCs (desktops), laptops, hard drives, keyboards, monitors, servers etc. Their disk capacity is always limited (but devices with ever-increasing disk space are constantly being produced), they contain a huge amount of information and therefore digital traces. Ordinary data file – e.g. Word document – with its content and system information (so-called metadata) can serve as a key means of evidence and significantly influence and accelerate the course of the investigation.

Communication systems. Traditionally, this group includes traditional landlines, wireless telecommunications systems, computer networks and the Internet. Mobile phones, personal digital assistants (PDAs)… all of these can provide digital traces. For example, e-mail is transmitted all over the world via Internet services. The time the e-mail was sent or

the author, its contents, the log files of the mail servers that transmitted the e-mail, these are all very important digital traces.

Devices with integrated computer chip. This includes smart cards and many other computer chip devices, which are also a very valuable source of data for investigation. GPS-based navigation technologies can determine the position of both the vehicle and the individual, the black box of the aircraft remembers all flight characteristics, similarly to diagnostic modules of computer control units of automobile engines which store basic operating and service data (speed, brake operation, mileage, fault diagnosis, types of service etc.). Another group of devices equipped with an integrated chip and intended for use in the ordinary household contains important information and thus additional sources of footprints. In addition, these devices can communicate with the outside world, other devices, and environments, including the Internet, by default, usually wirelessly. In practice, this is usually known as the Internet of things.

Despite the tremendous development of digital technologies, there are still few specialists who can effectively read and draw relevant conclusions in digital traces that can be used by law enforcement or other authorities. We are often not technically knowledgeable or legally prepared to work with digital traces. These are often overlooked or underestimated, incorrectly collected or inefficiently analysed.

The concept of a criminalistics digital trace

Every technological device that acquires, processes, transmits or stores data leaves records – from the perspective of a criminal trail – reflections of its activity. These records are clues from a criminalistics point of view. According to the classic theory of reflection (Porada, 1987), a person (or another object or subject related to his activity) initiates, modifies etc. the software equipment, such as its settings, or otherwise controls the electronic technology. These activities and the changes caused by them are subsequently reflected in the material environment, both inside the technology and outside the environment of the given technology (Cancer, Council, 2004). In terms of communication and information crime, the problem of devices working with data is much broader than just computer activity. In some works of renowned Czech or Slovak authors, we come across the term *computer footprint*, which is used intuitively rather than objectively defined. The term *computer trail* was created in the same time period as the term *computer crime*, i.e. approximately in the second half of the 1980s. It is clear that the term "computer" (trace) is no longer sufficient today, because other electronic devices also leave traces that have the same or similar essence, character, general or individual characteristics as a computer trace. In foreign literature, there are several, very similar definitions which define them by the commonly used term *digital evidence* – in the sense of a *digital trace* (digital evidence) (SWGDE). It should be noted that the word "record" has a special meaning when using a computer. For example, when legally purchased software is used for scanning and then for graphic editing (e.g. Photoshop) to falsify an official document. The application and the computer work completely normally. The only evidence of the act is the data file with the finished result of forgery stored in the computer, and records that it was processed by the given software, at a certain time, by a particular person etc. However, there was no violation of functionality or security measures. In English – in relation to forensic practice – it has the primary meaning of "evidence". We do not find the word "trace" in connection with modern technologies in foreign literature (we may encounter the meaning of "potential digital evidence", which has a close meaning to the term "trace"). The reason is

simple and pragmatically based – foreign theory and practice are strongly oriented towards the outcome of the criminal process, i.e. the trace must be acceptable to the court. Therefore, in the perception and subsequent use of the terms in English, there is an automatic identification of the terms *trace* and *proof* (English: *evidence*) (Cancer, Council, 2004). Today, the most frequently used definition in foreign literature, which can be said to have been accepted by the widest range of forensic specialists, is the definition that was proposed already in 1999 by the SWGDE – Scientific Working Group on Digital Evidence. Digital evidence/record is any informative information stored or transmitted in digital form (Rak & Janíček, 2000). Another definition showing the development of the term is from a lecture by the author of the study in 2011 (Metenko, 2011). A *digital trace* can be defined as any information that is stored or transmitted in digital form and that is related to the investigated event, while it can be secured, fixed and decoded by current forensic or technical means and methods. Our concept is more criminologically oriented, in the sense of the priority of the term *criminalistics trace*: a digital trace is any change in the material digitized environment, characterizing any information – a change related to a criminologically relevant event, which can be investigated by the methods of forensic informatics, is available for examination, stored or transmitted in a digital form (Metenko, Metenko, Hejda, 2005). This definition is open to any digital technology (Rak, Porada, 2003). The digital footprint defined in this way covers both the area of computers and computer communication, as well as the area of digital transmissions (mobile phones, but in the future also digital TV etc.), videos, audio, digital photos, camera data (CCTV) systems, data of electronic security systems, and any other technologies potentially associated with hi-tech crime. The digital footprint must be usable not only for crime control, criminology, but also for general forensic investigations conducted by state authorities (civil-law disputes, commercial law disputes etc.), but also for the needs of the commercial base, for the purposes of independent internal or external audits etc. We define the *digital footprint* to a similar extent even today (Metenko, Metenko, Metenkova, 2018).

Digital traces and their properties and features (Metenko & Bacigal, 2010)

Digital traces, after all, like any other type of criminalistics traces, have their general and individual properties and features, which, from the point of view of law enforcement or other authorities, have typical positive and negative aspects and consequences. These aspects then need to be kept in mind at all times and at all stages of working with digital traces. Digital traces are created by human – user / perpetrator – action, application or system software, digital device functionality, or automatic action from one device to another. This should be the most important element determining the success of their usability for individual criminalistics identification.

Unfortunately, given the current level of knowledge, this is not the case at all. Therefore, to an unusually high degree, digital traces reflect the specific characteristics of high technologies, with the rich diversity of the human spirit of their users. Specificities of digital traces are reflected in their features:

- the mass of digital traces as field traces,
- latency of digital traces,
- time traceability of digital traces,
- high content of digital traces,
- very low life span of digital traces,
- large data volume of digital traces,

- the data density of digital traces is declining with the development of new technologies,
- extreme dynamism of the digital trace environment,
- heterogeneity and complexity of the digital trace environment,
- space location with digital traces,
- high level of data protection,
- the digital trace is automatically identifiable and processable by specialized means,
- high level of eradication of digital traces by qualified offenders,
- partial or complete restoration of destroyed digital traces,
- originality of digital traces,
- currently, the low level of investigation and judicial acceptance of digital traces in legal and forensic practice,
- the preservation and quality of digital traces is influenced by a number of subjective factors,
- manifestation of digital traces as field traces.

Manifestation forms of digital traces

Digital traces can take different forms and there are different ways of classifying them. According to Bemmami (2022), who first introduced a model for their classification, digital traces will appear in one of the following three forms:

• *Records (logs)*. Correspond to event documentation and relate to a specific system that is automatically generated at a certain time. Records are generated by virtually all software. The use of protocols requires full access to the core of the digital instrument in order to extract the protocols.

• *Tags*. These are elements of information (such as web page bookmarks, computer files or databases).

• *Text elements*. These are any written elements that are generated through a digital solution (e.g. e-mails, PDFs, electronic books etc.).

Another division of digital traces is into active and passive. An active digital footprint is one in which the user actively participates, for example, by creating profiles on social networks, sharing photos, writing emails, filling out registration forms etc. Passive digital footprints are those that we unintentionally create just by using the Internet. These traces are also called a *digital fingerprint*. This includes, for example, cookie files, website activities, IP address records or records of the device used etc. (Totalservice, 2022). Another example of a passive digital footprint are various public lists, where everyone can be relatively easily found. From the point of view of private access to the digital footprint, it is important to characterize the sources of the footprint: there is a large number of sources that help shape the digital footprint. According to Cheng and Wang (2018), it is all the activities on the Internet that help to track and record. The tools used to create a digital footprint can be divided into functional elements in the online space and hardware equipment.

First, the functional elements in the online space will be presented:

• *Cookies*. Cookies are data files that are stored when you visit a website. Website operators use cookies for the reason that they help them, for example, in analysing how web users behave. The collection of data from cookies is particularly useful for SEO,

setting the right UX or for online marketing. Thanks to cookies, web operators can obtain information, for example, about the number of visits to the website, which URLs are the most visited on the website and which are not. For users, cookies have the benefit of personalizing the content on the website (e.g. setting language preferences or preventing the contents of the basket from being deleted when you leave the e-shop) (Marčíková, 2022). Overall, cookies help to get an overview of what is happening on the web. In relation to the creation of a digital footprint, the advantage of cookies is that it is possible to get rid of them relatively easily. If a website uses cookies, it must ask for permission to use them (Givens, 2019).

The following elements are used to monitor the movement of people in physical space (Trivedi, Vasisht, 2020):

• *Bluetooth.* It is a protocol for wireless connection over a short communication distance of up to 100 meters using radio waves. Thanks to the fact that smartphones are ubiquitous and usually have Bluetooth turned on, they become a very promising candidate for digital surveillance.

• *GPS (Global Positioning System).* It provides geographic location and time information as GPS equipment moves through a set of radioactive GPS satellites. GPS provides the means to track any smartphone. This is a very good prerequisite for following a digital trail, as most smartphones around the world support GPS. GPS tracking fails in two ways. The first of them is the question of privacy ("Am I being watched?"). Another disadvantage of GPS is that it fails in tunnels and in indoor spaces, where the error rate of determining the position reaches a range of up to 10 meters.

• *Wi-Fi.* As already mentioned, GPS tracking can be used mostly in outdoor areas. Since people spend approximately 80% of their time indoors, there is a need to find a solution to track contacts while they are indoors. Wi-Fi networks are available in most indoor areas. With corporate Wi-Fi, there are several connection methods (Access Points = AP) and user devices are constantly connecting and disconnecting and moving between individual APs. Inside businesses, most people carry their mobile phones with them. Thanks to this, it is possible to derive the trajectory that the workers outline. At the same time, it is possible to observe the time spent by workers disconnected from individual APs. For tracking – searching for private digital traces to a typical variation of options. Peters (2022) names two types of algorithmic tracking, which are: simple algorithmic tracking and psychometric tracking.

Simple algorithmic tracking. This method is used, for example, by Amazon or Netflix, and is used to track past purchases made by a given user, ratings, items viewed, or behaviour as a web user. Based on this information, it is then possible to create a user profile and find other similar users whose ratings, purchases and viewed items are similar. Algorithms then work like this: they aggregate similar items from these very similar users and then offer to the second user such shopping items as the first user has already bought. During this simple tracking, the algorithms do not work with psychology, they only track similar user behaviour. The goal of the work of these algorithms is to maximize the number of actions that the user takes (likes, purchases etc.). Even though simple algorithms do not operate with psychology, they work because they are based on the facts of how typologically similar users behaved (idem).

Psychometric monitoring. This is a form of processing in which artificial intelligence systems measure and explicitly attribute psychological traits, including personality traits, to website users. It does so based on their online behaviour or other user

data (Rust, Kosinski, Stylwel, 2021). Considering the importance for the common user, it is appropriate to distinguish between good and bad digital traces. Some digital footprints can be beneficial to the user and can improve their time spent online, as the search engine offers a more convenient and adaptive functioning to the user thanks to the digital footprint. In practice, it looks like, if the user wants to order the same meal as last time, for example, the browser simply remembers it. Another positive benefit of the digital footprint in personal life can be that the user can create an impressive self-presentation that will put the given user "in a good light". Compared to the house, a "bad" digital footprint can bring a whole range of negative implications and can lead, for example, to spamming with unsolicited offers, loss of privacy or identity theft (Morgan, 2023). However, even in this case, ambivalence is a typical sign of a digital footprint in its individual private use.

Digital traces can also be divided into:

   • *public:* information publicly searchable on the Internet,
   • *non-public:* information that can only be found by certain authorized users (e.g. friends on social networks),
   • *hidden:* technical records of the connection and device or cookies (Secure Internet, 2024).

Security risks for individual use of digital traces

According to M. Černý (2011), there is certainly a relatively large number of potential risks of browsing the Internet. Cybercrime. A user's digital footprint can be abused in many ways. This may include theft of personal data (information from credit cards, social security number etc.), theft of passwords, e-mail accounts, profiles on social media. The stolen digital identity is then used to commit another illegal act. A whole other issue is the situation where cyberbullying occurs, especially among teenagers who are not fully aware of the impact of their actions and activities in the virtual environment. Černý also confirms that one of the most fundamental risks is the misuse of digital footprint and the subsequent theft of digital identity. Someone who has collected a sufficient amount of data about us can create a fake profile or blog and use it to spread spam or extremist views. An identity thief can also simply impersonate the user without the other party with whom he communicates having any idea. The perpetrator can use this to his advantage – various fraudulent actions where he pretends to be a friend of the victim and states that he needs money in an emergency. Another fundamental risk for Černý is the absolute loss of privacy.

A digital footprint can reveal more about us than we can imagine. The other party can find out the smallest details about us from our everyday life – who we are friends with, what we do, where we work, how much and what we spend, what we like, where we have been etc. Other risks include situations where our personal data, which make up our digital footprint, are used for manipulation in important societal events. The website Totalservice (2022) mentions the data scandal of Facebook and Cambridge Analytica, when this company used the data of Facebook users and, through the analysis of social media and the digital traces of millions and millions of users of the social network, influenced the 2014 US election, the 2016 US presidential election and the Brexit referendum.

Protection strategy for individual use of digital footprint

According to M. Stanley (2023), the ways to protect the digital footprint can be as follows:

1. *The user should actively try to protect his digital footprint.* If the user starts looking for his digital footprint himself, he can easily be very unpleasantly surprised by what he

discovers. His findings can be alarming, as he discovers that he is revealing data that he does not wish to publish at all. In the event that the user discovers data that he does not wish to publish (it is sensitive, incorrect, misleading or inappropriate), the user should contact the administrator of the given website and request its removal, or delete the data himself, if possible.

2. *Use of tools to protect the digital footprint.* Nowadays, there are readily available online tools that can protect user privacy. These are mainly online tools: e.g. Kamo (2024), AntiTrack (Givens, 2019).

3. *Setting stricter privacy protection settings.* Providers of social networks, e-shops, e-mails, web browsers, online meetings etc. often give their users a choice of how to manage their account security settings. Here, the user should decide between the strictness of the protection settings and user comfort, because a very strict setting may decrease the usability of the website or lead to various disadvantages.

4. *Caution on social networks.* The big risk here is that it is never clear who will share the content that the user publishes and on what basis someone else will share it again. Subsequently, what we published in good faith can be misused against us. A big risk in this regard is definitely cyberbullying.

5. *Restriction of mobile application permissions.* Every time the user gives mobile applications consent to access location, camera, contacts or photos, they also make this data available to the application provider. He can pass this information on or keep it for his own use. The user has to think more about why, for example, video game mobile application requires access to his location, contacts etc.

6. *Restrictions on online accounts.* The greater the number of accounts a given user has, the greater the digital footprint he produces. Deactivating accounts that the user no longer needs can help to reduce it. Should the user ask questions? Do I really need several email addresses that I am not using?

7. *Use of a password manager.* A password manager is a software tool whose task is to securely encrypt and create unique and complex passwords.

8. *Two-phase verification.* Sometimes it is also called a two-factor authentication. It is suitable for maximizing the protection of user accounts.

9. *Linking of accounts.* Some service providers allow you to link some accounts and allow users to log in, for example, via Facebook or Google. In this way, the user increases the possibility of potential tracking.

10. *Use of VPN (Virtual Private Network).* It hides the IP address and thereby partially covers the digital footprint. Thanks to VPN, it is also possible to conduct anonymous online communication with the help of encryption. It also prevents third parties from collecting search history.

11. *Request deletion of data.*

12. *Deactivation of accounts that we do not use.*

13. *Do not use public Wi-Fi network services.* If we use them, others can eavesdrop on conversations, steal passwords or capture unencrypted data. Always use anonymous browsing and VPN when using a public Wi-Fi network.

14. *Anonymous browser mode.* Clears cache, browser history and cookies.

15. *Use security software* – anti-virus programmes (some already contain other anti-tracking applications, secure payments, VPN etc.).

16. *Secure accounts with strong passwords.*

17. *Do not share* private information, personal data or login data in e-mail or chat.

18. *Publish only information necessary* for using the application.

19. *Set the privacy of your profiles* on social networks so that information is visible only to friends.
20. *Cancel accounts* for all services that the user does not use.
21. *Turn off location tracking* in applications; turn it on only when necessary.
22. *Set a different password* for each service.
23. *Security software* installed on each device connected to the Internet.
24. *Delete the history* at least once every 3 months.
25. *Turn off location tracking.*
26. *Use of an anti-tracking tool* (DuckDuckGo, Privacy Badger, TrackOFF etc.).
27. *Reject cookies* whenever possible.
28. *Be careful with downloading applications*, as we automatically grant certain data collection permissions to each application – check, allow only the most necessary, put the application to sleep or uninstall if not used for a long time.
29. *Use the Tor browser* (the name of the software system that ensures user anonymity when moving on the Internet).
30. *Do not use a public Wi-Fi network* (Etechblog, 2022).

CONCLUSION

In the study, the authors tried to analyse the theoretical knowledge of the use of digital traces in criminalistics and privately, from the perspective of usability of digital traces. They outlined this problem from two different points of view, including a brief description of the digital trace theory. Within the vision of significantly wider possibilities of use in criminalistics and forensic research, they point out to the possibilities of exploring digital traces and their content, as, unfortunately, still a new part of criminal activities (Sachypov, Mirzanov, 2021). The basis for this analysis is, so far, probably the only one comprehensive work in Slovakia in this area, especially the content of its first part. The detailed processing of the knowledge was carried out as part of the research within the project of the Centre for Excellence in Security Research, including three large outputs by dissertation authors involved in the project. Digital traces are typical of crimes related to the misuse of information and communication technologies; this is a typical opinion of most experts.

At present, however, they already make up a significant part of traces of any crime. Some results show that, in reality, there are 80-90% of cases where digital traces occur, and our estimation is similar. The inconsistent knowledge not only about digital trace theory, but also about their forms and types, is a theoretical barrier for their (non-) use. Unfortunately, there are major shortcomings in the field of police use of digital traces, according to the previously published research. However, as reality shows, these traces are now part of virtually every activity in our lives today. The authors of the study distinguish between a number of classifications of traces in criminal activities – many types of digital traces. The extensive research carried out as part of the research activity 3.3., both during and after the project (Centre for Excellence in Security Research, ITMS Code: 26240120034, co-financed by the Operational Programme Research and Development), showed a great diversity of the basic features of digital traces.

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COMPUTER FORENSICS IN THE FUNCTION OF CRIMINAL INVESTIGATION IN THE REPUBLIC OF NORTH MACEDONIA

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Abstract

Computer forensics has an increasingly important function in the forensic investigation of crime, both in traditional and computer crime. The term "computer forensics" refers to the application of scientific methods and techniques for the purpose of identification of perpetrators, collection, analysis, selection, storage and presentation of electronic evidence in order to successfully conduct criminal proceedings against perpetrators and contribute to proving their criminal responsibility or guilt. Applied computer forensics in criminal investigation is needed in criminal situations when there are indications that on a computer or in a computer system there are potentially important evidentiary materials relevant to a specific criminal case and its clarification and provision of evidence. Electronic evidence relating to the identification of a perpetrator, presence at the scene of an event, movement of the perpetrator in the space or location of the criminal event as well as evidence relating to the fact that the computer and computer systems are a means of execution or an object of a criminal attack. Computer forensics contributes to criminal research to provide solid and relevant evidence acceptable to the judiciary in the process of evaluating evidence in criminal proceedings.

The paper will make a theoretical analysis of the methods and techniques of computer forensics and the steps of criminal investigation and provision of electronic evidence, as well as an analysis of the scope, structure and dynamics of computer crimes in the Republic of North Macedonia for the period 2019-2023 with application of statistical and comparative research method.

Keywords: computer forensics, criminal investigation, electronic evidence, computer system and computer data.

INTRODUCTION

Computer forensics is a scientific discipline that deals with the provision, analysis, storage, and presentation of electronic traces and evidence significant for forensic investigation of computer and other forms of crimes. The term "computer forensics" or "digital forensics" means the application of scientific methods in order to identify, collect and analyse data while preserving the integrity of the original evidence that is sensitive, easily deleted, changed and thus compromised. Specific forensic tools enable recovery and analysis of deleted, customised and temporary data that are not visible under normal conditions (Randjelović & Bogdanović, 2010).

With the increasing application of information technology in all spheres of social life, business operations, business and private communication and the introduction of e-

Government for digital operation and archiving of objects, the possibilities for abuses and criminal activities of individuals and criminal groups are increasing. In order to shed light on and secure evidence for a crime, a special branch of forensics is being developed, computer forensics, in which, through the use of appropriate digital tools, evidentiary materials that are memorized, generated or stored in any computer medium or used for electronic communication via the Internet can be found, provided, stored and made visible to the judiciary and they are used in criminal proceedings to prove criminal responsibility and appropriately sanction the perpetrators. However, digital evidence is becoming more and more necessary when shedding light on and proving other forms of criminality, namely economic-financial criminality, classic criminality with or without violence, illegal drug trade and crime related to endangering the constitutional order, sovereignty and integrity of the state. Computer forensics, in addition to extracting computer data in the form of images, text, financial calculations, sound etc. it also includes recovery of deleted data. Computer forensics experts can go through the hard drive of a "compromised" electronic device, whether it's a computer, mobile device or other automated data processing device, to find deleted and hidden evidence of criminal activity.

The trend of cloud storage of computer data and their download from the cloud is developing more and more, this is the reason for developing digital forensics also as "cloud forensics" exactly, for providing and making visible and useful data for criminal investigation and criminal procedure.

Computer forensics deals with the collection of digital evidence from a computer crime scene. The scene of computer crime, according to Peter Stevenson's explanation, is one computer (or multiple computers) attacking another computer (or multiple computers) through some means. It is important that the evidence obtained from the computer crime scene can serve as evidence and that the evidence is complete in the context of the event being investigated. In every computer incident there is a source, a path and a victim. What needs to be answered first is whether it is a computer incident, because quite often suspicion of a computer incident after the provision of evidence is clarified that it is not an incident – a crime, but a technical error or something else (James & Norby, 2009).

Computer forensics will continue to develop and will be a powerful technique for the discovery of all types of electronic evidence, in parallel the legal regulation should be developed that will allow them to be legally found, extracted, properly stored and preserved for that they can be properly applied in the criminal procedure. In view of this, the Macedonian criminal procedural legislation foresees legal measures and actions that should be applied in order to secure the electronic evidence, but also the way of their presentation before the courts.

Electronic evidence is crucial for shedding light on computer crimes, and depending on the nature of the crime, electronic tools and techniques are applied for their provision and analysis. However, when investigating other crimes, there is often a need to provide electronic evidence related to the preparation of criminal acts, the organization of the perpetrators and their electronic communication, evidence related to the very act of execution, which is recorded by cameras in object or cameras of surrounding objects, but also cameras that are installed according to the "safe city" programs, all these parts should be inspected, found, secured and properly recorded on a medium that will be used in the further investigation. In typical computer crimes, it is that they are committed with the help of a computer, computer data, or the computer is the object of a criminal attack as well as computer systems. Depending on the type of computer incident, appropriate measures and

actions are taken and tools are applied to provide relevant electronic evidence, and computer forensics has exactly that role.

Computer forensics is necessary for the criminal investigation of computer crimes in order to secure electronic evidence from all types of media, but also from electronic communication. However, in order to ensure them in a legal way, the Macedonian legislator foresees legal measures and actions for securing computer evidence, their seizure, analysis and presentation, but for complete clarification, other operational-tactical measures, investigative actions and special investigative measures and actions. Operational combinations are planned and implemented, and in coordination with the public prosecutor, the criminal investigation leads to a complete clarification of the criminal situation and provision of relevant electronic evidence provided in a legal procedure and in compliance with operational procedures.

FORENSIC INVESTIGATION OF COMPUTER CRIME

The forensic investigation of all forms of criminality starts from "general suspicion" and through operational work, criminal investigators by applying legal measures and actions of collection, data analysis, work to "provide a degree" of "grounds of suspicion" in order to cooperate an operational combination is planned with the public prosecutor with the aim of fully revealing and shedding light on a criminal situation and, based on the provided evidentiary materials, significant investigative actions are taken to determine their "incriminating value", which is necessary for the initiation of charges and the successful conduct of criminal proceedings. In today's era when information technology has a massive application, criminal investigation is also aimed at collecting and analysing electronic evidence to answer specific criminal questions. By analysing the computer devices, the exact time of the criminal activity is determined; the method of execution and the means used (in classic criminality) are determined; the time of preparation of financial documents is determined, from which computer they were prepared, with whose code they were prepared and sent to a specific electronic address, payment and payment after submitted financial documentation are determined and accounts to which payment was made and the banks through which it was made are determined payment made – payment etc.

Example 1. Application of computer forensics to shed light on the murder of Croatian handball player Denis Tot. On April 7, 2022, around 3:30 a.m., in front of a night club located in the City Park, there was a verbal argument between the person D.T. (28) from the Republic of Croatia, with temporary residence in RNM and persons A.Gj. (28), K.L. (19) and A.K. (22), all from Skopje, during which the three attacked and hit D.T. on the head. of which he fell headfirst on the asphalt and lost consciousness. After receiving medical help at the Urgent Centre at the "Mother Teresa" Clinics with resuscitation and putting on breathing apparatus, in a critical condition, he succumbed to his injuries on April 8, 2022. In the process of criminal investigation, video recordings from security cameras, Safe City and the night club were provided, they were picked up and examined by the relevant services of the Ministry of Internal Affairs (https://mvr.gov.mk/vest/19973). After analysing the footage from the security cameras, the criminal roles of the perpetrators in the criminal event were determined, after which an indictment was filed by the Basic Public Prosecutor's Office in Skopje due to the existence of reasonable suspicion of committed crime "Murder" under Article 123 1 in connection with Article 22 of the Criminal Code. https://jorm.gov.mk/podneseno-obvinenie-za-ubistvoto-na-denis-tot/

The complete clarification of the mentioned case by determining the method of execution, the use of physical force and the blows inflicted on the head and body of the victim and determining the complete chronology of the criminal event, is with the help of the provided recordings and their analysis and by connecting them with the findings of the forensic autopsy determined the criminal responsibility of the perpetrators for whom a final court verdict was issued for the first two sentenced to 18 years in prison and the third sentenced to 16 years in prison. It follows from this that the role of electronic evidence and the performed computer forensics of securing, extracting, analysing and presenting the footage from the cameras as key evidence for the committed crime of murder as a classic crime is important. The application of computer forensics has a significant role.

Example 2 of computer forensics in uncovering computer fraud. The Department of Computer Crime and Digital Forensics at the Ministry of Internal Affairs, in coordination with the Public Prosecutor's Office, opened a case for the crime of "Computer Fraud" against one perpetrator from Veles and against two perpetrators for assisting in the execution of the computer fraud. The suspect of computer fraud acquired illegal SIMBOX equipment and together with the other two perpetrators procured SIM cards and enabled the use of the equipment, while performing illegal termination (transmission) of GSM traffic in the radio frequency range assigned to two mobile operators. In this way, in the period from September 2018 to April 2019, the applicants obtained illegal property benefits of a total of 295,155 denars. In April 2019, after previously established "grounds of suspicion" and received an order from a court for a search of a home in Veles and Skopje. During the search in Skopje, two routers, a memory card and other items were found and confiscated. And, during the search in Veles, a SIMBOX device with a charger, a mobile phone and a large number of SIM cards were found and confiscated (https://mvr.gov.mk/vest/8944).

In the mentioned case, a search measure was applied to find and confiscate computer equipment and other media and items for computer forensics and to shed light on the case, as well as providing electronic evidence to prove the crime of "Computer Fraud".

The criminalistics research where computer forensics is necessary based on the analysis of the previous three examples for the full clarification of classic and computer crimes is evident and necessary in order to determine the criminal role of the perpetrators and to determine the manner, time, means of criminal activity and to determine the criminal roles of each of the perpetrators and in the case of property and financial crimes, determining the type and amount of criminal proceeds as well as determining the "movement" of money through accounts. In criminal investigation, complex operational combinations are planned and implemented. As the most applied measures and actions provided by the Law on Criminal Procedure (The Official Gazette of the Republic of Macedonia, No. 150/10...198/18) are search (Article 181 – 193), search of computer system and computer data (Article 184), temporary securing and confiscation of objects or property (Article 194 - 204), where temporary confiscation of computer data is provided for (Article 198). The mentioned investigative actions are undertaken with a court order, but in certain "urgent" situations, they are also carried out without a court order, for which an appropriate written document is drawn up to explain the urgency. The Macedonian legislator accepts "video and electronic evidence" as evidence in criminal proceedings. Evidence by recording photos, films or other audio or visual recordings obtained by

technical means can serve as evidence in criminal proceedings, with them as with other objects that can be used as evidence, taking care not to damage or destroy them and to preserve its content in an unaltered form., therefore, if necessary, necessary measures are taken to preserve the recording in an unaltered form or to make a copy of it., the content of the recording is determined by reproducing it, which is done by experts (Article 250). The electronic evidence that is extracted and provided after the previous temporary confiscation of computer data is provided as a means of proof.

In the operational planning of the operational combinations for shedding light on and providing evidence for computer crimes and other crimes where it is necessary to hack computer systems, namely: monitoring and recording of telephone and other electronic communications; monitoring and recording in a home, closed or fenced space belonging to that home or business space designated as private or in a vehicle and entering those premises for the purpose of creating conditions for monitoring communications; covert monitoring and recording of persons and objects with technical means outside the home or business space marked as private; secret inspection and search of a computer system; automatic, or otherwise, search and comparison of personal data and insight into telephone and other electronic communications.

The effectiveness of criminal investigations begins with initial suspicions reported in police daily operations, which evolve through escalating levels of suspicion and the implementation of operational measures. These actions include both operational-tactical measures taken without court orders and investigative actions conducted under legal authority, such as special investigative measures. In cases requiring the review of camera footage or other electronic materials, swift and accurate action is crucial for timely preservation of electronic evidence. Computer forensics play a pivotal role in uncovering relevant evidence necessary for successfully concluding criminal procedures and imposing appropriate sanctions on each perpetrator according to their role in the crime, in accordance with the penalties prescribed for specific offences (Nikoloska, 2013).

COMPUTER FORENSICS

Computer forensics aims to provide, extract, analyse and secure electronic evidence, depending on the criminal situation, the electronic evidence should be connected, chronologically analysed in order to fully shed light on the crime and answer the golden criminal questions. First and foremost is to shed light on the question: What happened? Whether it is a computer incident with elements of computer crime and what electronic evidence is required for full clarification. Precisely because of this are the reasons for the existence and application of computer forensics.

The reasons for the existence of computer forensics are as follows: (https://www.datasolutions.rs/kompjuterska-forenzika.html)
- The mass use of computers for business, administrative and private purposes.
- Most of the ways that computer data can be hidden – hidden, encrypted, data in sectors of the hard disk that are invisible to the operating system.
- Deleted and damaged data.
- Evidence that is necessary for the criminal police, the prosecution and the court.
- History of the used computing device.

Computer forensics provides all the necessary skills to identify computer incidents, discover and assemble all the evidence necessary to classify a criminal case. It is very important that the case is well explained from a criminal legal point of view with all the

elements of a specific computer crime. Forensic research should provide answers to key questions in the investigation process, namely: Is the computer or computer system the object of a criminal attack (victim)? Does the computer have a direct or indirect role in the execution of the criminal activity (means of execution?, and Does the computer have the role of a "suspect" – a compromised computer? (Stevanović, 2020).

Forensic scientists have strictly defined rules for securing the media (hard drives and all other secondary data storage media suspected of containing digital evidence, securing them from any changes and from the large amount of computer data they must find relevant and sustainable evidence. Computer forensics plays a major role in tracking potential perpetrators of criminal activities, and this is achieved by identifying illegal activities, securing electronic documents, building a "chain of custody over electronic evidence", their analysis and presentation Electronic evidence can have an exculpatory character or, based on it, establish "grounds of suspicion" for a committed crime, for a potential perpetrator, have a connecting character for connecting perpetrators or shedding light on a "chain of criminal offences" from an organized crime, criminal group with a national or international character.

Computer forensics examines all media for data extraction (FDD, HDD, USB Drives, CD/DVD ROM, Tape drives etc.) in order to find and analyse documentation or other electronic evidence. With the global dissemination of the Internet and the globalisation of computer networks and systems, computer network forensics is increasingly developing, which, in addition to investigating a computer or other computer device, expands its research work within the framework of the investigation of the "virtual world", all electronic communications and all used electronic devices (gsm, gps, digital cameras, digital cameras, "smart" phones, PDAs etc.) (Ćosić & Bača, 2010).

Digital evidence

For the purposes of a criminal investigation, it is often necessary to provide the following types of data for computer incidents: subscriber data – information to identify the user of a specific Internet Protocol (IP address) or IP addresses used by a specific person. they represent part of the data that can be obtained from registries of domain registrants; Internet traffic data – represent log files where the activities of the operating system of a certain computer system or of other software or of communications between computers, especially the source and destination of the messages, are recorded; content data – this type includes messages, images, movies, music, documents or other data. There is a difference between content that is stored, that is, data that is already available on a computer system, and content that needs to be stored in a future period, which is not yet available and will have to be obtained in real time (https://www.osce.org/files/f/documents/c/0/337111.pdf).

The goal of computer forensics is to provide electronic evidence based on the use of forensic tools, techniques and methods of extracting, analysing, securing and storing electronic evidence materials and, based on them, defining "relevant evidence" that has a direct – immediate or indirect – intermediate meaning in determining the criminal responsibility of the "suspect", and after the investigation procedure of the "accused", so that after the criminal procedure is completed, it ends with a "convict" for a specific crime committed.

The problem with electronic evidence is that it does not have a material component like in classic crime, which is a fingerprint, blood stain, wounds from a weapon or a

firearm, it is invisible evidence, hidden in computer devices, other media or computer data that are "move" in electronic communication, or electronic data stored in the "cloud".

Electronic evidence has its own characteristics, which are (Mohay, Anderson, Collie VelRodney, & McKemmish, 2003):

- A large number of potential suspects. The Internet, due to its anonymity and non-existent standards, can offer the identification of a large number of persons - potentially suspects.
- Identification of "transgression". In computer crime, the nature of the offenses is less obvious and immediate. For example, if a hacker steals "confidential" information, the victim may not notice that it has been compromised until notified by an administrator, which is already too late after the intrusion. Identity theft is one of the crimes that has the biggest growth factor in cybercrime, and it can be detected only after several years.
- Too much potential evidence. In computer forensics, it is sometimes necessary to make an attempt to set up a working hypothesis, which is broad, and then narrows during the investigation. In order to achieve this, not only electronic evidence is crucial, the investigators should know the nature of the offence and work on narrowing down the hypothesis by operationally combining traditional and electronic evidence. It all depends on the severity of the offence.
- Susceptibility to contamination. Traditional evidence is mainly provided from the scene and processed in appropriate laboratories and a result is obtained. In computer forensics, all steps in the investigation must be taken by applying actions to preserve the initial state, respecting operational procedures, and how serious this is shown by the fact that restarting the computer drastically changes the initial state, and the evidence may not only to be contaminated, but lost forever: Easy loss of evidence. Losing evidence is a cardinal mistake that should not happen, even to beginners, not to mention experienced computer forensics. Sometimes the reason for this is ignorance, but all this should be minimized.

VOLUME, STRUCTURE AND TREND OF DETECTED COMPUTER CRIMES

The presentation and analysis of statistical data related to cybercrimes are needed for comparing the most frequently perpetrated acts and for the process of disclosing and/or reporting, even sanctioning the suspects involved in this type of crime. The statistics are also important in the context of improving the process of criminal investigation and in the direction of paying attention to the forensics of providing electronic evidence acceptable for the judiciary and relevant to the confirmation of the crime in line with determining the degree of guilt of the perpetrators. Due to this, the UN Organization adopted the Dublin Declaration in 2003. The Declaration comprises of ten recommendations, and the Sixth one determines the need for building a European system of crime statistics and adopting a strategy for producing information necessary for the analysing and following the global tendencies related to this crime.

In the Criminal Code of the Republic of North Macedonia (The Official Gazette of the Republic of Macedonia, No. 37/96 .... 188/23) several computer crimes are

systematized, but in the research for the period 2019 – 2023, data was processed only for those computer crime acts for which data is recorded in the Annual Reports of the Ministry of Internal Affairs, which includes the Department for Computer Crime and Digital Forensics, whose competence is the operational work for detecting computer crimes and digital forensics for securing, analysing and "keeping" the electronic evidence.

Table no. 1. Volume, structure and trends of detected computer crimes in the period 2019 - 2023

Type of criminal offence	2019	2020	2021	2022	2023	**Total**
Damage and unauthorized entry into a computer system	65	85	71	138	113	**472**
Computer fraud	12	3	6	6	22	**49**
Abuse of personal information	19	/	/	14	41	**74**
Production and use of a fraudulent payment card	8	18	12	35	14	**87**
Endangering security	29	28	29	27	38	**151**
Dissemination of racist and xenophobic material via a computer system	27	16	30	51	42	**166**
Production and distribution of child pornography	6	2	4	5	11	**28**
Showing pornographic material to a child	4	4	5	6	6	**25**

Enticing adultery or other sexual activity of a child under 14 years of age	/	2	2	3	1	**8**
Total	**170**	**158**	**159**	**285**	**288**	**1060**
Reported perpetrators	124	88	114	220	186	**732**
Unlawful property benefit in millions of Denars	42, 6	12, 6	19,6	15,7	44,1	**134,6**

According to the analysis of the statistical data published in the Annual Reports of the Ministry of Internal Affairs of the Republic of North Macedonia for the research period 2019-2023 (https://mvr.gov.mk/) for revealed and solved computer crimes for which criminal charges have been submitted to the competent public prosecutor's offices for further action. In the process of shedding light on and providing evidence for the mentioned crimes, the main role is played by computer forensics in terms of extraction, selection and analysis of electronic evidence and their adjustment in a form that is acceptable to the judiciary.

In the investigated period 2019–2023, of the total number of crimes 1060, the most represented is "Damage and unauthorized access to a computer system" with 44.5%, 15.7% are "Spreading racist and xenophobic material via a computer system", 14.2% are "Endangering security", 8.2% are "Making and using a fake payment card", 7% are "Misuse of personal data", 4.6% are "Computer fraud", and 5.8% are "Sexual abuse of children with elements of child pornography and enticement of children up to 14 years of age".

According to the number of reported perpetrators for the investigated period, a total of 732 persons were reported for committing 1060 criminal acts, which indicates the fact that one perpetrator appears as the perpetrator of several criminal acts and that there is repetition.

The most committed computer crime is "Damage and unauthorized access to a computer system" with 472 crimes, analysed by years of the research period, its progression or increase is observed from 65 crimes in 2019 with an increase until 2022 of 138 crimes or that is an increase over 100%, with a slight decrease in 2023. This computer crime is basically property and financial, as the motive for execution is the acquisition of illegal property benefit, and according to the method of execution, unauthorized entry into a computer system and abuse of financial accounts and extraction of financial assets are most often used. Most often, these are "hacker" intrusions into a banking financial system or unauthorized use of other people's payment cards or data from them and their use to

extract financial resources. The data on unlawfully acquired property benefit precisely indicate the motive of the perpetrators. The perpetrators have the same motive when committing the crimes "Computer fraud" and "Making and using a fake payment card", although the number of detected and prosecuted crimes is smaller, the damage caused is evident. Criminal acts of "Computer fraud" are a total of 49 and they have a continuous increase over the years, while the "Production and use of a fake payment card" are a total of 87, a greater increase is recorded in 2022. From the perspective of the motive of the perpetrators, acquisition of illegal property benefit, all three listed crimes have the same motive, but they differ according to the manner and methods of criminal action, and the means of execution is the same computer and misuse of computer data. For a more complete analysis of the type and amount of the benefit gained or the damage caused, a more comprehensive analysis of each individual case is needed, because the problem of keeping statistical data on criminality is constantly emphasized, but summary data on all crimes are still kept in the police reports. The problem of comprehensive statistical recording of crime data, especially individual forms and their massification, such as computer crime, is constantly pointed out in order to perceive the phenomenological characteristics (emergent forms and shapes, scale, structure and dynamics), to identify the occurrence and the relationships of etiological significance – causes and conditions that favour the execution of specific criminal acts, in order to set up programs for the prevention, elimination and eradication of crime (Arnaudovski, 2008).

From the point of view of inflicted financial damage or acquired illegal property benefit according to the data shown in the annual reports of the Ministry of Internal Affairs for the period 2019-2023, **it is a total of 134.6 million denars and analysed by year, the highest amount is in 2023 - 44.1, 2019 - 42.6, the lowest is in 2021 with 12.6 million denars.**

In second place is the computer crime of "Dissemination of racist and xenophobic material via a computer system", with a total of 166 crimes detected, of which 51 were committed in 2022, and a smaller number of crimes were recorded in previous years. This crime is characterized according to the motive of execution, it is an act of "hate" which causes fear, insecurity or insecurity among a certain group of citizens who differ from others on the basis of race, religion, nationality, politics or other affiliation. This crime is serious and directly affects the security situation in certain parts of the country, and this is a serious reason why this problem should be monitored and investigated in the direction of building suppression policies.

In third place according to the number of crimes is "Endangering security", which is in a constant slight increase for all 5 years with an increase in 2023 with 38 crimes, which is an increase of 33%.

Sexual abuse of children under the age of 14 through a computer system is manifested through three criminal acts: "Production and distribution of child pornography" – 28, "Showing pornographic material to a child" – 25, and "Enticing adultery or other sexual activity of a child under 14 years" of age with 8 crimes. That is a total of 61 crimes, but according to the fact that children are victims of this criminality, it is a serious indicator that this problem needs to be investigated separately and more policies to suppress it and preventive measures to protect children from sexual abuse should be built.

CONCLUSIONS

Computer crime is committed in the Republic of North Macedonia in many ways and forms, so that the perpetrators' main motive is the acquisition of illegal property benefits. Hate crimes through a computer system are also forms of computer crime, but threats to security, abuse of personal data are also represented. As an indicator that children are also victims of computer crime, the fact that criminal situations with sexual abuse of children by exploiting and abusing children for child pornography. Children are also lured through social networks for their sexual abuse. The variety of computer crimes indicate the need for computer forensics for the extraction, analysis and presentation of data that is created, generated and stored in the computer, but also data that is contained in other media in the form of photographs, recordings etc. such as electronic evidence of child pornography. Computer forensics is increasingly being used in criminal investigation and proving computer crimes. It also has its application in solving other serious crimes.

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EFFECTIVENESS OF CRIMINAL INVESTIGATIONS INTO ENVIRONMENTAL CRIMES

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Abstract

Environmental crimes are a unique type of crime with specific characteristics. There is a special methodology which we can apply for combating this type of crime. During the investigation process, we can use specific operational and tactical measures and investigative actions. Organized forms of environmental crime in the country are an additional complication.

But the question arises, is the criminal investigation into environmental crimes effective? Namely, there are cases of criminal charges that have not been processed, no indictment has been filed etc. There are also many suspended sentences and fines by judges, which makes the prevention of this type of crime problematic. The purpose of the paper is to analyse the criminal investigation and to detect the weak points of the investigation.

For the preparation of this paper, the method of content analysis was used, in order to answer the question regarding the quality of the investigation into environmental crime.

The main findings of the article are the conclusions about the reasons that lead to an ineffective investigation. These are several points that are crucial for the successful completion of a crime investigation.

Keywords: environmental crime, investigation, efficiency

1. INTRODUCTION

Environmental crime poses a serious threat to safety and the environment and nature, because there are a large number of crimes that directly or indirectly threaten the environment, humans, as well as animals and plants. Environmental crime is high on the agenda of several international institutions and organizations, such as: the United Nations, Interpol, Europol and many others. There are numerous illegal activities that individuals, as well as organized criminal groups, undertake in order to commit environmental crimes. By committing these crimes, the environment and nature are endangered in a variety of ways, and the motive is usually the acquisition of illegal property benefits. Taking into account the earnings of the perpetrators, it becomes clear why environmental crime has recently become relevant worldwide.

According to Interpol data, "Environmental and wildlife crime has become one of the world's largest and most profitable crime sectors and continues to grow as it pushes many species to the brink of extinction. With the black market for illegal wildlife products worth up to USD 20 billion per year, poaching and the illegal wildlife trade has become a major area of activity for organized crime groups and is increasingly linked with armed violence, corruption and other forms of organized crime" (Interpol).

Environmental crimes have their own characteristics, as follows:

- These crimes have a cross-border context, namely a greater number of crimes cover a territory that is outside the borders of national states and the result of the perpetrators' activities has an impact on the international level. The most frequently represented acts on the international level are illegal trade in ivory, illegal logging of forest, and disposal of hazardous waste.
- Perpetrators of environmental crimes use already existing routes for illegal trafficking in drugs, weapons and people. Namely, illegal trade in wild and protected species is carried out along the same routes, which greatly facilitates the criminal activity of the perpetrators.
- Environmental crime very often occurs together with other crimes, such as: money laundering, forgery, fraud, corruption, terrorist financing, even murder.
- This type of crime is characterized as "low risk, high profit" crime. This means that there is a low risk for perpetrators to be discovered, but the material benefits, i.e. the illegal proceeds from the crimes, are very large (Malish Sazdovska, 2014).

2. CRIMINAL INVESTIGATIONS INTO INTERNATIONAL ENVIRONMENTAL CRIME

There are numerous international documents (directives and conventions) that refer to the protection of the environment and nature. One of the most significant is the Environmental Crime Directive, Directive 2008/99/EC on the protection of the environment through criminal law. Based on an evaluation of the Directive, and with the aim of improving the efficiency of investigations into environmental crimes, it has been proposed to:

- "Clarify terms used in the definitions of environmental crime that leave too much room for interpretation (e.g. 'substantial damage').
- Update the Directive by bringing new environmental crime sectors under its scope.
- Define sanction types and levels for environmental crime.
- Foster cross-border investigation and prosecution.
- Improve informed decision-making on environmental crime through improved collection and dissemination of statistical data according to common standards in all Member States.
- Improve the effectiveness of national enforcement chains" (Directive, 2024).

The Directive regulates other weaknesses, and it has been proposed to introduce the environmental crime of ecocide "Where the death of, or serious injury to, a person, have been caused and where these elements are not already constituent for the criminal offence, these could be considered as aggravating circumstances. Equally, when an environmental criminal offence causes substantial and irreversible or long-lasting damage to an entire ecosystem, this should be an aggravating circumstance because of its severity, including in cases comparable to ecocide".

According to the Global Organized Crime Index 2021, it can be concluded that environmental crimes mostly refer to:

- "Flora crimes. Crimes related to flora involve the illicit trade as well as possession of species covered by the Convention on International trade in Endangered species of Wild Fauna and Flora (CITES), as well as other species protected under national law.
- Fauna crimes. Like flora crimes, crimes involving fauna species reflect the poaching, illicit trade in and possession of species covered by CITES, as well as any other species protected by national law. The Index also considers protected marine species, and IUU fishing falls under this category.
- Non-renewable resource crimes. The Index includes the illicit extraction, smuggling, mingling, bunkering, or mining of natural resources. It also covers any illicit activities

related to the trade of such product, including price misinvoicing. The Index covers commodities including, but not limited to, oil, gold, gas, gemstones, diamonds and precious metals" (Index, 2021).

Combating environmental crime is an integral part of investigations and special operations undertaken by international organizations and institutions, with the aim of discovering perpetrators who commit environmental crimes in a cross-border context. According to Europol, "Environmental crime is one of the EU's priorities in the fight against serious and organised crime. These offences can include, but are not limited to the:
- improper collection, transport, recovery or disposal of waste;
- illegal operation of a plant in which a dangerous activity is carried out or in which dangerous substances or preparations are stored;
- killing, destruction, possession or trade of protected wild animal or plant species;
- production, importation, exportation, marketing or use of ozone-depleting substances" (Europol).

According to EMPACT 2022-2025, the 2022-2025 priority related to environmental crime is "To disrupt criminal networks involved in all forms of environmental crime, with a specific focus on waste and wildlife trafficking, as well as on criminal networks and individual criminal entrepreneurs with a capability to infiltrate legal business structures at high level or to set up own companies in order to facilitate their crimes" (Europol).

The document "Advocacy Memorandum. Arguments for Prosecutors of Environmental Crimes" is of particular importance for the suppression of environmental crime on an international level, which regulates certain issues for criminal investigations, with special reference to the measures taken by prosecutors in cases of environmental crimes. At the same time, in relation to the damage that may occur, the following can be listed:
1. damage to the environment;
2. harm to human health;
3. economic damage;
4. other damages; and
5. threat of harm.
With this document, they create the conditions for prosecutors from all over the world to advocate for adequate punishments for crimes against the environment and nature (Malish Sazdovska, 2014).

3. CRIMINAL INVESTIGATIONS INTO ENVIRONMENTAL CRIMES IN THE REPUBLIC OF NORTH MACEDONIA

Suppression of environmental crimes in the country is not at a satisfactory level. One of the reasons that this type of crime is on the margins of social action is the fact that there is no special department in the Ministry of Internal Affairs whose subject of interest would be environmental crimes alone. With such an organizational setup, there is a lack of systematic and continuous activity for preventive and repressive action aimed at environmental crimes in the country.

This finding can be confirmed by some research and analysis of the work of the criminal police. Thus, in the 2021 Assessment of Threats from Organized and Serious Crime, the situation with environmental crimes in the country was analysed for the first time. They conclude that:

- the number of detected crimes is not an indicator of the real situation, and the fact is confirmed that certain threats to the environment are not fully documented and do not have a proper criminal law closure;

- in the period between 2016 and 2019, 685 crimes against the environment and nature were registered in the country, and a total of 822 perpetrators were reported. The crimes of "Usurpation of real estate" – 231, and "Destruction of forests" – 211 dominate (Assessment, 2021).

In order to successfully suppress the environmental crimes in the Republic of North Macedonia, the criminal police need to act efficiently in view of the investigation, the crime scene investigation. and especially in view of the situational expertise.

In the Assessment of Threats from Organized and Serious Crime – mid-term review 2023, it is noted that "environmental crime continues to be a current threat through the illegal use of natural resources, including the threat to life and nature with waste, which is increasing. Environmental crime is tightly intertwined with the legal business sector, with criminal structures from the area managing to abuse legal loopholes and legislative changes for new criminal activity. It is also estimated that the EU is a key centre for certain environmental crimes, such as trade in waste and wild animals, illegal fishing etc." (Assessment, 2023).

In the Republic of North Macedonia, on the other hand, although the threats concern the entire territory, the most frequent crimes are that of usurpation of real estate, endangering the environment with waste etc.

In the 2021 and 2022 reporting period, according to the statistics of the Ministry of the Interior, a total of 379 crimes against the environment and nature were discovered, for which a total of 458 perpetrators were criminally reported. The most common crimes are usurpation of real estate – 154, torture of animals – 67, devastation of forest – 49, polluting the environment and nature with waste – 47, illegal hunting – 21, illegal fishing – 18, as well as other crimes of this type.

It is important to note that, unlike the previous report, a 26.3% increase in environmental crime was found. During this period, there was a threefold increase in unauthorized hunting, keeping and alienation of wild animals and birds, and the number of cases related to illegal exploitation of mineral resources and forest fires has also doubled.

The Assessment also presents data from the analysis of crime detection with waste and pollution, which has increased, and 47 crimes were detected.

However, crime detection has been evaluated as low, because it is estimated that there are crimes committed in the field that have not been processed. Deforestation is still a significant point of environmental crime in the country. Namely, in the reporting period, 220 crimes were registered, 294 perpetrators were reported, 10,338.1 cubic meters of illegally logged timber were seized, and the total material damage amounted to over 12.6 million denars. This crime is related to other crimes, like money laundering, corruption, forgery of documents etc.

4. COMBATING ENVIRONMENTAL CRIMES IN THE REPUBLIC OF NORTH MACEDONIA

For preventive action, it is important to act during control and supervision of certain locations, and for repressive action, it is necessary to take all the necessary measures from the police toolkit in order to identify the perpetrators and bring them to justice. The methodology for combating environmental crimes includes operational-tactical measures and activities, as well as investigative actions that are available to authorized persons who are an integral part of all competent authorities.

Significant role in detecting environmental crimes is also played by the Customs Administration, the Financial Police, the Financial Intelligence Authority, the State Environmental Inspectorate and other competent authorities (Malish Sazdovska, 2013).

There are certain activities carried out by competent authorities to combat environmental crimes in the country, such as the special operation "Gora". With this action, the crime of illegal logging is discovered, proven and clarified. Namely, a large number of members of the Ministry of the Interior, through joint activities in the field, and by controlling the transportation of the illegally logged timber, discover the criminal activity, file the criminal charges etc. This action yields some results, but only in the period when it is carried out.

In the remaining part of the year, when there are no activities related to operation "Gora", the intensity of crime detection drops. Obviously, these and other activities should run continuously, with the aim of systematic and timely monitoring and crime detection. Also, during the international operation "Lake", undertaken by Europol, activities were carried out in the Republic of North Macedonia to discover, prove and clarify a crime related to the illegal trade in glass eel. In doing so, an organized criminal group operating in Europe was suppressed, for which criminal prosecution measures were taken in 2019 against five people who organized the international transport of the eel (Malish Sazdovska, 2014).

There are certain problems regarding the ineffective suppression of this type of crime in the country. According to the Assessment, certain forms of environmental crime, as well as illegal waste management and pollution, are characterized by a particularly low detection rate. This area is assessed as highly threatening, with a large dark number, with no indication of the criminal activity stopping. Organized criminal groups are often part of the organized crime of "Illegal logging".

Illegal logging is quite widespread, with a defined modus operandi by the perpetrators, and with a direct connection to the corruption of members of competent authorities. Namely, corruption is used to facilitate crime, which in the past period has already been confirmed by the arrested persons employed in the Forest Police, the police, the Public Enterprise "National Forests" etc.

Corruption is a particular problem during the combating of environmental crimes in the country. Certain research confirms that in the Republic of North Macedonia there are corruption affairs that indicate the existence of corruption in the field of environment (Malish Sazdovska, 2023).

Suppression of corruption requires application of anti-corruption policies and anti-corruption management system; strengthening the inspection authorities, the police, the prosecution and the judiciary; awareness raising; strengthening the integrity of competent officers; introduction of e-inspector etc.

In relation to determining the effectiveness of criminal investigations, an analysis can be made of the data relating to the reported adult perpetrators of crimes against the environment and nature, with the data on accused and convicted persons, perpetrators of crimes. For this purpose, we will present data covering 10 years, and the share of the categories of reported, accused and convicted persons.

Table No. 1. Reported, accused and convicted adults for crimes against the environment and nature

Year	Reported	Accused	Convicted
2022	162	83	77

2021	189	85	73
2020	146	57	52
2019	214	69	59
2018	191	60	52
2017	151	68	62
2016	236	85	77
2015	164	71	47
2014	137	103	90
2013	217	97	64
Total	1,807	778	653

From the analysis of the data presented in the table, we can conclude that there is a big gap between the submitted criminal charges for adults – perpetrators of crimes against the environment and nature. Namely, out of the 1,807 reported cases, 778 persons or 43% were accused. This points out to a serious issue of rejection of the submitted criminal charges by public prosecutors.

During the crime investigation, the criminal police starts the investigation, which together with the public prosecutor can move to the next stage, i.e. the submission of an indictment, which then ends with a court decision. But in this case, it is established that a large number, more than half of the criminal charges, are not processed further. The question arises as to what the cause of this phenomenon is.

Is the effectiveness of criminal investigations into environmental crimes low because there is a small amount of material evidence, no quality criminal charges etc. This should also be the subject of a separate research in order to determine the reason for the effectiveness of criminal investigations. Furthermore, during the court proceedings, out of 778 submitted indictments, 653 persons were convicted, or 84% of the accused persons were convicted.

These statistical indicators indicate a certain gap that occurs between the stages of the criminal investigation, which should be the subject of interest to determine why the criminal operational activities and investigative actions do not lead to the preparation and submission of quality criminal charges, which the public prosecutors would proceed further in the following procedure.

From here we can conclude that the efficiency of criminal investigations into environmental crimes in the Republic of North Macedonia are not at an enviable level, and a detailed analysis should be performed in order to improve them.

5. CONCLUSION

Environmental crimes are a special subject of interest for international police organizations, but also for law enforcement agencies in the country. The methodology for combating this type of crime is complex. Namely, these crimes are also related to the commission of other crimes that make it difficult to detect, prove and clarify them. The reason for this is the additional aspects of the crimes, which are also related to the crimes of money laundering, forgery of documents, giving and receiving bribes etc.

In addition to this challenge, a challenge for combating this type of crime is the efficiency of criminal investigations, which we can conclude is not at a satisfactory level. In the next period, special attention should be paid to determining the reasons for this phenomenon. Possible assumptions are the non-existence of a special department for

combating of environmental crimes in the Ministry of the Interior, insufficient professional staff, insufficient technical equipment, the existence of licensed laboratories for all types of forensic analyses, insufficient training of public prosecutors and judges and many more.

Suppression of any type of crime is complex and multifactorial, including environmental crime. This means that it is necessary in the next period to strengthen the capacities of the competent authorities, adequate placement with human and technical resources, specialized courses for action in the field, but a special recommendation is the establishment of a department within the Ministry of Internal Affairs that will work only on the problem of suppression of environmental crime in the country. In that way, it will be possible to create the preconditions for the protection of the environment and nature by applying the criminal law.

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APPLICATION OF THE POLYGRAPH IN THE FUNCTION OF PREVENTION AND PROTECTION OF ORGANIZED CRIME AND CORRUPTION

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Abstract

The situation with corruption and organized crime in the Republic of North Macedonia has become increasingly complex since its independence. The indications of the high authorities of the member states of the European Union about the high representation of organized crime and corruption in all pores of social life are getting louder and louder. The concerns relate to the increased indebtedness of the state, the uneven increase of the minimum wage, the average wage, and thus the adjustments of the wage coefficients of the public administration, which will further burden the state budget and may cause greater pressure, and also the danger of inflation.

The situation with the reduced funds in the state budget is even more complicated by avoiding paying taxes by committing crimes in the field of organized crime, corruption crime, and a growing percentage of representation of the grey economy that impoverishes the state budget.

The prevalence of corruption among individuals and groups that have direct responsibility for protecting the state budget is high. One of the measures to reduce organized crime and corruption is the application of polygraph testing, as a mandatory measure for employees in state institutions who have direct responsibility for protecting the state budget.

Keywords: polygraph, polygraph testing, organized crime, corruption

INTRODUCTION

In recent years, the Republic of North Macedonia has ranked high on the list according to Transparency International research as a country with a high prevalence of corruption, distrust in institutions, partisanship at all levels, a high percentage of shadow economy, as well as increasing indebtedness. The reasons for this condition are multi-layered. One of the reasons is the high prevalence of corruption in institutions that have direct jurisdiction to protect the state, protect democratic institutions, but also collect taxes and "replenish" the state budget from which state institutions are financed.

Despite taking more measures to prevent corruption, such as increasing the personal salaries of key government positions, opening a special phone number for reporting corruption, intensified surveillance of border crossings etc., we still cannot boast of reducing corruption, sanctioning crimes related to national security, and damaging the state budget; on the contrary, there are more and more frauds, irresponsibility, loss of court cases before the International Court of Justice, and these are all to the detriment of the state budget, i.e. at the expense of the taxpaying citizens of the Republic of North Macedonia.

Multiple surveys that have been conducted in the last period indicate that corruption will continue with undiminished or even increased intensity in the coming period. What needs to be done in the coming period, among other measures, is the introduction of technical means, primarily a polygraph, in order to determine the integrity of employment as well as of employees of state institutions who have direct jurisdiction to protect the state budget and protect the law and order.

Corruption and Organized Crime Damage the State Budget

The prevalence of organized crime and corruption among civil servants who have direct jurisdiction to protect the state budget, and especially at border crossings, has remained complex since the country's independence. Overall, corruption at border crossings affects two fundamental segments of the country, namely national security and the economy.

Supposedly, if we have only one police officer and one customs officer at a border crossing who are corrupt, the threat to the state is alarming. From an economic point of view, the possible import of raw materials that are not duty-free or are subject to a lower tariff rate than anticipated, allows for a further upgrade of the shadow economy, down to the end consumer, causing enormous damage to the budget of the state. As an example, I would cite the gold trade. In our state, gold has always been cleared annually of only a few kilograms, and if you check the jewellery stores in the country, you will find hundreds of kilograms of gold jewellery. In our country, our citizens have always driven and operate thousands of vehicles with foreign licence plates, and in doing so, without meeting any legal criteria for such a thing, they have evaded customs and other duties, thereby damaging the budget in the millions of dollars. Thousands of vehicles with foreign licence plates that are supposed to be in possession of a green card, are allowed to pass at border crossings without having one. In fact, the shadow economy contributes to our annual GDP at 36% according to the World Bank, and the bulk of the shadow economy starts right from the entry of goods into the country at our border crossings and border lines.

From a security point of view, if we have only a corrupt border officer, narcotic substances, weapons, explosives and perpetrators of terrorist acts could be leaked, which could greatly damage the security and international reputation of the state.

Professionalism and honesty are a top priority for the integrity of law enforcement officers in their conduct. Past decades have shown that the deprivation of liberty of corrupt officials (repression as a function of prevention) does not yield the expected results. On the other hand, the application of technical means used at border crossings behind which the operator is located has also failed to deliver the expected results. **The question arises as to whether there is a way to deal with the evil called corruption at border crossings.**

One possible way to solve this difficult problem is to use the polygraph as an instrument to determine the integrity of all officers working in high-risk border line jobs and of security personnel in general. The use of the polygraph excludes any possibility of influence of a subjective or objective nature. This is a major challenge for any society, a

proposal that needs to be discussed at all levels in order to come to a definitive solution that should eradicate corruption at border crossings and in security institutions.

Polygraph and Polygraph Science as Prevention of Corruption by Checking the Integrity of State Employees

Determining the impact and the positive benefits of using polygraph in the security, civilian-business sector and in the ***fight against corruption*** in the Republic of North Macedonia and in the world; Establishing polygraph science as a separate scientific discipline within forensics, which is essential for detecting and investigating activities in modern democratic societies. The polygraph, as an instrumental technique in detecting lies and revealing the truth today, plays an essential role in criminal investigations, in the selection (***through integrity checks***) of professional personnel in institutions and in the business sector, and, in particular***, has made an enormous contribution as a tool for suppressing corruption*** as a socio-economic devastation habit or "policy" of individuals or organized groups of people who are directed towards a criminal way of thinking and acting in the direction of acquired in a dishonest and illegal manner with profit, power, and status in society.

It is not possible not to mention how much the polygraph science, at its present level of development, in reality reflects the growth of democratic, ethical and moral values where a minimum of invasive means, techniques and methods lead to reliable knowledge, truths and self-confessions, in contrast to the invasive, undemocratic and degrading techniques used in the not so distant past against persons who were most often suspected of committing a crime or a misdemeanourr.

The Polygraph – A Democratic Method in the Discovery of the New Century

The goal and aspiration, today in the 21st century, of the developed democratic societies and states of the world to the greatest extent possible to ensure stability, predictability, security and economic prosperity of every single person or citizen in their community, affirming and maximizing ***respect for the fundamental human rights recognized by all states of the world regardless of belonging to a particular ethnicity, race, gender, religion or nation***. All of this is a bit difficult to achieve in practice, given that in the continuous constant growth is the daily birth rate of people on a global scale, but also the technical-technological development component, which is in a centuries-old search for ways to simplify and at the same time increase the quality of life of people, But let us not forget that in that race, the by-product is the rise of sophisticated and diversified criminality which, through a series of corrupt acts in highly corrupt states and jurisdictions, increasingly requires a more pragmatic and sophisticated approach to the study of criminal activities and the discovery of criminal minds and perpetrators of crimes.

Forensic science is a multidisciplinary science that uses all available knowledge, such as knowledge from the natural, social and technical sciences.

In forensics, this instrument is commonly used to verify the credibility of a statement, first of a suspect and then of witnesses, victims, and other persons of interest to the service that are correlated with an event for which the police or public prosecutor's office is investigating and gathering material evidence. For this reason, the polygraph is also known among the people as a "lie and deception detector". There are many instruments in the world with the technical name POLYGRAPH that are widely used in medicine (psychophysiology and psychiatry), then in meteorology, surgery, civil

engineering, and in general in all fields where measurement techniques are used to record data.

POLYGRAPH EXAMINERS – professional detectors of lies and deception – are experts in the field who conduct examinations of suspected persons through interrogation and interview of persons as well as through a polygraph machine using special tests that are set in a format according to internationally recognized methods and techniques.

The "Polygraph Test Report" abounds in medical, psychological, legal, technical terms and terms. Therefore, you can assume that when using polygraph methods, we often come across terms and terms that are experts in the field and that people often will not be familiar enough with. To this end, it is essential to create a polygraph dictionary that will be useful to the judicial profession who often comes into contact with polygraph reports and expertise.

Validity of the polygraph test

The term *validity* has a popular interpretation that it is identical to the term *accuracy*, as in the following example "This test has a validity of 94%". Although the common understanding is not incorrect, it is just perhaps slightly incomplete. In fact, there are several forms of validity: one can speak of validity based on construction, expression, content, predictability, criterion and validity associated with the criterion, Only one of them has to do with the accuracy of **the decision**.

To determine what we mean by *validity* when we talk about the accuracy of a polygraph test decision, a closer examination is needed. First, what is the polygraph used for? The answer is: to distinguish between true and false statements. However, the polygraph does not and cannot directly reveal the truth or falsehood. Truth and trust are simply mental/mental constructs: they are ideas that we may all understand, but they are not objects or physical things that can be measured in material terms. They are intangible. Constructions and other intangible things cannot be easily detected with mechanical devices, just as a proper polygraph apparatus cannot directly detect constructs such as intelligence, personality, or moods.

What the polygraph actually does is register physiological responses as part of a larger protocol of neuropsycho-physiological testing. If the criterion for the polygraph was, say, a recording of certain physiological phenomena, then it can be argued that the polygraph has near-perfect validity. The latest polygraphs do indeed present those phenomena with impressive reliability. However, this is not the same as determining whether a person is a fraud or a fraud. Polygraph results are used to predict fraud that has already been committed (or, more accurately, post-dict fraud, because the results come after the act of lying). The polygraph, which measures and detects specific actions already performed, does not serve to measure or detect general personal human characteristics. Hence, it can be said that polygraph and associated processes possess *validity related to the criterion*, with the signals and analysis yielding an outcome that corresponds to the construct *fraud*. The current validity of polygraph tests reaches over 94% validity i.e. accuracy in making the polygraph decision by the polygraph examiner (K. Ivanov, 2022).

Forensic science uses knowledge from the natural and technical sciences to solve crimes. In this context, the use of the polygraph (Angeleski M. 2003) as a means of verifying the truth of propositions.

Stages of polygraph testing:

The polygraph test consists of 5 stages:

1. Event Preparation/Analysis
2. Pre-polygraph interview
3. Polygraph Testing by Lie Detector
4. Post-polygraph interview
5. Forensics/Polygraph Test Report

Event analysis: is the stage in which the polygraph examiner obtains basic information about the person and event that is subject to polygraph testing. The polygraph examiner, based on the information, data, and operational analysis, prepares a polygraph analysis, according to which he prepares the strategy for the second stage of the polygraph test. Prepares a strategy for applying the psychological method to the person as well as a strategy for comprehensive forensic and legislative Analysis of the person, information that would be useful to the Public Persecutor for the purpose of forming an indictment and realizing the subject matter under investigation.

Pre-polygraph interview: is the stage in which the polygraph examiner and the polygraph examinee are in the tête-à-tête meeting stage in the polygraph laboratory in which the polygraph examiner, according to the pre-made performance strategy, initiates the polygraph interview with the person who has already consented to the polygraph test under the Police Act and a pre-polygraph biography has been made.

At this stage, the psychological method is operationally carried out on the respondent through a conversation with him, a forensic analysis of the event for which the investigation is carried out and a behavioural decoding of the respondent is performed, i.e., an analysis of his completely verbal, paraverbal and non-verbal behaviour during the conversation is carried out, as well as a comparison of the same with his basic behaviour during this stage of the polygraph test. This stage is the longest, and in criminal investigations it usually lasts hours, while in screening tests for employee selection it lasts also hours, but significantly less than interviewing for criminal events.

Lie detector polygraph testing: is the third stage of polygraph testing where the subject undergoes polygraph testing by applying contact equipment (pneumo sensors, skin galvin sensors, cardio-cuff, and plethysmograph) to his or her body.

After applying the equipment consisting of an array of sensors to the subject's body and torso, the polygraph examiner asks the polygraph examinee a series of questions to which the examinee answers only "yes or no". The neuropsycho-physiological response that occurs at the moment of opening the window in the response zone, i.e., 15 seconds of the stimulus set and the response given by the respondent, that response is measured, i.e., compared with a reaction that is basic, i.e., the reactions of critical questions are compared with comparative questions.

Post-polygraph interview: is the penultimate stage of the polygraph test, in this stage the emphasis is placed on two things: checking and confirming the alibi a second time (the first time an alibi check is performed in the pre-polygraph interview) and permission to express remorse to the respondent for the offense he or she may have committed and attempting to extract the respondent's personal confession by providing material evidence that will be of benefit to the JO in the direction of shedding light on the CPN, of course, does all this insofar as there is a result inherent in the making of a false statement by the respondent.

Expert Findings and Polygraph Report: This is the last stage of the polygraph test in which the polygraph examiner prepares the expert opinion on the case and submits it to

the orderer/applicant for conducting the polygraph test. Most often, the applicants for polygraph tests are the Departments of the Ministry of Interior and the Public Prosecutor's Office (K. Ivanov, 2022).

Polygraph Methods and Techniques
Two basic methods are commonly used for polygraph testing:
1. Diagnostic/Direct Method (Controlled Question Method)
2. Indirect Method (Peak Tension Method)

The diagnostic method or ZCT-MGQT provides for a series of diagnostic and screening tests. Zone-specific tests that use relevant, irrelevant, comparative, sacrificial relevant, introductory and symptomatic questions. Diagnostic tests are divided into direct and multi-facet tests and have the highest degree of accuracy or validity.

From this type of test, a minimum of 3 and a maximum of 5 healthy polygrams are taken for each subject to processing or polygraph testing, after which the results are updated.

It is used to detect crimes, misdemeanours, and in the screening or selection of personnel, as well as integrity tests of employees of institutions and companies.

Indirect method or S-POT - is used in cases when we are looking for something that is completely or partially unknown to us polygraph examiners, it is most often used in a discovery activity, in order to detect what happened, with what object, in what place etc. Tests using the "peak tension" method are done in 3 (three) repetitions for one given topic. The types of questions that are incorporated into this type of test are A series of irrelevant and only one relevant question. These types of tests are unvalidated and do not yet have scientific verification and are used exclusively as orientation/elimination tests.

In court cases, worldwide, wherever polygraph reports have been proven to be inaccurate – most often it is a question of omissions in the conduct of the polygraph examiner (inadequate staff without proper expertise in forensics, law or psychology; insufficiently trained staff – having undergone usually some online training, combined on-line training or rapid in-house training in which the entire corpus of topics both theoretical and practically and is not subsequently adequately tested for each of them separately; It is not uncommon for a polygraph examiner to fail at a stage when the polygraph examiner is tired and decondensed, unprepared to analyse the event well, and because of chronic fatigue to miss a sequence of reactions during the reading of the polygraph (acting on the appropriate object), and less often due to an error on the polygraph apparatus itself.

It is undeniable that, like any science practiced through established validated techniques and methods, polygraph science is authoritative in its field.

Legal framework in the Republic of North Macedonia

Legal coverage of polygraph testing in the country is weak and latent, provided only in the Police Act, the NSA Act, the OTA Act, and the AR Act, while in the developed Western world it is relatively well covered and kept abreast of innovations and inventions in polygraph science. Therefore, in criminal courts across the country, the polygraph report still remains in a limbo situation, i.e. it is left to the individual judge or judicial council on the principle of free judicial persuasion to decide whether to accept the polygraph report as material evidence or to give it treatment only as an orientation-elimination method/expertise during the court proceedings.

In recent years, (from 2020 onwards) the interest and trust of courts and public prosecutors' offices in polygraph expertise has seen an undeniable growth, in order to verify the veracity of the claims of parties to the proceedings, as well as to assist in shedding light on crimes for which pre-investigation and investigative proceedings are being conducted. This growth in confidence on the part of the Public Prosecutor's Office and the courts with the acceptance in given cases and polygraph examination as one of the material evidence in the Republic of Macedonia is based on the improvement of professionalism in working in the Ministry of Internal Affairs and the practice of polygraph activity in our country, by hiring for polygraph operators professional persons with appropriate educational qualifications who are internationally certified and members of at least one of the world's recognized polygraph operators associations such as the American Polygraph Association, which work according to internationally recognized and verified standards, methods, and techniques.

"Fear of Detecting Corrupt Acts" through Analysis of Verbal, Paraverbal, and Nonverbal Behaviour of Polygraph Respondents

In an attempt to sanction corrupt behaviour, lying as a social phenomenon is tied to a complex of "fear of discovery", and consequently strong psycho-physiological changes occur in any person who lies or is afraid of being discovered in his or her corrupt acts, as well as external manifestations and symptomatic changes in the interlocutor.

The strongest instinct in humans is the instinct for self-sufficiency, i.e. survival. Thus, lying (especially among corrupt individuals) is the first and primary defence response when the instinct for self-preservation is threatened. Lying causes mental trauma to the interlocutor, so knowledge of the basic elements, processes, and mechanisms for recognizing false behaviour is basic and necessary knowledge that any successful polygraph examiner should know, master, and practice. To some extent, the human body possesses the ability to collect and process information. Humans interact with their surroundings and other people not only through words but also through a person's emotions as well as their bodily reactions, energy, and overall expression. Without communication, there is no interaction at all.

The symptomatic image of the interlocutor complements the content of verbal communication, sometimes by emphasizing what is being spoken, sometimes it may be by changing the meaning of what is verbally said or communicated, however, it has been proven many times that non-verbal communication is also an independent way of communicating with another person and that it can point us to something that we often cannot even through verbal communication And we do not know how to communicate and adequately explain it to the interlocutor.

Without monitoring and understanding the symptomatic picture of the interlocutor, we would not be able to understand people's social behaviour. The symptomatic picture is often immediate, and the reaction on the other side is often immediate. For example, through the symptomatic image of the interlocutor, it can be immediately discerned whether the speaker is more or less sympathetic to his interlocutor, whether he feels fear, hatred or favor towards the other, whether he raises his tone or decreases it at certain periods of the communication, and the like, these are moments which, as a rule, always elicit an appropriate symptomatic response from the other side, and communication may many times take a course different from what was expected if it were merely verbal Understand what the speaker wants to convey to his or her interlocutor (K. Ivanov, 2022).

The symptomatic picture is always less amenable to control and analysis and speaks more clearly about the interlocutor who manifests it. Human gestures and

behaviours are always much richer than mere mechanically spoken words. Man is not a thinking being per se, he sometimes thinks and resonates in the most logical way for him, but for most of his being man feels, that is, when he "thinks" he carries out the thought process with his whole body, not just the brain. What value biases and "judgments" each person will build up in the course of his being, in this way he will perceive and accept the messages of the environment and in this way will he convey his attitudes and perceptions towards the environment.

The fact is that the manifestation signs of nonverbal communication between people are much older than the signs of verbal communication, hence it would be a pity to make judgments solely or mostly based solely on the verbal communication from the person, which means that nonverbal speech should not be underestimated. When a verbal and nonverbal communication are in a symbiotic relationship and identical to each other, then we know that the communication is true (K. Ivanov, 2022).

The polygraph examiner should give the impression of a top professional, which instils confidence in the respondent that the examination will be conducted properly and according to the basic rules of police deontology and ethics.

Use of the Polygraph as a Personnel Prevention in Security Services

Security sciences and scientific disciplines develop special scientific methods for preventive action with measures and activities to hinder, intercept destructions that threaten or may threaten security. In this sense, we can distinguish between different types of prevention. Safety prevention is applied in at least three areas: (Spaseski J., Nkolowski M, Gerasimoski S, 2008)

1/ Prevention of general security phenomena that may endanger safety and security stability to the extent that they are allowed to occur in a given space and at a certain time, whether they are of nature, technical-technological processes or of society or man;

2/ Prevention of offenders - perpetrators of immoral and antisocial phenomena, sociopathological phenomena, offenses and crimes; and

3/ Prevention of personnel carrying out security tasks within the security system in the country.

Polygraph testing plays an important role in testing the operational composition of security services, both at first employment and during employment. Polygraph testing is in addition to selecting quality personnel, but it also acts preventively against potential perpetrators of crime against service employees. Modern security, intelligence and counterintelligence services pay special attention to the professional integrity of employees of security institutions, in order to ensure that they are loyal to the service and do not fall under the influence of foreign intelligence, political influence, or organized crime groups.

In this context, and during the reforms of the security intelligence community in the Republic of North Macedonia, during 2017/2018, with the abolition of the former Security and Counterintelligence Agency and the establishment of the new National Security Agency, with the adoption of the Law on the National Security Agency, it is envisaged in the general and special conditions for establishing an employment relationship in the Agency that employees with their consent undergo polygraph testing. [89]
Article 65 provides:

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[89] National Security Agency Act No. 08-3047/1, May 2019

Polygraph testing shall be conducted on a voluntary basis, based on the candidate's prior written consent to a polygraph test. With written consent, the person declares that he/she agrees to undergo a polygraph test for the purpose of establishing an employment relationship with the Agency, as well as polygraph tests to check professional integrity during the employment relationship with the Agency. **An applicant who refuses a polygraph test shall be deemed to have not met the requirements for employment with the Agency**. The manner in which the polygraph test shall be administered shall be determined by the Director by by-law.

Working Group 29 is an independent and advisory body of the European Union, which gives an opinion on the processing of employment relations data to employees or job applicants to what extent they suffer or may suffer consequences by refusing to apply to get a job.

The use of the polygraph in hiring and employees in sensitive security-related jobs contributes to learning and building a safety culture, which is greatly lacking from the lowest to the highest echelons of security institutions. An increased security culture contributes to a more professional performance of sensitive work tasks in the areas of security, intelligence, and counterintelligence in the interest of improving national security. The use of the polygraph in addition to being applied in security institutions is also showing increasing interest in private companies to verify the loyalty of their employees, especially in the area of economic sizing. In those companies, there are security managers who apply multiple methods to verify employee loyalty to the company.

From the information distributed through the mass media, primarily from Bulgaria, several articles state that the mafia uses polygraph testing in order to control the loyalty of its members.

Polygraph testing has proven to be an indispensable part of the hiring process. The first method of polygraph testing, primarily to prevent the disclosure of confidential information, is the polygraph test, which is used to select candidates for employment. The security institution selects eliminatory criteria and accordingly defines the issues for the candidates, how to prevent corruption, prevent the critical person from getting hired and enter the circle of the institution and have access to confidential information, hence the importance of applying the polygraph in the prevention section. This type of test contributes to building a safety culture and allows for maintaining a high level of awareness of the safety of the institution in which it operates, thus sending a clear message by eliminating risky candidates who pass the selection process, and making employees aware that they may occasionally be subjected to a lie detector again, This minimizes the risk of human error.

Polygraph testing is not administered only once in employment in security agencies, but may be administered periodically or on an emergency basis as needed. The same measure is included in the National Security Agency's new legislation. This is a specialized test that has been developed for use specifically in intelligence agencies, specifically for counterintelligence activities. Polygraph testing in security services is carried out by the Department of Internal Control in order to unmask double agents and has proven to be quite effective in practice. The same method applies to the prevention of industrial espionage, the principle being the same in that instead of intelligence activities, it is corporate activity. These actions are often intertwined with the issue of protecting national interests.

Polygraph testing has proven to be a preventive measure in the fight against "leakage" by security institutions, which can greatly jeopardize a country's national security.

Investigating Corruption in the Customs Administration

A survey was conducted of the Central Administration of Customs in Skopje and the 5 administrations in the interior with a total of 625 inquiries on the topic "Level of exposure to abuse of official duty in the Customs Administration".

The majority of respondents (75%) consider bribery and corruption to be a negative social phenomenon, while 21% of them think that they are commonplace to solve a problem quickly and efficiently.

The cross-results by customs have a similar distribution of responses and the prevailing view is that bribery and corruption are negative/harmful phenomena.
A number of factors influencing corruption in customs have been identified.

The first most important factor influencing the occurrence of bribery and corruption in the Customs is the low control over the work of customs officers, according to 25% of respondents

The second most important factor, according to 15% of respondents, is the hiring of non-skilled personnel.
The third most important factor for 15% of respondents is political/party influence and leadership influence, as well as the hiring of non-professional personnel

Almost half of the respondents answered that the situation with bribery and corruption in the Customs will not change significantly in the future (46%).

Two in 10 respondents believe that bribery and corruption will increase in the future, and 17% believe that bribery and corruption will increase in the future.
These results, which refer to the expectations of an increase in corruption and in the future precisely from respondents who have direct competence to prevent corruption and protect and "feed" the state budget, are really worrying and require intervention measures in the prevention and prevention of corruption primarily in the ranks of the institutions that are supposed to take care of the security and budget of the state. This indicates the necessity of applying certain technical means, such as the polygraph, in the part of testing customs officers and all other officials at the border crossings and the border line, which will act preventively against potential perpetrators of corruption crimes at the border crossings and the border line, and thus will have a direct impact on the increase of the state budget and more efficient functioning of institutions.

One of the most important measures is the application of the Polygraph to new hires and to those already employed in these institutions. In this regard, we will act preventively towards potential perpetrators of this type of corruption crimes, but also in the part of more effective investigations and greater trust in the institutions, but also a message to the perpetrators that everything that has been acquired in an unauthorized way will be taken away and the perpetrators will be held accountable for the crime committed, and damage to the state budget is one of the greatest crimes against the state and its people.

CONCLUSION

The efficiency of the functioning of institutions is related to their financing, i.e. the functionality and capacity of the state budget. To the extent that the institutions function successfully and exercise their legal authority, then we will have no gambling of the law and tax evasion, and thus an efficient budget. In contrast to the non-functioning of the institutions, primarily the security institutions, the Ministry of Interior, the Border Police,

the Ministry of Finance (Public Revenue Administration, Customs Administration etc.) it will be possible to reduce tax revenues to the state, inability to pay state obligations, indebtedness, grey economy etc., which in turn will reduce the standard of citizens, dysfunctional and corrupt institutions, increasing security risks and serious threats to national security.

Our state's shadow economy is contributing to the annual GDP at 36% according to a World Bank indication. In terms of financial resources, the shadow economy damages the state budget in the amount of €1.2 billion to €1.4 billion per year.

Professionalism and honesty are a top priority for the integrity of law enforcement officers in their conduct. Past decades have shown that the deprivation of liberty of corrupt officials (repression as a function of prevention) does not yield the expected results. On the other hand, the application of technical means used at border crossings behind which the operator officer is located, It also does not deliver the expected results. **The question arises whether there is a way to deal with the evil called corruption in the institutions that protect the state budget.**

The only way to solve this difficult problem is to use the polygraph as an instrument to determine the integrity of all officers working in high-risk border line jobs. The use of the polygraph excludes any possibility of influence of a subjective or objective nature. This is a major challenge for any society, a proposal that needs to be discussed at all levels in order to arrive at a final solution that should eradicate corruption of state institutions that play a key role in protecting constitutional order, human rights, the existence and functioning of state institutions.

The benefit of the introduction of the polygraph as a mandatory check to determine the integrity of officials working at the border line and border crossings, i.e. high-risk jobs, in their employment, as well as in the course of their work, will improve the international reputation of the state, will allow for much better budgetary fitness, as well as a high degree of national security.

In fact, the application of the polygraph represents a real solution to zero tolerance for corruption, a term that has been used by politicians in our country for the last 33 years, but only declaratively.

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ANALYSIS OF FORENSIC EXAMINATIONS OF LATENT FINGERMARKS DETECTED DURING CRIME SCENE INVESTIGATION

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Abstract

The subject of this study is the analysis of forensic examinations of latent fingermarks detected during crime scene investigation. Crime scene investigation is an action necessary for establishing or clarifying facts in the preliminary investigation process. Securing traces is one of the key moments during the investigation, which, in the subsequent part of the investigation process, may develop into material evidence that would absolutely confirm or refute the guilt of the accused. Fingerprints, due to their characteristics (individuality, immutability), represent evidence that can lead to the secure identification of the perpetrator of the criminal offence.

For the purposes of this study, an analysis of the content of 100 fingerprint examinations conducted in the Forensic Examination Department (FED) over the past five years (2019 – 2023) has been performed. Additionally, the methods and materials used to find (or provoke) latent fingermarks on a crime scene (fingerprint powders) have been analysed.

The research results showed that in the last five years, 181 traces of latent fingermarks were discovered, out of a total of 4,565 crime scene investigations conducted in the area of the Sector of Internal Affairs – Bitola. We have positive identification of suspects from 5 latent fingermarks.

The number of detected latent fingermarks in the total number of detected traces during the crime scene investigations is very small, which we believe has a negative impact on the overall investigation process.

Key words: traces, fingermarks, crime scene, examination

INTRODUCTION

The interest of our work is focused on latent fingermarks that are developed at the crime scene during investigation, particularly their quality as evidence material. One basic definition for fingerprint is that a fingerprint is: "part of the skin found on the hands, palms, and feet of every person as well as in animals such as chimpanzees and koalas" (Mansour, Zade, Rohatgi, & Oklevski, 2021).

The part of fingerprints, that for us as a crime scene investigators, is interesting are *friction ridge lines*. They represent a pattern that is an individual imprint of each individual. Researches from the end of the XIX century, by well-known scientist (Galton, Henry, Vucetich, and others), scientifically proved the four premises on which the forensic identification of individuals based on papillary lines is conducted: individuality,

immutability, classification, and possibility of transferring the fingerprint to an object. Such premises have enabled papillary lines to become an integral part of forensic work in two directions: in traceology as part of forensic science that studies traces and forensic identification, which is aimed at identifying perpetrators of criminal acts. Our interest in fingerprints is related to one of their characteristics, which is transferability. The transferability of fingerprints is summed up in the so-called "Locard's rule" which states: "every contact of the perpetrator with an object results in the transfer of material from the perpetrator to the object and vice versa" (Department for forensic examination, 2018).

Logically, the commission of the criminal act implies the undertaking of some action (overcoming obstacles, searching, touching objects, etc.), which gives forensic experts a solid basis that at every crime scene there is a high probability of finding latent fingermarks. Finding this trace and all other types of traces (traces from biological origin, shoe prints, etc.) that would link a person to the crime scene is the main goal of the investigation. Crime scene investigation is an action taken by the public prosecutor, and in practice, upon his authorization, it is the judiciary police when direct observation is necessary to determine or clarify an important fact in the procedure (Criminal Procedure Code, Article 233).

If in the pre-trial proceedings, especially during the investigation at the scene of the event, the main goal of the police (especially crime scene investigation units) is to find and secure quality traces. Crime scene investigation is one of the first and most important actions, and many things in the later parts of investigation depend on its quality execution. However, conducting a crime scene investigation and finding traces is only half of the work, for those traces to have any identification value, appropriate examinations must be conducted. In our work, by examinations, we mean dactyloscopic examinations conducted in the Department of Dactyloscopy within the FED, we will pay greater attention to the examinations later in the work.

Latent fingermarks within forensic work, in the area where the research was conducted, the territorial area of the Sector of Internal Affairs – Bitola, are provoked using fingerprint powders and a fingerprint brush (the so-called "dusting" method). Unfortunately, at the moment, fingerprint powders are the only available method for visualizing latent fingermarks, which crime scene investigators have at their disposal. The aim of the research was to see the effect of developed latent fingermarks, in terms of whether they are suitable for work, how many of those traces were individualized with prints from individuals from the AFIS system, and what effect did the evidence of fingerprint lines have in the judicial proceedings.

1. TECHNIQUES AND MATERIALS FOR LATENT FINGERMARKS DEVELOPMENT/VISUALIZATION

When elaborating the topic of fingerprints in forensic work, we think that is useful to make a distinction between a fingerprint detected or developed during a crime scene investigation and a fingerprint taken in police station (fingerprint taken from a known individual).

Fingerprints from the crime scene (we use the term fingermarks, according to ENFSI best practice manuals) are "impressions of the skin's papillary lines that occur when it comes into contact with surfaces onto which the skin's impression can be transferred. Fingerprints can occur through touching, moving objects during the commission of a criminal act, or in other ways" (Божинов, 2019, стр. 3).

The second category or fingerprint from a known individual is considered "any intentionally taken impression of skin with papillary lines (most often from all fingers and/or palms of a specific individual), under controlled conditions, and most often by an authorized entity" (Божинов, 2019, стр. 3).

The anatomical characteristics of human skin, sweat glands, ridges, etc., allow the "drawing" with papillary lines to be transferred to an object when the skin comes into contact with it. Fingerprints at the scene of occurrence can appear in two forms: (Jovanovic, 1981, p. 53)

- Visible fingerprints, which can be:
  - ➢ Coloured fingerprints that appear as fingerprints coloured with blood, paint, etc., and
  - ➢ Relief fingerprints that appear as fingerprints remaining on soft and plastic substrates: wax, plaster, etc.;
- Invisible (latent) fingerprints – traces that cannot be seen with the naked eye and require some method to be applied for their development.

Latent fingermarks present a major challenge in forensic work. The fact that they are not visible to the eye under normal conditions means that the crime scene investigator must first mentally envision where these traces might be detected and then carefully consider which visualization techniques will be used. Incorrect selection of a technique for fingerprint development may lead to the loss or destruction of the trace, resulting in irreparable damage to both the crime scene investigation and the entire investigation process.

The primary rule in selecting a technique for fingerprint development is the type of surface on which the technique will be applied. Depending on whether the surface is polished, porous, non-porous, textile, etc., the choice may involve using fingerprint powder, a chemical method (iodine fuming, ninhydrin, etc.). In our research, on all the processed items, Instant Silver fingerprint powder and a special brush B-5000 (squirrel hairbrushes) from the Dutch forensic equipment manufacturer BVDA™ were used.

Briefly, we will explain the relationship between latent fingermarks and fingerprint powders, or how they are connected. In fact, papillary lines from the fingerprints contain secretions emitted by the glands present in the skin. When the papillary lines are "fresh", meaning they have been transferred to an object within a short period of time, they contain a large amount of water (98.5% - 99.5%), with the remainder being composed of fatty acids, urea, amino acids, and salts. The chemical reagents containing the substances for developing fingerprints "bind" with some of the components in the papillary lines mentioned above, making the trace visible, i.e., the chemical reaction causes colouring/visualization. When talking about fingerprint powders, the visualization process involves simply "sticking" the powders to the trace and colouring it. This is due to the composition of the powders, generally consisting of two components: pigment (inorganic) and adhesive material for sticking to the trace – various types of acids (BVDA, 2024).

The application technique is applied by processing the item suspected of having latent fingermarks with a brush on which a small amount of fingerprint powder has been applied. The movements performed with the brush should be careful, stopping when the trace of papillary lines becomes visible. The brush is held at an angle, with movements in the direction of the extension of the papillary lines, and lifting the brush is done vertically, taking care not to damage the trace (Vodinelic, 1978, p. 332).

The fundamental rule in this process is contrast; the colour of the fingerprint powder must be different from the colour of the item being processed. Developing/visualizing

fingerprints is one part of the process; to further analyse the trace, it needs to be appropriately lifted from the scene. Lifting fingerprints is done using special foils. These foils are, in principle, a mixture of glycerine and gelatine, glued to special paper in a thin layer and covered with protective celluloid. A piece of foil corresponding to the size of the developed fingerprint is cut, and with the adhesive side, it is attached to the trace. Then, the foil is slowly peeled off. Before peeling, care must be taken to remove any air bubbles, and a part of the protective celluloid is attached to the foil (Vodinelic, 1978, p. 332).

The impression attached to the foil represents a "negative" of the trace, it is appropriately numbered, photographed, and further processed in the forensic laboratory.

2. EXAMINATION OF LATENT FINGERMARKS

As previously mentioned, forensic examinations would be irrelevant if they didn't link a person to a specific location at a crime scene. In fact, detected fingerprints of someone at the crime scene should be seen as "evidence of presence" of a person at the scene of the incident and also to have in mind the possible time when the fingerprints were left / transferred to the object. The legal framework for forensic examinations is based on the Criminal Procedure Act. As the legal text states: "An examination is defined when it is necessary to obtain a finding and opinion from a person who possesses the necessary expert knowledge for the establishment or evaluation of an important fact" (Criminal Procedure Act, Article 236).

Furthermore, as provided by the CPA, forensic examinations in the pre-trial procedure are carried out by order of the Public Prosecutor, and forensic examinations are usually conducted by a state authority. This means that an Order for Examination by the Public Prosecutor, as the supervisor of the preliminary procedure, is required for the preparation of each examination.

In the context of the legal text, forensic examination of traces detected at the scene of a criminal event in the Republic of North Macedonia is conducted by the Forensic Examination Department (FED). FED, after systematization, is part of the Bureau of Public Security of the Ministry of the Interior and conducts examinations of various types of traces (papillary lines, biological traces, drugs, etc.). This means that FED is the main laboratory in the country, while at the regional level, within the Sectors of Internal Affairs, there are Sections for Forensic Technical Investigations and Preliminary Analyses (SFTIPA) which conduct forensic technical work in the field. To summarize, the main task of SFTIPA is to find, record, collect, and send traces from the scene of a criminal event, while the main task of FED is to conduct appropriate examinations of those traces.

We consider it useful to briefly explain the characteristics (details) possessed by papillary lines, which are used in forensic examinations. Juan (Ivan) Vucetich, an Argentine criminalist, has made a significant contribution to dactyloscopy, whose work is important for the classification of papillary lines. Vucetich expanded the work of Galton, Folds, and Purkinje and made the basic division of papillary lines into: arches, whorls and loops. The loops are further divided into internal and external. This basic classification has undergone some modifications, but it is still fundamentally used today. In fact, this classification provides characteristics of papillary lines known as Level 1 details. Level 2 details refer to the flow/direction of individual papillary lines, occurrences with papillary lines, and their relative positions. Occurrences with papillary lines refer to forms that can be: bifurcations, terminations, lakes, short independent lines - dashes, hooks, bridges. These details in forensics are still known as minutiae. Level 3 details refer to the structure

of the papillary line itself (shape and pores) and their relative positions (https://enfsi.eu/, 2015).

In dactyloscopic examinations, the main goal is to achieve individualization of the latent fingermarks, i.e., to identify them with previously undisputed fingerprints of individuals. There are three approaches used by examiners: numerical, holistic, and probabilistic approaches. The numerical approach requires a fixed number of individual characteristics between two impressions of papillary lines, the holistic approach directs attention to the quality and quantity of characteristics, while the probabilistic approach represents an expertise with which the degree of similarity between two impressions of papillary lines is assessed (https://enfsi.eu/, 2015).

The numerical approach varies from country to country; in the Republic of North Macedonia, the numerical approach is valid, with which, if 12 individual characteristics are found, the individualization of an individual with an impression of papillary lines is confirmed.

The methodology according to which the examination is conducted is ACE – V procedure. ACE – V, in fact, is an abbreviation of the procedures: Analysis, Comparison, Evaluation, and Verification. Each trace from papillary lines that undergoes examination goes through these steps. Briefly, in the first step, analysis, it is determined whether the trace from papillary lines is suitable for work, whether a comparison can be made with it. If the print passes the analysis phase, the second phase is approached - comparison, in which a comparison of the prints with other papillary lines is made (papillary lines from victims, individuals proposed by the system for comparison, etc.). If conformity or non-conformity between two impressions of papillary lines is determined, the next step is evaluation. In this phase, it is necessary to resolve, to make a decision, whether the trace from papillary lines has a common origin with the papillary lines with which the comparison was made. The last phase – verification, means confirming the decision made in the evaluation phase by another person (expert) (Ibid).

To conclude this chapter, we would briefly mention the AFIS system. AFIS is an acronym for Automated Fingerprint Identification System and is primarily intended for storing and automatically comparing traces from papillary lines. Simply put, it represents a database (filled with papillary lines) which enters the database for various reasons: as papillary lines detected at the scene of an incident, fingerprints taken during the forensic registration of individuals (suspects, victims). AFIS encodes the imprints entered into it, performs automatic searches through the system, and then provides a score of results. This score is in the form of a ranked list of the most similar results that the system compared with the suspect's trace from papillary lines. The score must be confirmed by a human, i.e., in the case of a papillary lines examiner.
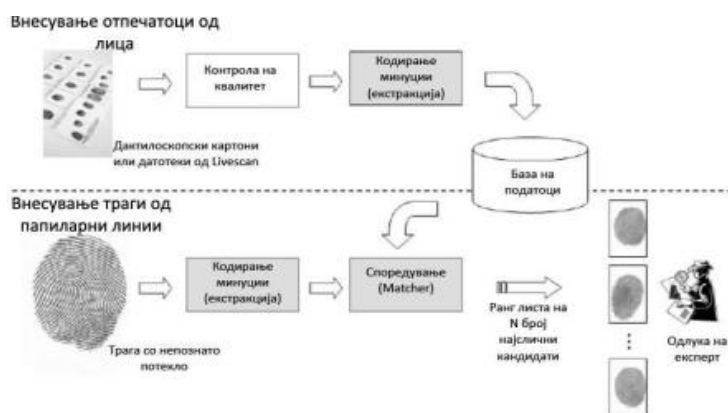
Figure 1 Process of fingerprints expertise (Божинов, 2019, стр. 9)

3. RESULTS OF THE RESEARCH

In our research, data from the last five years (2019 – 2023) obtained from the SFTIPA database in Bitola were analysed. The territorial section covers the areas of the municipalities: Bitola, Demir Hisar, Resen, Novaci, and Mogila. The data were retrieved from the electronic work platform of the section, CEMS (Case Evidence Management System). The data were analysed in relation to the following categories: crime scene investigations and findings of latent fingermarks and the results of examinations for these traces. Finally, a short analysis of court judgments was made in cases where there is positive individualization from the latent fingermarks.

### 3.1 Crime scene investigations and findings of latent fingermarks

In terms of the number of crime scene investigations, the highest number of investigations was in 2021, with 1,122 investigations, out of which 1,080 were related to reported property offences (serious thefts and thefts). The fewest investigations were in 2023, with 421 investigations, out of which 336 were related to property offences.

Table 1 Numbers crime scene investigations and investigations for property offences

Year	Total number of crime scene investigations	Investigations (property offences)	Share (%) of property offences investigations in the total number of investigations
2019	1,122	657	58.55 %
2020	899	817	90.87 %
2021	1,180	1018	86.27 %
2022	943	846	89.71 %
2023	421	336	79.80 %

The crime scene investigations of a criminal event can generally be divided into two categories: investigations where evidence is found and collected, and investigations where there is no evidence.

Chart 1 Crime scene investigations with detected traces and crime scene investigations without detected traces (period 2019 – 2023)
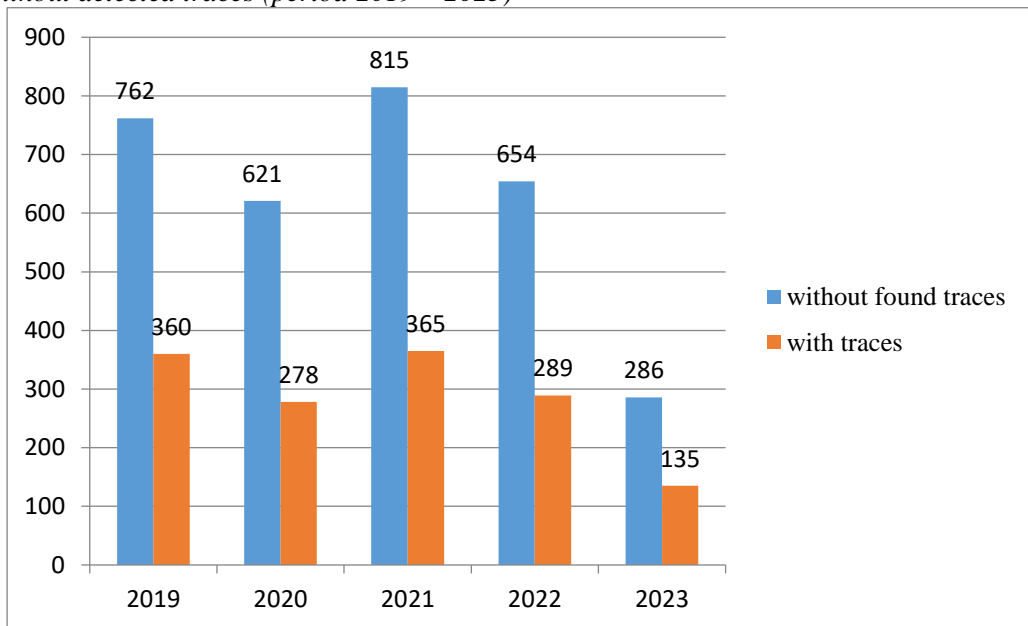
Our analysis is focused on the investigations where traces were detected or, more precisely, where latent fingermarks were developed. Looking at the years, the most latent fingermarks were detected in 2019, specifically in 41 investigations, while the least occurred in 2022, with only 6 investigations developing latent fingermarks. In the remaining years covered by the study, the situation is as follows: in 2023, latent fingermarks were detected in 9 investigations, while in 2021 and 2020, the number remained the same: 22 investigations detecting latent fingermarks. All investigations (a total of 100) where latent fingermarks were detected are related to property crimes (burglaries and thefts). In these 100 investigations, a total of 181 latent fingermarks were visualized. The following table shows the latent fingermarks detected by year and one interesting piece of data, which is the percentage of latent fingermarks participation in the total number of traces.

Table 2 Detected latent fingermarks in crime scene investigations and percentage of latent fingermarks in all detected traces

| Year	Detected latent fingermarks	Percentage of latent fingermarks in all traces
2019	73	4.48 %
2020	38	2.40 %
2021	32	1.17 %
2022	11	0.63 %
2023	27	1.13 %

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3.2 Results of examinations of latent fingermarks

The examinations were conducted at the FED in Skopje, following the ACE-V methodology. The following methods were used in the forensic analysis: optical aids, input of friction ridges into the AFIS, and searching through the AFIS. Dactyloscopic expertise may yield the following results:

- Detected latent fingermarks are unsuitable for forensic analysis;
- Detected latent fingermarks are identified with fingerprints from victims;
- Detected latent fingermarks are not originating from individuals suggested for identification by the AFIS system and
- Detected latent fingermarks are originating from individuals suggested for comparison by the system (individualization obtained).

The first case, where latent fingermarks are unsuitable for analysis, is the most unfavourable outcome from a forensic standpoint. It means that the latent fingermarks lack sufficient characteristics/details for further analysis. This result is presented annually as follows:

Chart 2 Latent fingermarks that are unsuitable for analysis (period 2019 – 2023)
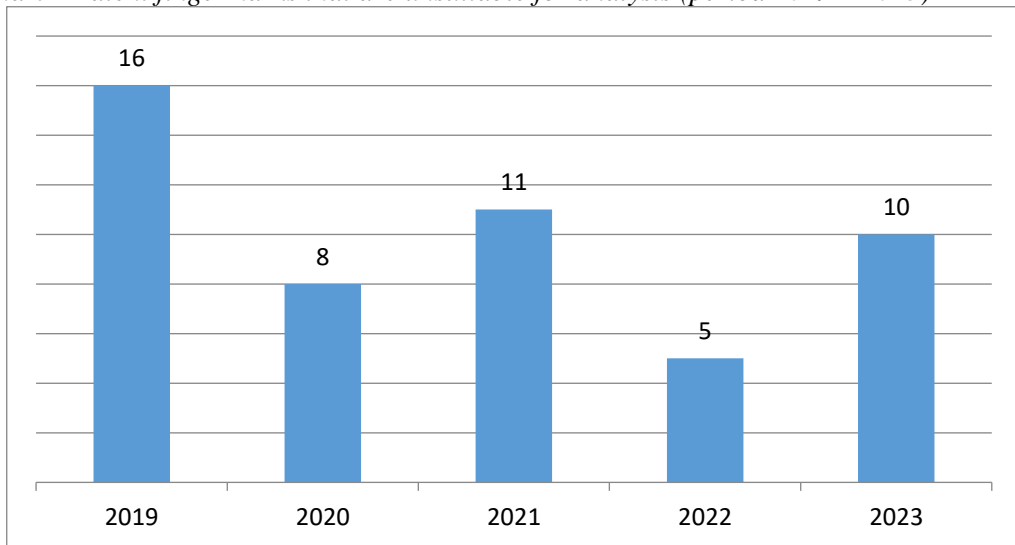

The second case, relates to latent fingermarks that are identified with fingerprints from the victims. Let's explain that it's standard operating procedure, in every case where latent fingermarks are detected at the crime scene, to take undisputed fingerprints from all ten fingers and the palms of the victims, as there is a possibility that the detected latent fingermarks may belong to them.

*Chart 3 Latent fingermarks that are identified with fingerprints from victims (period 2019 – 2023)*
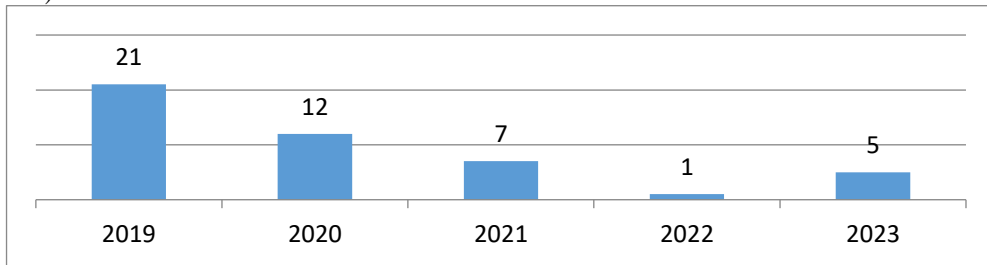
In the third case, we have latent fingermarks that possessing quality characteristics/details and these prints have been entered into the AFIS system. The system conducted a search through the databases; however, there are no fingerprints in those databases with which a comparison can be made.

Chart 4 Latent fingermarks which are not identified with fingerprints from AFIS system (period 2019 – 2023)
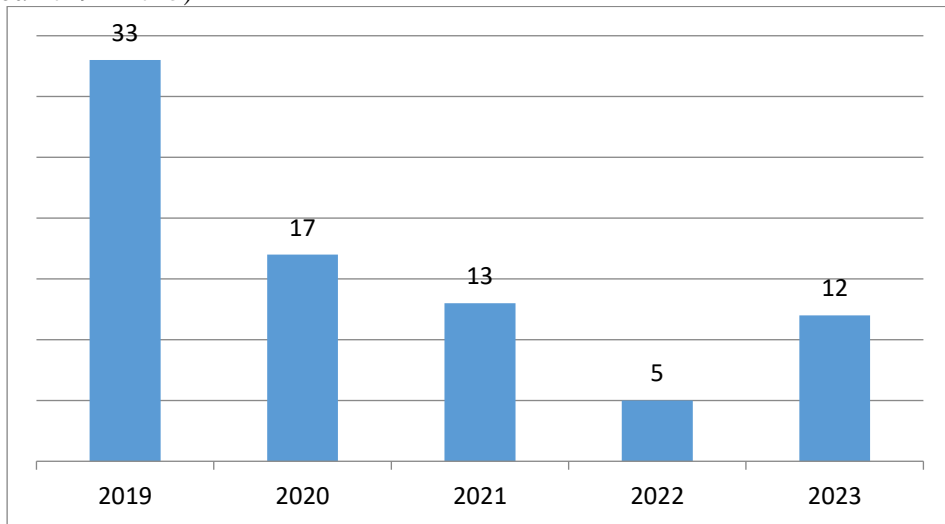
The fourth case is the most desired outcome. In this case, we have a match of the latent fingermarks from the crime scene with fingerprints of an individual stored in the databases of the FED, thus achieving individualization.

Chart 5 Latent fingermarks identified with fingerprints stored in AFIS system (period 2019 – 2023)
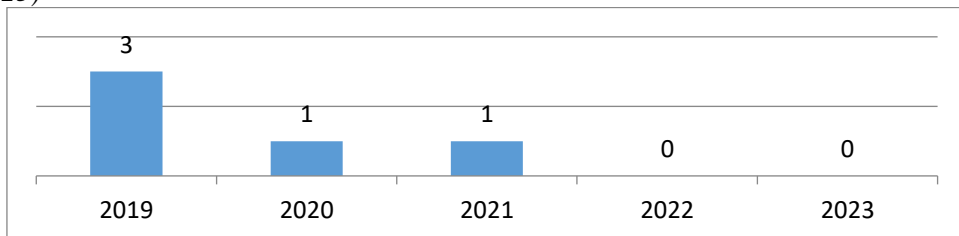
4. DISCUSSION

In the previous section, we presented the results of the research, and in this section, we would like to elaborate on them. It is evident that the number of crime scene investigations varies from year to year, however, upon analysing the statistics, we concluded that investigations regarding property offences (especially serious thefts and burglaries) are consistently the most prevalent in all five years. The highest number of crime scene investigations occurred in 2021 (1,180), out of which investigations following reports of property offences amounted to 1,078 or 86.27%. Additionally, in the remaining four years, crime scene investigations related to property offences were the most numerous.

Furthermore, upon analysing the frequency of crime scene investigations, we observed that the number of discovered latent fingermarks is higher in years with a greater number of investigations, which is likely a logical consequence. Specifically, the highest number of developed latent fingermarks was detected in 2019 – 73, a year in which there were 1,122 investigations (657 investigations related to property offences).

Investigations conducted regarding property offences are specific in that all latent fingermarks developed are of this type. In our opinion, rooted in practice, this is because actions regarding property offences primarily involve manual activity, meaning overcoming some obstacle: breaking doors, windows, etc., then conducting a search through the spaces. Thus, the perpetrator comes into contact (touches) more objects, necessitating crime scene investigators to employ more techniques for provoking latent fingermarks specifically in these inspections. In other words, the chances of the perpetrator leaving their fingerprint on an object are higher in property offences.

Unfortunately, we must state that latent fingermarks as evidence are significantly underrepresented as a category of traces. There is no year where latent fingerprints exceed 5% of the total number of discovered traces, which unquestionably is too low. The reasons for this poor statistic likely require a more detailed research to obtain a comprehensive answer. We must note the fact that criminals are well informed about the identification capabilities possessed by investigative authorities, thus they take steps to hinder their identification. In the realm of fingerprint evidence, this can be observed through the wearing of gloves. In the field, many of the objects where crime scene investigations are conducted are equipped with cameras, so through the footage, it's clear that perpetrators rarely fail to wear gloves, aiming to prevent leaving behind fingerprints. Among professional thieves, this is already a common practice.

The highest number of latent fingermarks was detected in 2019 – 73, and the lowest in 2022 – 11. Fingerprint examinations can yield four different outcomes, as described in the previous section. From the analysed fingerprint examinations, it emerges that the least favourable outcome, when latent fingermarks are unsuitable for analysis, occurs in 50 cases (27.62%). This happens in cases where the latent print is visualized, lifted, but lacks sufficiently clear characteristics, practically failing to pass the initial filtering stage of examination. Reasons for such a result may vary, including damage to the print from excessive use of fingerprint powder, a small surface area of the print, the structure of the object where a trace was detected, etc. In situations where we have a latent print that is unsuitable for analysis, its evidentiary value is non-existent, rendering it unusable as a trace.

The second case, where latent fingermarks are identified with fingerprints from victims, occurs in 46 cases (25.41%). From a criminal-legal perspective, this result is ineffective, as the trace does not point to a potential perpetrator but rather matches prints from individuals who have the opportunity to come into contact with the trace carrier and

leave their imprint on it. From a forensic standpoint, we consider such a trace to be of good quality, as it possesses sufficiently details for comparison, implying that the process of visualization is well-executed. In this result, we believe there is a conditionally "positive" aspect, namely that these fingerprints will be deposited into the FED database, leaving room for potential matches with latent fingermarks visualized at other investigations in the future.

Cases where latent fingermarks are suitable for analysis, entered into the AFIS system, and a search through the system yields no positive results are the most prevalent percentage-wise, with 80 latent fingermarks falling into this category – 44.19%, nearly half of all developed latent fingermarks. We conditionally consider this outcome as positive in the context of forensic work in the field because, similar to the previous case, the trace is qualitatively developed and lifted and possesses enough details for comparison, but the comparison is unsuccessful. We are inclined to assert that such latent fingermarks likely belong to potential perpetrators. The failure to make a match is attributed to the insufficient number of fingerprints from known perpetrators/suspects deposited in the FED databases. This also points to operational shortcomings in the context of identifying suspects from whom reference (undeniable) samples would be taken, which could then be matched with fingerprints by the AFIS.

Finally, we have the cases where latent fingermarks are identified with individuals whose prints are in the FED databases. Unfortunately, this accounts for only 5 cases (2.76%). For these latent fingermarks, we conducted a detailed analysis regarding the location (object) of visualization and which part of the hand they belong to. The first latent print was provoked on a small kitchen boiler, the second on a plastic bottle, the third on a glass container, the fourth on vehicle glass, and the fifth on window glass. A common characteristic of all the mentioned objects is that they represent greasy and non-porous surfaces, providing the best results with the applied fingerprint powder.
Regarding the region (of the hand) they belong to, the situation is as follows:

- The first print is identified with the palm of the left hand;
- The second prints is identified with the thumb of the right hand;
- The third print is identified with the middle finger of the left hand;
- The fourth print is identified with the palm of the right hand; and
- The fifth print is identified with the palm of the right hand.

It is evident that in our cases, the most matches of latent fingermarks occur with the palm prints of registered individuals in the system. A general conclusion cannot be drawn regarding these data, however, we consider it an interesting detail for forensic work in the field.

We also conducted a brief analysis of the indictments and judgments rendered in the five cases where latent fingermarks were individualized with prints from registered individuals.

In three of the cases, the District Court issued a guilty verdict and considered latent fingermarks as evidence in the proceedings. In one case, no charges were brought because the suspect admitted to the crime, and the matter was resolved extrajudicially. As for the last case, we were unable to analyse it as it was handled by the Public Prosecution for Prosecuting Organized Crime – Skopje. In summary, in all cases that went to trial, we have a conviction verdict, confirming the evidentiary value of latent fingermarks as evidence.

5. CONCLUSION

The research we conducted revealed several interesting points and conclusions. Firstly, out of 4565 inspections carried out in the last five years, not a single visible latent fingerprint (a fingerprint stained with blood, grease, dust, etc.) was detected. This indicates a level of caution among criminals to be mindful of what they leave at the scene of the crime.

The percentage of fingerprints detected at the scene of a crime is very low in relation to the total number of traces, less than 5%, which we consider a negative statistical indicator given the evidential strength latent fingerprints possess.

From a forensic perspective, we evaluate the detected latent fingermarks to be of good quality, as 73% of them have sufficient details for individualization. This data leads to another conclusion that the chosen method (fingerprint powder, in this case) for provoking latent fingerprints yields good results and works best on greasy and non-porous surfaces.

However, we must note that the number of latent fingermarks unsuitable for analysis is not negligible (27%), and to reduce such results, a more careful assessment of the quality of lifted traces by crime scene investigators is necessary, which undoubtedly requires more training in the field.

Regarding latent fingermarks belonging to victims, we believe this category of traces is not without evidentiary value, and it is positive that these individuals are included in the FED databases. However, greater attention needs to be paid to the development of these traces to determine the likelihood that the victims came into contact with the object where fingerprint powder is applied.

The most interesting finding from the research is the percentage of latent fingermarks (44%) possessing characteristics for individualization, searched through the AFIS system, yet the AFIS did not suggest prints for comparison. This means that almost half of the provoked latent fingermarks belong to individuals not registered in the FED databases and for whom there is a high likelihood of being the perpetrator(s) of the criminal act. Improving this situation requires enhancing the quality of operational work and locating individuals for registration/elimination.

In conclusion, in all cases where there is individualization of latent fingermarks with prints from individuals in the FED database, there is a guilty verdict, indicating the strong evidential value latent fingerprints possess.

Finally, it should be emphasized that the interest and initiative among crime scene investigators working in the field should be increased, and in all situations where possible, latent fingermarks should be developed, as they are incontrovertible evidence of the presence of a specific individual at the scene of the crime.

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IMPROVISED EXPLOSIVE DEVICES

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Abstract

Improvised explosive devices are a serious threat to security in the world, according to the fact that they contain explosives that are in the international classification of hazardous substances in group 1. The effects of the explosion on the environment are manifested in the form of brisance, blast wave, thermal and fragmentation effects, and they can be used for various forms of illegal activities (terrorism, murder, causing general danger etc.). The identification of these devices is further complicated by the fact that each device is specific and that it is difficult to identify it at the site of the explosion, which is often destroyed and buried by various remains of objects and objects at the site of the explosion.

Methods: The method of analysis of different types of improvised explosive devices was applied in this research. Also, the paper presents a statistical overview of the use of improvised explosive devices in Serbia and in the world in order to justify the research.

Results: Possible methods of improvisation during the manufacturing of improvised explosive devices were pointed out. Improvisation can be performed in the part of the igniter-initial assembly, the casing or the explosive charge itself. The paper gives the recommendations for bomb scene proceedings of police officers and other subjects on the scene.

Conclusions: Police officers need to know the possible types and construction of improvised explosive devices to act safely and efficiently at the bomb scene. The paper pointed out the need of systematicity in the behaviour of police officers when inspecting the bomb scene.

Keywords: explosive, explosion, effects on the surroundings, improvised device, physical evidence.

1.INTRODUCTION

Improvised explosive device (IED) attacks include all attacks in which a "homemade" bomb or destructive device with explosive substance is used for destroying or incapacitating. The term IED came into common usage during the war in Iraq 2003 year (https://www.dhs.gov/xlibrary/assets/prep_ied_fact_sheet.pdf). The improvised explosive devices can be made from components from military stores, or non-military components.

The use of explosive devices whether they are military standard or improvised for not allowed purposes represents a serious threat to security in the world. Explosive devices can be used to commit various forms of criminal acts such as terrorism, homicide, causing general danger, causing serious bodily injury, causing minor bodily injury, thefts etc. Criminal practice has shown that improvised explosive devices placed in vehicles or suicide bombers are most often used for terrorism (Bjelovuk, 2019). Therefore, police officers must have a thorough knowledge of how explosive devices are made and designed, as well as their effect on the environment, in order to prevent their activation by the security services. Also, if the device is activated, it is important to find relevant physical evidence during the crime scene investigation such as traces of the explosive substance, explosive device`s parts (detonators, wires, sources of electric current - batteries etc.), craters, braked windows, collapsed constructions, moved objects etc. because all of these physical evidences can be used for identification of the device. Explosive devices appear most often as components of weapons for killing people and destroying material goods, considering that explosive substances are characterized as the most dangerous in the category of dangerous substances (Petrović 2004:19; Radić, 2011:17).

Explosive devices generally consist of a casing, an igniter-initiating assembly (parts of triggering mechanism such as fuse, detonator etc.) and an explosive charge. In addition to the protective role, the basic role of the casing is to hold all the elements of the explosive device in one unit. The igniter-initial assembly is a part of the explosive device whose main role is to initiate the activation of the explosive device. Explosive substance, as a basic component of such a device, is classified in group 1 in the international classification of dangerous substances (Rechkoska, et al. 2012), which emphasizes the danger of the effect of such devices on the environment if they are activated. That is the reason why it is important to point out the danger of such devices and to carry out the necessary activities in order to prevent the unwanted activation of such devices.

According to the method and place of production, there are military formation and improvised explosive devices. Military explosive devices such as bombs, mines (anti-personnel, anti-tank mines etc.) (Radić, 2007:37) are made in the military factories in series, respecting the measures and instructions given in the corresponding technical drawings. Improvised explosive devices are usually individually made at home from auxiliary means.

2.THE POSSIBILITIES OF IMPROVISATION OF EXPLOSIVE DEVICES

A typical improvised explosive device consists of an explosive charge, an initiation system and a casing (Beveridge,1998:77). Some authors claim that an explosive device consists of a main charge and an initiation system (Thurman, 2006:121). Improvisation when making an explosive device can be done in many different ways. These devices also contain an explosive charge and an igniter (fuse, detonator etc.) while they do not need to contain a casing. Some devices, which contain only the primary explosive, such as TATP, do not even have to contain a case or an igniter. The appearance, strength and principle of operation of such explosive devices depend on the level of knowledge about explosive substances, imagination and available means of the perpetrator if they are used to commit a criminal act. Perpetrators make devices that are often camouflaged with objects for everyday use and whose original purpose was something else such as books, watches, pens, letters, greeting cards, current wire conductors, components of electronic circuits, batteries, switches, pipes, cars and other means of transports, travel bags, handbags, gift packages, mobile telephones nitrate fertilizer, nitric acid, sulfuric acid, methanol and other chemicals etc. Such explosive

devices have been used against very different targets (Bjelovuk, 2019:39). For example, some improvised explosive substances are placed in steel pipes, which become homemade improvised explosive devices, i.e. pipe bombs. Some improvised explosive devices are in the form of vehicles, i.e. vehicle-borne improvised explosive devices (VBIED) (Drozd, et al, 2018). Improvised explosive devices are not of standard design, and this is where their danger lies. That is why the exchange of experiences of security services all over the world is important.

Improvisation of an explosive device can be carried out in any component of the explosive device, for example, that instead of a lighter, a mobile phone, clock mechanism, remote control etc. is used for initiation or that brisance (high) explosive with pieces of metal or glass are used to increase fragmentation effect. Also, improvisation can be done with the use of a hand-made mixture of explosive substances instead of brisance explosives. An improvised explosive mixture usually contains ammonium nitrate, black powder, TATP – tri-acetone-triperoxide, HMTD – hexamethylene tri-peroxide-diamine, chlorate mixtures etc.

Ammonium nitrate (NH_4NO_3) is a white crystalline substance that has a very wide application in agriculture, given that it is used as a nitrate fertilizer, which has a high nitrogen content. When this fact is taken, ammonium nitrate is readily available. Ammonium nitrate is obtained by reacting ammonia with nitric acid ($NH_3 + HNO_3 = NH_4NO_3$). Ammonium nitrate is extremely explosive in nature because it simultaneously contains both a fuel (ammonium ion) and an oxidizer (nitrate ion). It is known that some commercial explosives contain ammonium nitrate, such as, for example, *Ammonex*, one of the representatives of ANFO (Ammonium Nitrate Fuel Oil) explosives. In the USA, in 1995, in Oklahoma City, an explosion of an improvised device based on ammonium nitrate (NH_4NO_3) claimed 168 victims (Thurman, 2006:95).

Black powder is a heterogeneous mixture of potassium nitrate (KNO_3), charcoal (C) and sulphur (S) in the ratio 75:15:10 and is very sensitive to impact, friction, spark and static electricity (Jeremić, 2008:159)

TATP – tri-acetone-triperoxide (tri-cyclic acetone peroxide) is an organic compound, which is obtained by the reaction of acetone ($(CH_3)_2CO$) and hydrogen peroxide (H_2O_2) by lowering the freezing point (trimer). This explosive is very sensitive to external influences and can explode without using a detonator as primary or initial explosive. It is also known as „Mother of Satan". In series of four coordinated terrorist attacks in London in 2005, there were 52 killed people and more than a hundred injured devices with TATP were used (https://www.dhs.gov/xlibrary/assets/prep_ied_fact_sheet.pdf).

Ethylene glycol dinitrate (EGDN) is an organic compound, obtained by nitration of ethylene glycol. It was commonly used in the last century in the manufacture of dynamite as a component to lower the freezing point of nitro-glycerine. This explosive was used in the terrorist attack in 1999 at the airport in Los Angeles (https://www.dhs.gov/xlibrary/assets/prep_ied_fact_sheet.pdf, https://web.archive.org/web/20121004023628/http://www.nefafoundation.org/miscellaneous/US_v_Ressam_9thcircuitappeals0210.pdf).

HMTD – hexamethylene triperoxide diamine is an organic heterocyclic compound. And, like all initial explosives, it is sensitive to external influences such as impact, friction etc. Also, this explosive was used in the terrorist attack in 1999 at the airport in Los Angeles. (https://web.archive.org/web/20121004023628/http://www.nefafoundation.org/miscellaneous/US_v_Ressam_9thcircuitappeals0210.pdf).

Some improvised explosive devices may contain military brisance explosive, i.e. explosives mixtures. In the period from 2007 till 2022 on the territory of the Republic of

Serbia there was military brisance explosive penthrite used in 21 cases (Bjelovuk & Pavlović, 2022). Military brisance explosives TNT and C4 are also used for manufacture of improvised explosive devices in pipe bombs (Tanapornraweekit, et al, 2016).

The detection of such explosive devices is mainly based on the detection of metal, considering that many components of improvised explosive devices are made of metal (current source, electric detonating caps, conductors etc.) by inspection with metal detectors or scanners or on the detection of used explosives (using detectors of explosives or by detecting a marker that is added during the production of explosives). This is done during the anti-terrorist review. Detection of these devices is very important considering that timely detection and safe destruction prevent explosions. The main structural components of an improvised explosive device included: explosive material, body (container), initiator, power source (optional), activating device (Motrycz, 2017). Acronym SIMPCE (**S**witch **I**nitiator **M**ain charge **P**ower source **C**ontainer and optional **E**nhancer), which refers to components of an explosive device is some kind of reminder for the police officers who work with the explosive devices.

If an explosion occurs, the sampling of traces of an explosive substance from the explosion site is performed for forensic analysis in the laboratory, where some of the analysis such as chromatography (TLC, LC, GC), infrared spectrophotometry (IR, FTIR), mass spectrometry (MS), GCMS etc. are applied.

In support of the justification of the research, a diagram is given in Figure 1, which shows the number of explosive devices used in the world in the period from 2011 to 2022.
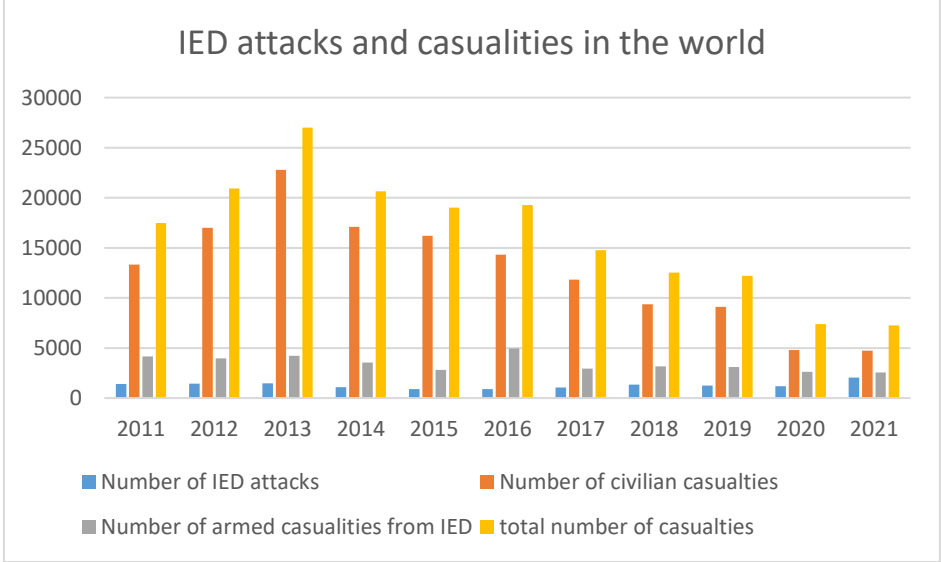

Figure 1. Improvised explosive devices (IED) attacks and casualties in the world in the period from 2011 till 2022 (source: Report on Improvised Explosive Device (IED) Incidents for January – June 2023, available at https://aoav.org.uk/2023/report-on-improvised-explosive-device-ied-incidents-for-january-june-2023/)

It can be seen from Figure 1 that the largest number of incidents involving improvised explosive devices occurred in 2013 (1461). In the observed period, it can be said that the trend was first increasing (from 2011 to 2013) and then decreasing by 2016. From 2016 to 2018, the trend is increasing again, and by 2022 it will be decreasing. When

it comes to the consequences of activated improvised explosive devices on the environment, the most significant are the consequences in the form of human victims. The diagram shows the casualties among civilians and among the armed forces separately. It can be seen from the picture that the highest number of victims among civilians was in 2013 (22772), and among the armed forces in 2016 (4954). Overall, the largest number of human victims who died as a result of the use of improvised explosive devices was 26987 in 2013.

When it comes to the Republic of Serbia, explosive devices were also used in the observed period (Bjelovuk & Pavlović, 2022). The total number of incidents in which explosive devices were used in the Republic of Serbia in the period from 2011 to 2021 is shown in Figure 2.
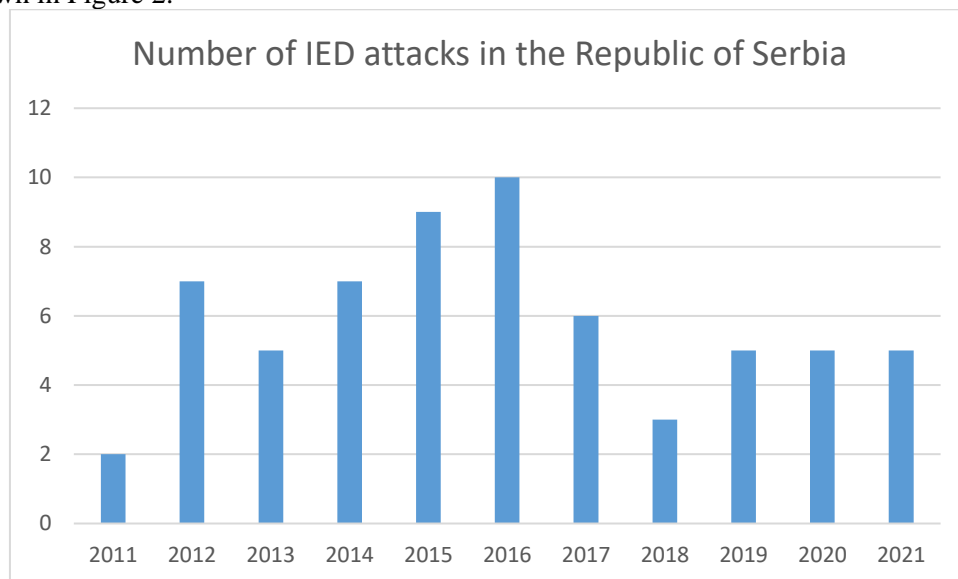

Figure 2. Improvised explosive devices (IED) attacks and casualties in the Republic of Serbia in the period from 2011 till 2022 (source: Ministry of the Interior of the Republic of Serbia)

The number of incidents with improvised explosive devices in the Republic of Serbia is up to 10, which is not negligible. In those improvised devices where identification of the explosive substance used was carried out, the military explosive penthrite was used, which, like a plastic explosive, is easy to shape.

3.DISCUSSION

The use of improvised explosion devices is evident in the world with serious consequences, including the Republic of Serbia. The danger during the activation of explosive devices is reflected in the strong effects on the environment, which are manifested in the form of explosion effects in the immediate environment of the explosive device, shock wave effects, thermal and fragmentation effects. These effects can be used for various forms of illegal activities (terrorism, murder, causing of general danger etc.). These effects are manifested in the forms of physical evidence at the places of the explosion as a consequence of the explosion process of the explosion of the device.

Physical evidence created after the explosion can be used to reconstruct the event and identify the explosive device used. Since the place of the explosion is usually

destroyed and covered with various remains of objects and objects and many objects were thrown at different distances from the centre of the explosion, the process of finding relevant evidence is very difficult. The identification of improvised explosive devices is further complicated by the fact that each device is specific and that it is difficult to identify it at the site of the explosion.

A fire may occur as a consequence of the explosion. Additional consequences that can cause explosives are in the form of traffic collapse, if the device is placed on a vehicle, power outages, water supply problems, ventilation system shutdowns etc. In this sense, terrorists are particularly interested in the use of improvised explosive devices.

The consequences of using improvised explosive devices can be catastrophic, so it is important to know as many different types of improvised explosive devices as possible. There is a need for prediction of all events with the improvised explosive devices. All collected information must be processed by the use of analytical scientific methods regarding the evaluation of IED countermeasures (https://nap.nationalacademies.org/read/11953/chapter/2#3). Research has shown that, when it comes to improvised explosive charges, in addition to standard military explosives such as TNT, penthrite, C4, TATP, ammonium nitrate, EGDN and HMTD are also used.

4.CONCLUSION

Improvised explosive devices are used for various criminal activities with serious consequences. Given that improvised explosive devices contain explosives as a basic component, they are extremely dangerous. They were used all over the world and caused many harmful consequences in the form of human casualties and material damage. Forensic practice has shown that during the production of improvised explosive devices, improvisation is carried out in all elements of the explosive ordnance, the igniter, the initial assembly (triggering mechanism), the casing and the explosive charge. Improvised explosive devices where the improvisation was carried out in the part of the explosive charge are especially interesting, because with such devices there is not a need to be any metal parts that would be noticeable during inspections using metal detectors and scanners. In this sense, there are specifics during the forensic processing of the scene that police officers should pay attention to, namely a thorough search of the scene in order to find all relevant material traces. Research has shown that, if improvisation of an explosive charge is carried out during the manufacture of an explosive device, ammonium nitrate, TATP - tri-acetone-tri-peroxide, EGDN - Ethylene glycol dinitrate and HMTD - hexamethylene triperoxide diamine are most often used. It should be emphasized that, above all, it is very important to take care of the safety of those present at the scene and use the prescribed protective equipment.

The site of the explosion should be searched in the form of concentric circles, spirals, nets etc. and look for physical evidences that are specific, that is, they are not found at other places of events (parts of an improvised explosive device in the form of unusual particles (clock mechanisms, parts of a circuit, electronic components etc.), traces of an explosive substance that was made at home (ammonium nitrate, TATP etc.) This evidence should be documented in accordance with internationally recognized operational procedures (ISO17020) at the scene with mandatory respect for the forensic chain.

When one finds an improvised explosive device, regardless of whether they are activated or not, it is important that police officers use the acronym SIMPCE (**S**witch **I**nitiator **M**ain charge **P**ower source **C**ontainer and optional **E**nhancer) as a reminder in their

work. Of course, there is a need for collecting data about all improvised explosive devices and to predict an IED activation.

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POLICE SCIENCES

INTERNATIONAL LEGAL DOCUMENTS ON POLICE POWERS

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Abstract

Police powers are a complex and controversial legal issue, which is important for maintaining the security and stability of a democratic society. All powers consider and limit human rights and freedoms, so their regulation must be precise and clear, without leaving room for great differences in interpretation and application in practice. The states are sovereign in carrying the legal norms, but the modern situations in the world direct them to respect the International Law, as a necessity for the state to be included and accepted by other countries as an equal member of the international community.

International standards and rules governing police powers and the use of force are adopted in a combination of common law and general principles of criminal procedural law. The most important general principles for the application of police powers and force are: legality, necessity, proportionality, subsidiarity and caution, so states must adopt a clear legal framework based on these (and other) principles. United Nations standards and rules have been developed over the past five decades and are contained in a number of resolutions, codes, explanatory memoranda and manuals.

In this paper, we will focus on explaining the concept of police powers and the use of force in police work, with the elaboration of the corresponding international standards and rules.

CONCEPTUAL DEFINITIONS OF POLICE POWERS IN DEMOCRATIC SOCIETIES

Why do societies and states give a large number of powers to the police, which, in addition to being necessary in a democratic society to maintain order, limit the rights and freedoms of citizens? This question has long been investigated in sociology, criminology, law and political science. The social contract, as one of the most influential concepts in modern times, according to Hobbes, Locke and Rousseau, studies the functioning of states through the interpretation and understanding of the unique relationship between police and society. Essentially, this theory suggests that in order to escape a "state of nature" marked by "anarchy", constant fear, and insecurity, societies established a "social contract" whereby individuals agreed to voluntarily surrender certain rights and freedoms to a higher authority, which will guarantee safety and security for everyone. For this purpose, the citizens accepted to live together under common rules and to establish institutions with powers to implement the rules that make up the social response, i.e. the legal and political system of a country. This need to establish a mechanism for the implementation of the agreement can be said to constitute the conceptual basis for the work and behaviour of the police and the application of police powers in policing (Manzoor Elahi Laskar, 2013).

However, giving up certain individual rights and freedoms in exchange for security and giving the police a large number of powers raises dilemmas and further

questions: how can societies be sure that the police will use their powers to ensure safety and order for all, and at the same time will be controlled and prevented from succumbing to the temptation to use those powers illegitimately?. How do societies determine the type and number of powers entrusted to the police and how do they decide which aspects of social life require policing? These questions arise all over the world and there are no easy answers for them.

Over the centuries, societies and states have defined the role, powers and duties of the police depending on their historical and socio-political context, security circumstances, administrative structure, culture and governance traditions.

Over the last seven decades, democratic societies have redefined the role and powers of the police in society. The development of the international consensus on the recognition and respect of universal human rights and the wide adoption of international instruments for the protection of human rights, such as the International Covenant on Civil and Political Rights and the International Convention on the Elimination of All Forms of Racial Discrimination, obliges states to respect, protect and fulfil basic human rights, including the right to life, the right to liberty and security, freedom from torture, the right to non-discrimination and others.

In this context, the Code of Conduct for Law Enforcement Officials, adopted by the United Nations General Assembly in 1979, is a key instrument, providing states with normative guidance on the role of the police in a society. Article 1 of the Code stipulates that officers with special powers to enforce the law will at all times fulfil the duty imposed on them by law, serving the community and protecting all persons from illegal acts, in accordance with the high degree of responsibility required by their profession. In the performance of their duty, police officers and other officers with special powers will respect and protect human dignity and protect and support the human rights of all citizens.

POLICE WORK BASED ON HUMAN RIGHTS

In a practical sense, the Code refers to policing based on respect for human rights, prescribes obligations for the police to refrain from excessive restrictions on human rights, to take reasonable measures to protect the exercise of human rights and to undertake activities to facilitate the enjoyment of human rights. The development of human rights-based policing in science has caused a corresponding interest and theoretical elaboration, in which David Bailey stands out in particular, who laid out the key principles of policing in a democratic society:

• The police must give top operational priority to the security needs of individual citizens and non-governmental groups,

• The police must answer to the law, i.e. to independent judicial bodies, instead of to the government,

• Police must protect human rights, especially those needed for unrestricted political activity that is a hallmark of democracy and

• The police should be transparent and responsible in their activities.

The transition from traditional policing to policing based on respect for human rights is neither easy nor linear. In certain contexts, human rights-based approaches to policing are met with scepticism. Especially in autocratic environments, measures to strengthen transparency and democratic oversight of the police are sometimes seen as "unnecessary interference" in policing that disrupts the work of the police (Bayley, D. ,1991 and 1994).

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Police officers are entrusted with tasks and powers such as: protection of the fundamental values of the Constitutional arrangement, protection of life and property of citizens, prevention and detection of criminal acts, provision of peace, safety and security of all citizens without discrimination on any basis, but also use of force, deprivation of liberty and detention, secret surveillance for investigative purposes, search and seizure of objects and many others. In exercising those powers, police officers are also given a considerable degree of discretion. However, the entrustment of such powers and discretion in the decision-making and actions of the police raises the question of how and with what mechanisms society will be protected from possible illegitimate use and abuse of discretionary powers by police officers.

The basic assumption of social contract theory is that "power flows from the public to the police" and therefore the police must be held accountable for the use of publicly granted power and that "the public has the right to determine the criteria by which the police make decisions". This logic can be considered as the basis for the public control of the application of police powers.

From a historical perspective, it took centuries of oppressive regimes, police violence, and other forms of police abuse before societies around the world demanded that police conform to the principles of the rule of law and that stricter controls on the exercise of police powers were established. The effort to define the limits of the exercise of authority and the criteria by which discretion may be exercised has been stimulated by the ratification of international human rights treaties and the development of normative standards for policing.

According to international human rights standards, all police actions should be governed by the principles of legality, that the exercise of any police power should be in accordance with and based on the law; necessity, that the police exercise their powers only to the extent strictly necessary to achieve a legitimate law enforcement objective; proportionality, that the exercise of powers should be proportionate to the seriousness of the offense or the achievement of the police objective; and responsibility, that police officers will be accountable for their compliance with the law in the performance of their powers and duties, as well as subsidiarity, i.e. the application of benign powers and force to solve security problems, before taking more invasive powers or force. .

The exercise of police powers contrary to the principles of legality, necessity, subsidiarity, precaution and proportionality can result in serious violations of human rights. Examples include: unlawful and arbitrary use of lethal force by police resulting in violation of the right to life; arbitrary detention that violates the right to freedom and security; unnecessarily performed body search, with violation of freedom by harassment; unnecessarily enforced stop and search policies in minority communities – violating the right to non-discrimination, arbitrary actions in the collection and maintenance of police intelligence or engaging in disproportionately intrusive surveillance measures in an investigation, thereby violating the right to privacy or resulting in profiling based of bias.

Considerable attention is paid to intrusive police powers of this kind and the present danger that these powers cause serious human rights violations. However, there are other police powers and matters that are administrative in nature, and usually less scrutinized by researchers and the public, which may, if not well regulated, pose a threat to the protection of human rights. For example, in addition to managing and maintaining criminal records, police services in many countries are responsible for keeping a range of administrative records; such as registers of residential addresses or possession of firearms.

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Police services that share information on addresses for possession of firearms with other national foreign security services without the necessary legal framework and justified grounds, posed a serious risk to the right to privacy and protection of personal data. Therefore, it is essential that all aspects of policing, and the exercise of powers, be regulated by laws and precise standards of integrity in order to ensure the responsibility and accountability of police officers.

In the traditional approach to policing, the response to human rights violations committed by the police is largely limited to identifying the suspected police officer and investigating the alleged offense. This narrow approach to liability is explained by the "bad apple theory". The "bad apple theory" suggests that cases of police misconduct represent isolated cases of individual mistakes or violations of the law, implying individual responsibility; and that apart from those "bad apples", everything in the police organization is otherwise healthy (Newburn, 2015). While there may be cases arising purely from personal error, the application of the bad apples theory of liability to the police is highly problematic. As an example; in an incident where the police tasers a deaf person because the person disobeyed the police officer's orders, the traditional response would be to investigate the incident and prosecute the officer for excessive use of force. However, rarely can any police action be reduced to individual misconduct. It is up to the executive branch and police leadership to develop strategies to educate police officers with a range of tools that are less lethal than firearms. The police should sensitize police officers to the specific conditions and needs of persons with disabilities.

In order to reduce the illegal behaviour of police officers, before starting the police action (ex-ante) it entails an assessment of whether there is a comprehensive legal framework that determines the duties, work and powers of the police in accordance with international human rights standards; clear guidelines from the executive on the strategy of police services; correct setting of priorities and appropriate operational guidelines from the senior leadership of the police to the direct executors on the ground; tools and mechanisms to promote ethics and integrity standards throughout the police organization; sufficient resources for equipping and training officials to act in accordance with the principles of legality, necessity, coexistence, and proportionality.

Accountability during police actions requires the existence of mechanisms and procedures for continuous supervision of daily police activities; as well as external monitoring of key police powers and operations (such as detention, stop and search, use of force etc.).

Accountability after police actions (ex-post) requires having: an effective review of the appropriate internal processes for reporting and debriefing after the action or eventual incident in the operation of the police; effective mechanisms for internal reporting of misconduct, as well as receiving and acting on complaints from the public; internal and external mechanisms for investigating allegations against police officers; procedures for learning from mistakes and correcting them to prevent future negative incidents (Lennon, G. and all., 2023).

In parallel with the emergence of the comprehensive approach to accountability, international documents increasingly emphasize that holding police officers accountable should not be left to the police alone. A range of international normative instruments such as the Code of Conduct for Law Enforcement Officials (GA Resolution 34/169, Article 8), The Basic Principles on the Use of Force and Firearms (1990, principle 22), the Principles for the Effective Prevention and Investigation of Extrajudicial, Arbitrary and Summary

Executions, require an independent and impartial review and investigation of certain offenses committed by the police.

During the last decades, more specific international instruments were developed, which focus on the effective investigation in cases of the most serious violations of human rights; namely the Minnesota Protocol for the Investigation of Potentially Unlawful Death (2016) and the Manual for the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol) (2004).

In addition to these standards and instruments, regional institutions and organizations widely recognize that police services investigating illegal conduct and misconduct by their officers may cover up wrongdoing, and this may result in a culture of impunity. Therefore, during the last decades, international and regional organizations have placed greater emphasis on police accountability by building a system that requires the involvement of various external and civilian actors for oversight. In that regard, the European Code of Police Ethics stipulates that "the police should be accountable to the various independent bodies/organs of the democratic state".

INTERNATIONAL STANDARDS FOR POLICE COERCION AND USE OF FORCE

International instruments are explicitly applied to the actions of any state authorities when using force to enforce the law. Thus, the rules govern not only the police, but also any other law enforcement agency, such as state security authorities, the gendarmerie (in countries where it exists) or the military, whenever they are engaged in domestic law enforcement. The rules apply similarly to a private security company to which the state or one of its authorities has delegated police powers. The most important general principles for the use of force by the police are: legality, necessity, proportionality, caution and subsidiarity, so states must adopt a clear legal framework based on these (and other) principles.

The principle of legality is the basis for the functioning of the police and the work of police officers in every country. The police can undertake quick interventions, plan and implement preventive and repressive activities, only when it is determined by law. At the same time, the law and the by-laws and instructions derived from it must be written in clear language, precisely and without the possibility of different interpretation, and be within the limits allowed by the constitution of the state and the guaranteed universal freedoms and rights of man. Human dignity must be protected, and its violation must be strictly sanctioned by law. As stipulated in the European Convention for the Protection of Human Rights and Freedoms, the police power to take over the police powers and force must be within the framework of the necessity for a democratic society to function freely and safely, and for citizens to carry out their daily activities in maritime conditions. activities and needs. The police in any society that declares or aspires to be democratic is the central state institution that is responsible for ensuring the safety and security of citizens, other pranas and economic entities, the legislative and judicial authorities, so that they can work in the interest of the citizens and the development of the state.

The principle of necessity has three interrelated elements: the duty to use non-violent means whenever possible; the duty to use force only for a legitimate law enforcement purpose; and the duty to use only the minimum necessary force that is reasonable in the circumstances.

Whenever possible, officers with special powers (e.g. the police) should use non-violent means to achieve a legitimate goal. This standard position is explicitly confirmed in principle 4 of the Basic Principles of 1990: "Officers in the performance of their duty should, as far as possible, use non-violent means before resorting to the use of force and firearms. The use of force and firearms is permitted only if other means remain ineffective to achieve the legal goals". Such non-violent means include the symbols of police authorities such as their presence, uniform or vehicle; body language (including increased eye contact with the individual); and verbal persuasion, such as by pointing out the harmfulness of resistance. The need for officers to use force can be reduced by properly equipping them with self-defence equipment such as shields, helmets, body armour etc.

In addition, any use of force must be for a legitimate purpose, and it must be reasonably necessary under the circumstances to prevent a crime or to carry out the lawful deprivation of liberty of convicted persons or suspects of the preparation or commission of a crime.

The 2001 European Code of Police Ethics similarly stipulates that police may use force "only when strictly necessary and only to the extent necessary to achieve a legitimate aim".

Therefore, force must never be used in retaliation or as a form of extrajudicial punishment; performed in a discriminatory manner; or applied against an unresisting individual. Additionally, no force is lawful when the legal conditions for its application are not met.

The principle of necessity implies that when force is necessary, it can only be used on a reasonable basis and in accordance with the specific circumstances of the event. Also, firearms should not be used against suspects of violent or potentially violent behaviour, except in very extreme cases where the use of force (and deadly force) is the only option to stop the immediate risk to life of police officers and others.

In 1982, the UN Human Rights Committee in the case of *Guerrero v. Colombia* found that the state (on behalf of the police) unlawfully shot suspected terrorists instead of arresting them, as it could reasonably have done under the circumstances. In 2015, in the case of *Bouyid v. Belgium* (No. 23380/09), the European Court of Human Rights reiterated that "in relation to a person who is faced with the use of force by police officers, which is not necessary, violates human dignity and constitutes a violation of the right to freedom from torture and inhuman or degrading treatment".

The principle of proportionality follows on from the principle of necessity, which means that the use of force that is necessary in certain circumstances must be used only to the extent that corresponds to the resistance offered by the offender or to the extent of the threat to the life of police officers. Thus, for example, the European Court of Human Rights in the case of *Nachova v. Bulgaria*, decided that "a suspect who has escaped (and who does not pose a serious threat to life) may not be shot even if refraining from the use of lethal force leads to the impossibility to arrest the fugitive".

The precautionary principle confirms the principles of necessity and proportionality. Under the precautionary principle, the state is obliged to plan police operations in a way that minimizes the risk of using force or potentially lethal force. The State and the police must minimize the risk of death or serious injury to any member of the public or officer with special powers. According to principle 5(b) of the 1990 Basic Principles, whenever the lawful use of force and firearms is unavoidable, officers with special powers must "minimize harm and injury" and "respect and preserve human life". Measures should be taken at the operational planning stage to "avoid situations where

force has to be used or take all possible steps to ensure that if it does occur, the damage will be minimal".

The precautionary principle is also used by the European Court of Human Rights in its rulings, such as in *McCann v. United Kingdom*: "The court must carefully examine... not only whether the force used by the soldiers was strictly proportionate to the objective of protecting individuals from unlawful violence, but also whether the anti-terrorist operation was planned and controlled by the authorities to minimize, in maximum possible extent, the resort to deadly force".

Related to the previous ones is the principle of subsidiarity, which as a concept in political sciences implies making and implementing decisions at the lowest possible functional level of the institutional hierarchy. Powers are assigned to bodies with lower levels of powers, and only if they cannot be carried out, powers are transferred to a higher level of police action.

In terms of police practice, this means that the territorially competent police officers first come to the place where a security event is reported, and they have to assess whether they can successfully deal with the event, and if they judge that they are not able, then they should call any of the specialized units of the police. Basically, the principle of subsidiarity in police work refers to the need to make an attempt to de-escalate the security situation, by talking, if necessary, and by negotiating with the participants in the event, when the situation allows it. But when the escalation of violence or some general threat to a large number of people has already occurred, then the special or anti-terrorist unit should be activated immediately.

Subsidiarity should be applied in cases such as disturbances of public order and peace during protests and demonstrations or when fan groups at sports matches begin to show aggression, related events that have not gotten out of control but have the potential for escalation. In such situations, if instead of the regular police, a special police unit (which is armed with light military weapons, has body armour, helmets and shields) acts, it can cause an additional revolt among the participants of the demonstration, because they can experience it as the threat of a demonstration of force by the police and the prevention of their right to assembly and peaceful protest.

Subsidiarity as a principle of police action must especially be applied in the use of coercive means. When the legal conditions for the application of coercion are met, the milder forms should be started (for example: suppressing the crowd in order to divide it into smaller groups, using water cannons), and the use of chemical agents or firearms should be used when other measures do not yield results and when the life and health of the participant/s in the event is seriously threatened, and that in accordance with the legal provisions for fulfilled conditions for necessary defence.

It should also be emphasized, the principle of protecting the life and health of all participants in a specific security event, so according to Basic Principle 5(a) of the Basic Principles of 1990, officers with special powers must also provide "medical assistance to all injured or affected persons". This must equally be part of the planning process for law enforcement operations. In the case *Finogenov v. Russia*, the European Court of Human Rights first examined whether the operation to rescue the hostages was planned and carried out in accordance with the positive obligations of the authorities under the right to life in Article 2 of the European Convention, "that is, whether the authorities took all necessary precautions to minimize the effects of the gas on the hostages, evacuate them quickly and provide them with the necessary medical assistance".

CONCLUSION

International standards and rules governing the use of police powers and force represent a civilizational benefit and should be implemented in each state, of course in accordance with the specificities of each individual national legal system. Police laws should be based on the principles of legality, necessity, proportionality, prudence and subsidiarity, and the police should be professional, respect the freedoms and rights of citizens, and constantly invest in the knowledge and training of police officers.

In the last three decades, Macedonian criminal procedural law has been in constant reform and alignment with International Law, but in the area of police action, it is far from the necessary harmonization in both the Law on Criminal Procedure and the Law on Police, as the basic laws governing police work. The position that the police work is "informal" is maintained, that is, that the various living situations in which the safety and security of the citizens and the state are threatened cannot be predicted and normalized. Without going into a wider debate on this issue, we want to point out that the above laws do not incorporate the principles and standards arising from international documents. For example, in the Law on Police there are no concepts such as: necessity, proportionality, legality, caution, subsidiarity, that is, there is no nomotechnically sound solution for their application, but a narrative that does not allow a clear and precise application of police powers and force. Therefore, we believe that in the coming period it should be agreed to fully implement the ratified International Agreements in the field of police operations.

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IMPLEMENTATION OF ALTERNATIVE TYPES OF ROUNDABOUTS FOR SUSTAINABLE URBAN DEVELOPMENT

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Abstract

In the urban development of cities, in the last twenty years, new geometric solutions have been applied for levelled intersections by transforming them into spiral-flow roundabouts or turbo-roundabouts, mini-roundabouts, two-level roundabouts, traffic-lighted roundabouts, flower-shaped roundabouts etc. The main advantage of turbo-roundabouts is the reduced number of conflict points and the elimination of conflict points for interweaving in the roundabout, which is achieved by separating traffic flows by direction. The main characteristic of the flower-shaped roundabout is that all the curbs of the circulatory carriageway, splitter islands and access roads remain on the same position in case of the reconstruction of an existing two-lane roundabout into a flower-shaped roundabout.

Their implementation contributes to improving the safety of all road users, increasing capacity and raising the level of service at intersections, primarily in the direction of sustainable urban development of cities.
In our closest environment, the implementation of turbo-roundabouts and flower-shaped roundabouts, as alternative solutions to separate levelled intersections, started in Slovenia and, drawing on their experiences and guidelines, their implementation also started in the Republic of N. Macedonia as of 2008. The purpose of this paper is to provide a brief overview of the correct application, procedures, and the technical specifications and design guidelines for this type of roundabouts and to define the future steps for their appropriate use. Experiences are provided from the neighbouring countries and from the introduction of the 3 turbo-roundabouts and the 1 flower-shaped roundabout in our country.

Key words: turbo-roundabout, flower-shaped roundabout, sustainable urban development, safety

1. ALTERNATIVE TYPES OF ROUNDABOUTS

Implementation of alternative types of roundabouts in city urban areas has been going for the last twenty years and they are implemented only in certain countries. A basic

feature of alternative types of roundabouts is related to the purpose of their application, due to their specific geometric design. Alternative roundabout types differ in one or more elements of geometric design compared to the classic ones.

The alternative types of roundabouts include (Tollazzi et al., 2011): mini-roundabout, double mini-roundabout, "dumbbell" roundabout, square-shaped roundabout, roundabout with a square-shaped central island, roundabout with a transition central island (the "hamburger" roundabout), up-grade (two-level) roundabout, roundabout with a spiral flow of the circulatory carriageway (turbo-roundabouts), "flower"-shaped roundabout, double roundabout with joint splitter island ("dog-bone"), roundabout with traffic lights, assembled (prefabricated) roundabout, roundabout with a central island accessible to pedestrians, and cyclists' roundabout.

In our closest environment, the implementation of turbo-roundabouts and flower-shaped roundabouts, as alternative solutions to separate levelled intersections, started in Slovenia and, drawing on their experiences and guidelines, their implementation also started in the Republic of N. Macedonia as of 2008. In continuation, we are presenting a brief overview of the technical specifications and design guidelines, procedures and implementation experiences for these two types of roundabouts, and recommendations for future steps for their appropriate use are also provided.

2.   TURBO-ROUNDABOUTS
2.1 General

According to the Law on Road Traffic Safety (The Official Gazette of RNM, No. 169/15 etc.), a roundabout is a traffic area with a central island in which traffic flows in a circular flow and in a counterclockwise direction. The domestic legislation lacks any laws or by-laws that would define the term *turbo-roundabout*, its basic traffic and technical elements and characteristics, the area of implementation, the criteria for justifying their implementation, the types, the capacity calculation methodology, the necessary traffic signalization and equipment etc.

According to the definitions of the term *turbo-roundabout* given in the technical specifications and guidelines from neighbouring countries, the following definition can be formulated: *turbo-roundabout (turbo-circular flow or roundabout with spiral flow) is a channelized circular flow with two or three circular traffic lanes, with a circular carriageway in the form of a spiral, on which three or four approaches converge and on which the circular traffic lanes are mutually separated from each other by a dividing element (delineator) that prevents change of the circular traffic lane (merging).*

The application of the concept of turbo-roundabout intersections started as an idea of Prof. Bertus Fortuijn, PhD, then a researcher at the University of Delft, in the Netherlands. Given the existing problems in conventional multi-lane roundabouts, his goal for the introduction of this concept was to find an appropriate geometric solution for a roundabout with the same or greater capacity than a two-lane roundabout, but with the same safety features as a roundabout with one traffic lane, with a view to reducing the number of conflict points (Fortuijn, 2007; Fortuijn, 2009a).

Turbo-roundabout is a suitable solution for intersections outside the urban environment, where a smaller number of non-motorized road users is expected or they are separated on a levelled crossing. In an urban environment, it is an appropriate solution provided that the traffic safety management of non-motorized road users is addressed.

The implementation of turbo-roundabouts as alternative roundabouts began in 2000 in the Netherlands, which today represents the undisputed homeland of this type of

roundabouts with more than 410 turbo-roundabouts. There are about 700 turbo-roundabouts in the world today and most of them (over 98%) are implemented in European countries such as Poland, Germany, Finland, Norway, Czech Republic, Hungary, Slovenia, Croatia and others. However, there are countries, such as France and Italy, which have no turbo-roundabouts, not even in an experimental phase, but they are in an advanced research phase; and others, such as Spain and Great Britain, where some turbo-roundabouts are in a trial phase. In our neighbourhood to date, the largest number of turbo-roundabouts, a total of 17, have been built in Slovenia (Tollazzi et al., 2011); Croatia has built 9; there is only 1 such roundabout built in Bosnia and Herzegovina; and as of June 2023, the latest turbo-roundabout started functioning in Novi Sad, as the first one in Serbia. In our country, a total of 3 turbo-roundabouts have been built to date, two of which are in Skopje, and one is in Kavadarci.

2.2 Traffic safety

The analysis of traffic accidents, from the aspect of safety of all road users, shows that the consequences of traffic accidents at roundabouts are significantly different from accidents at classic intersections. They are of lower intensity and usually do not result in serious or fatal bodily injuries. The reason for this lies in the lower speed and in the fact that there is no possibility for head-on collisions at roundabouts. Traffic accidents at turbo-roundabouts are extremely rare and usually result in material damage only (Tollazzi et al., 2011). Studies have shown that turbo-roundabouts have a significantly lower number of traffic accidents in correlation to classic multi-lane roundabouts. Turbo-roundabouts reduce the number of total potential accidents between 40% and 50%, with the number of potential accidents involving injuries is reduced between 20% and 30% (Mauro, 2010). Line dividers are dangerous obstacles to motorcycles and hinder the maintenance and snow removal processes.

The main advantage of a turbo-roundabout compared to a classic four-legged intersection (32 conflict points) and ordinary two-lane roundabouts with two traffic lanes at the entrance and exit per approach (24 conflict points) is in the smaller number of conflict points for vehicles at the intersection and before, that is, the elimination of conflicting intersection points in the circular carriageway. The total number of conflict points for vehicles at a turbo-roundabout is 14, of which 4 weaving, 6 merging and 4 crossing. In this way, the probability of traffic accidents is reduced, and the potential consequences are even smaller, considering the elimination of the overlap in the circular lanes.
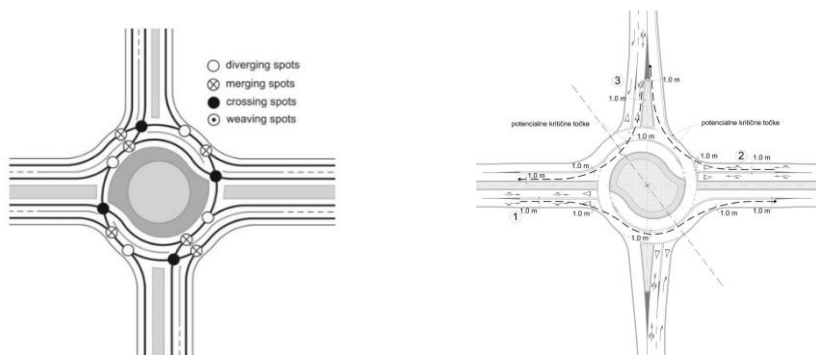

Figure1. Number of conflict points and speed check at a turbo-roundabout (Tollazzi, 2015b; MI RS, 2023)

The driving process in a turbo-roundabout corresponds to a single-lane roundabout, so the moving speed in a turbo-roundabout is comparable to the speed in a single-lane roundabout. For standard values of the internal radii of the turbo-roundabouts of 12.0 m, 15.0 m and 20.0 m, the speed ranges from 37 to 40 km/h, which satisfies the requirements set for the maximum speed of straight passage through roundabouts from 35 to 40 km/h (Kenjič, 2009). However, according to the same research, at two-lane roundabouts, with an internal radius of 30.0 m to 10.5 m, the speed ranges from 47 to 85 km/h. This was one of the main reasons why two-lane roundabouts were considered unacceptable solutions and their application in the Netherlands (since 2008) and Slovenia (since 2010) is no longer allowed.

2.3 Turbo-roundabout capacity

The comparative analysis of the capacity of classic roundabouts and turbo-roundabouts using the empirical methods for maximum daily traffic intensity and conflict flow intensity are given in the following table.

At ordinary two-lane roundabouts with two traffic lanes, at the entrance and the exit points per approach, the capacity ranges between 35,000 and 40,000 vehicles/day, with conflicting flows of around 2,100-2,400 PAE/hour. In comparison, on a standard turbo-roundabout with the same characteristics, the capacity stands at around 37,000 vehicles/day, and conflicting loads reach around 2,000 PAE/hour. The maximum capacity of a turbo-roundabout – the rotor one – is around 50,000 vehicles/day with conflicting flows of around 2,500 PAE/hour. The quick-scan model developed by the Province of South Holland in the Netherlands (CROW, 2008) shows that the capacity of a turbo-roundabout is around 25% to 35% higher than the capacity of a two-lane roundabout, depending on the balance of the traffic volumes on the approaches.

2.4 Types of turbo-roundabouts

There are several types of turbo-roundabouts: basic, egg, knee, stretched knee, turbine (rotor), spiral, and star turbo-circular (Figure 2). The choice of the type of turbo-roundabout depends on the direction and the intensity of the dominant (main) traffic flow.
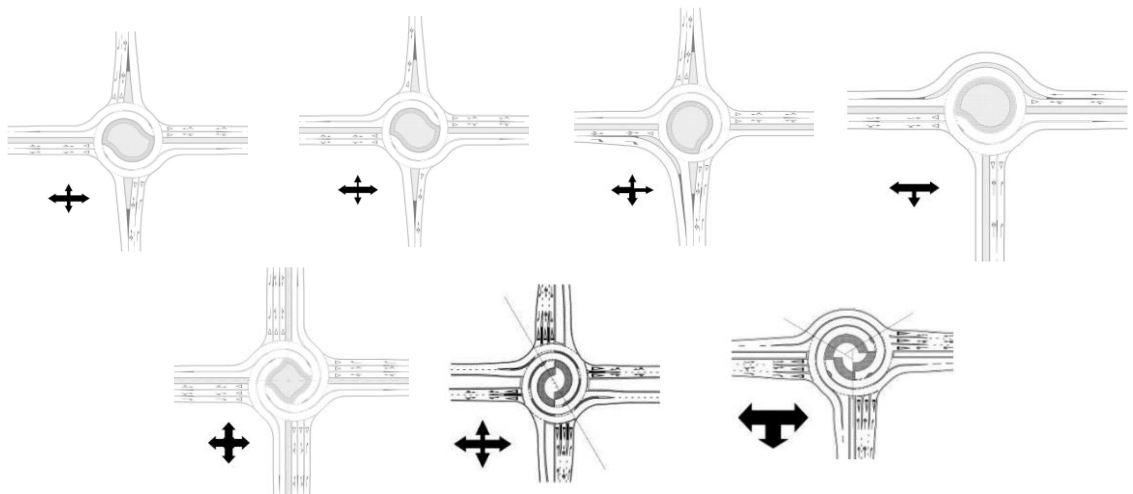

Figure 2. Types of turbo-roundabouts

2.5 Practical experiences with turbo-roundabouts in N. Macedonia

In our country, the implementation of turbo-roundabouts began in 2008, when, for the first time ever, the conceptual design was developed for the intersection of the *Metropolit Teodosij Gologanov* street and the *Sv. Kiril i Metodij* street in Skopje. The period of design and documentation approval followed, and the project was officially launched in April 2011.

Figure 3. The first turbo-roundabout in N. Macedonia – the *M. T. Gologanov* street and the *Sv. Kiril i Metodij* street in Skopje

This was the first turbo-roundabout in the Balkans (the one in Osijek, Croatia, was launched in June 2014), not counting Slovenia, which had built the first one in Koper in 2008.

According to a research (Krsteski, 2017), which analysed the traffic accidents occurring at this intersection for an observation period of 2.5 years before, and some 3 years after the introduction of the turbo-roundabout, there has been a 50% drop in the number of traffic accidents.

As for the consequences suffered from traffic accidents, the number of traffic accidents resulting in severe injuries has decreased by 73%, and that of traffic accidents resulting in material damage has decreased by more than 50%. Regarding the time gap analyses, according to Siegloch-based calculations, the critical time gap ranges between 4.0 s and 5.2 s, while the follow-up time ranges between 2.6 s and 3.1 s, which is in line with similar data from other countries.

Figure 4. The intersection of the *Metropolit Teodosij Gologanov* street and the *Sv. Kiril i Metodij* street in Skopje, before and after implementing the turbo-roundabout

The analytical study and the software simulations show that turbo-roundabouts have a 38.3% to 69.7% higher capacity than two-lane roundabouts. From the analytical comparison of the saturation levels, it follows that turbo-roundabouts have 40% to 68% higher values, depending on the estimation method. The total flow of vehicles at this intersection in peak hours in 2017 was 2,792 veh/hour, and according to the latest counts as of 2024, the total flow of vehicles stands at 2,718 veh/hour.

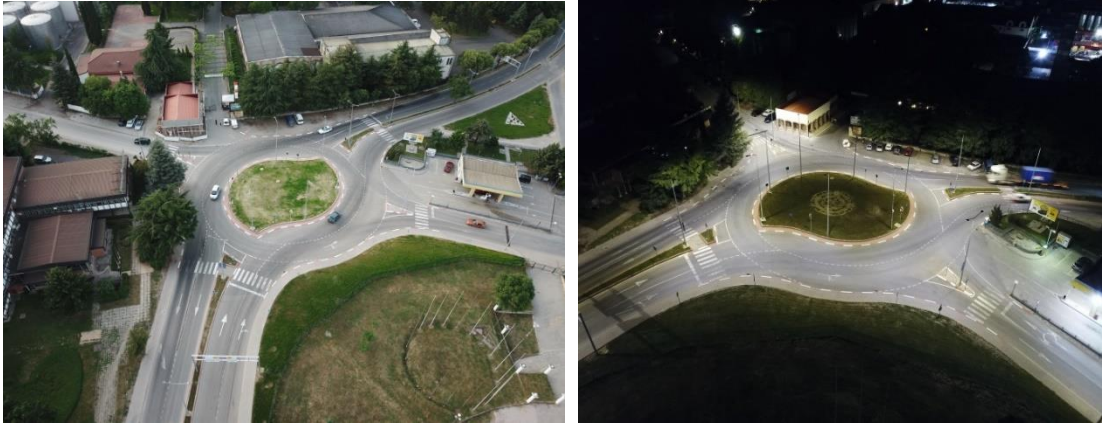The second turbo-roundabout was built in Kavadarci in 2019.

Figure 5. Turbo-roundabout at the intersection of the *Zapaden bulevar* boulevard and the *8. Septemvri* street in Kavadarci

This intersection at the *Zapaden bulver* boulevard and the *8. Septemvri* street is a specific turbo-roundabout due to its close proximity to the gas station, providing for an additional approach, and thus creating an atypical turbo-roundabout with 5 approaches. According to the available information, no traffic accidents have occurred at the intersection to date. The total flow of vehicles in peak hours at the intersection, according to the latest counts in 2024, is 1,086 veh/hour.
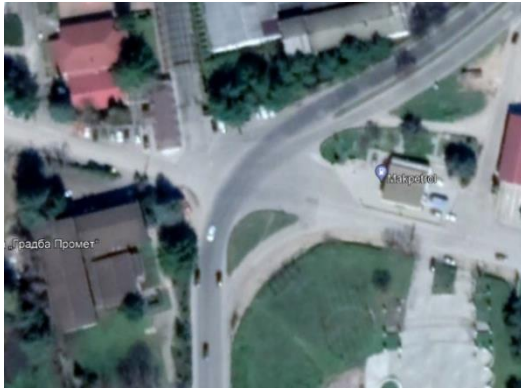
Figure 6. The intersection of the *Zapaden bulevar* boulevard and the *8. Septemvri* street in Kavadarci, before and after implementing the turbo-roundabout

The third turbo-roundabout is under construction at the intersection of the *8. Septemvri* boulevard and the *Skupi* street in Skopje. The geometrical elements have already been laid, but the appropriate traffic signals and the delineators have not been installed yet.
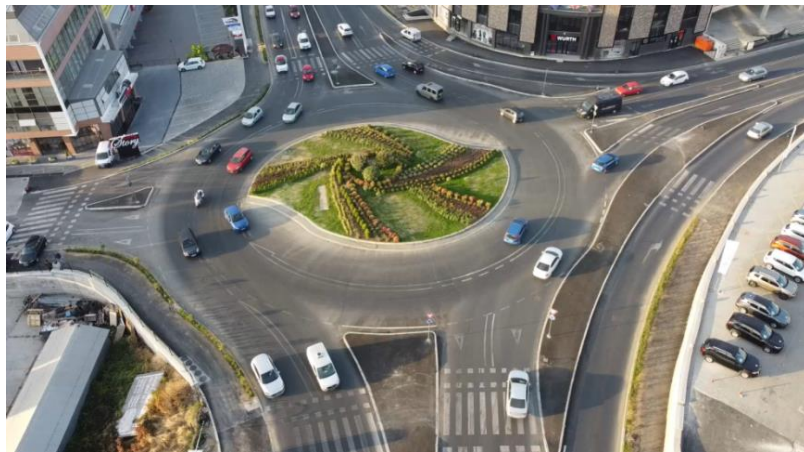

Figure 7. Turbo-roundabout at the intersection of the *8. Septemvri* boulevard and the *Skupi* street in Skopje

According to the analyses and the simulations made in a study (Hristoski, 2017), in the period up to 2036, the turbo-roundabout will operate with D service level (with a planned hourly flow of 4,784 veh/hour), due to the fact that there are large traffic flows to the left of the *Skupi* street approach. What is specific for this intersection are the two "slip" traffic lanes for right turns, providing partial flower-shaped turbo-roundabout. With the existing condition of the roundabout as it is today, with only geometrical features laid, the intersection is loaded with a total vehicle flow of 4,585 veh/hour during peak hours.

Figure 8. The intersection of the *8. Septemvri* boulevard and the *Skupi* street in Skopje, before and after implementing the turbo-roundabout

It bears noting that two more turbo-roundabouts are planned for the *12. Makedonska brigada* boulevard in Skopje, which should be built soon, as the traffic studies with conceptual designs have already been prepared, and as such have entered the planning documentation as intersection solutions.

3. FLOWER-SHAPED ROUNDABOUTS
3.1 General

The flower-shaped roundabout is alternative type of roundabout with bypass lanes for right turning movements. This type of roundabout has 3 main characteristics (Tollazzi et al., 2011):

1. physically separated traffic lanes in a circulatory carriageway;
2. right-turners have their own separated traffic lanes. This results in the inner circulatory carriageway being used only by vehicles that drive straight through the roundabout, turn left and make a U-turn;
3. it can be implemented within the geometry of the existing normal two-lane roundabouts. Unlike the case of turbo-roundabouts, when reconstructing the existing two-lane roundabout into flower-shaped roundabouts, all the curbs of the circulatory carriageway, splitter islands and access roads remain in the same position.

The reconstruction of the existing two-lane roundabouts into flower-shaped roundabouts can be performed in four steps (Tollazzi et al., 2011):

- step 1: additional circulatory carriageway towards the centre of the roundabout is implemented,
- step 2: construction lines of entries and exits are extended,
- step 3: splitter islands are extended for one circulatory traffic lane towards the centre of the roundabout, and
- step 4: redundant surfaces are rearranged into green areas.

The name of the flower-shaped roundabout comes from the shape of the roundabout, with the splitter islands created by the reconstruction of the normal two-lane roundabout resembling a flower.
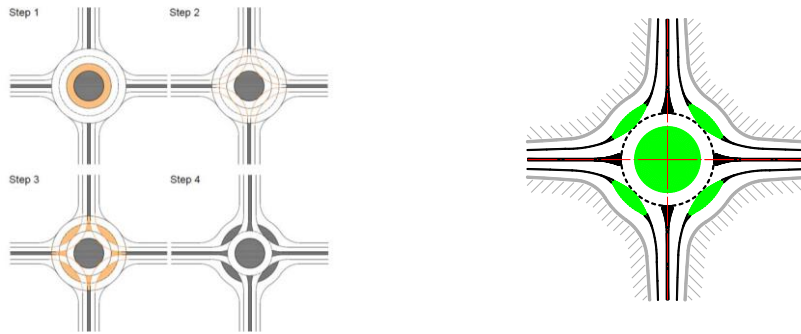
Figure 9. Reconstruction process for an existing two-lane roundabout into a flower-shaped roundabout (Tollazzi et al., 2011; Tollazzi, 2015a)

3.2 Traffic safety

By physically separating the right-turning traffic flow with splitter islands, we get a single-lane roundabout, without any crossing conflict points, as is the case with turbo-roundabouts. On the other hand, compared to normal two-lane roundabout, there are no weaving conflict points either.

In the case of flower-shaped roundabouts, there is no weaving in the circulatory carriageway, but only 8 conflict points (4 diverging points and 4 merging points), which characterize the standard single-lane roundabout. As for the bypass lanes, it is also required to calculate the number of the diverging spots from the right-turn routing manoeuvres and the merging spots in the flow coming from the roundabout (4 diverging and 4 merging points). With the flower-shaped roundabouts, the weaving conflict points are shifted from the circulatory carriageway (in the curve) to the road section before the roundabout (usually a straight line), which constitutes an improvement for the traffic safety. These conflict points are located at a certain distance from the roundabout, where the effect on speed limitation is less noticeable. In general, bypass lanes for right turns can lead to speeding, and therefore, should only be used for roundabouts in suburban areas, where the number of nonmotorized road users is smaller (Tollazzi et al., 2015b).

3.3 Flower-shaped roundabout capacity

According to a study results (Corriere et al., 2013), flower-shaped roundabouts can be used whenever the circulating flow is lower than 1,600 veh/hour, as they lead to higher capacities and lower delays than those in classic two-lane roundabouts. However, in the case of circulating flows higher than 1,600 veh/hour, they can lead to circulatory carriageway saturation, and consequently, to reduced entry flows. Flower-shaped roundabouts are advantageous compared to classic multi-lane roundabouts when the share of the right-turn vehicles reaches 60% of the total number of vehicles in the roundabout (Tollazzi, 2015a).

3.4 Practical experiences with flower-shaped roundabouts in N. Macedonia

The only roundabout with geometrically separated traffic lanes for right turns was built in 2015 at the intersection of the *Partizanski odredi* boulevard and the *Aco Šopov* street in Skopje. This intersection was previously controlled by traffic lights and had large vehicle flows for left turns from the eastbound to southbound approach, and for the right turns in the reverse direction.

Figure 10. The intersection of the *Partizanski odredi* boulevard and the *Aco Šopov* street in Skopje, before and after implementing the flower-shaped roundabout

The basic characteristic of this intersection is its geometry, with two traffic lanes in the inner circulatory carriageway and separated right-turn lanes on three approaches, two of which (the eastern and the southern) are the most heavily loaded with right-turning vehicles. This geometry represents a flower-shaped roundabout, but with two traffic lanes in the inner circulatory carriageway. Based on the latest traffic flow analyses of the roundabout, as of May 2024, the average total number of vehicles at the intersection in the afternoon peak hours is around 3,800 veh/hour, of which the share of the right-turning vehicles on all three approaches with separate traffic lanes is around 63%. Although, in peak hours, only the eastern approach to the roundabout forms queues, because of the high share of left turns to the southern approach, the flower-shaped roundabout operates at C service level on an average day.

According to the available traffic safety information for the last 2 years, all traffic accidents occurring at this roundabout have resulted only in material damage.

Figure 11. Flower-shaped roundabout at the intersection of the *Partizanski odredi* boulevard and the *Aco Šopov* street in Skopje

4. CONCLUSIONS AND RECOMMENDATIONS

Traffic safety in urban area street networks can also be improved with the implementation of alternative types of roundabouts. Good planning and implementation of these types of roundabouts leads to an advanced sustainable urban development of cities and enhanced safety of urban living. Traffic safety in multi-lane roundabouts has been resolved in several ways in different countries, however, the solution where the number of conflict points gets reduced has proven to be the most successful. Roundabouts with spiral flows on the circulatory carriageway or turbo-roundabouts are a type of roundabout that can significantly reduce the number of conflict points.

Considering the experiences of European and neighbouring countries, and the observations from their practical use in our country, the advantages of turbo-roundabouts in relation to two-lane roundabouts are indisputable. However, domestic laws and by-laws do not provide for turbo-roundabouts or other types of alternative roundabouts. We recommended that, mandatorily and as soon as possible, appropriate legal amendments be made and the technical specifications, instructions etc. be developed, in view of defining the term *turbo-roundabout* and alternative types of roundabouts, their basic technical traffic elements and characteristics, the area of application, justification criteria for application, typization, capacity calculation methodology, necessary traffic signalling and equipment etc., all in order to ensure their correct implementation.

Flower-shaped roundabouts are a good solution when we are dealing with high share of right-turning vehicles. Compared to normal two-lane and turbo-roundabouts, flower-shaped roundabouts are advantageous when the share of right-turning vehicles reaches 60% of the total number of vehicles. This type of roundabouts is recommended for use in the case of reconstructing an existing less safe multi-lane roundabout.

In the near future, with sustainable urban development of the cities, further development of alternative types of roundabouts can be expected, the implementation of which will solve specific problems, and will be a challenge for our branch of science.

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"COMMUNITY POLICING" – THE BASIS FOR SUCCESSFULLY DEALING WITH CONTEMPORARY SECURITY THREATS

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Abstract

The concept of "Community Policing" is a strategic commitment of the police organizations in most of the world's countries. It is a recognizable concept that emphasizes preventive police action by detecting the causes of security problems at the local level, but also solving them through the cooperation of the police and the citizens. An efficient process of information exchange as a result of close cooperation between the police and the community detects the causes of security threats of all kinds, including modern security threats, such as terrorism and organized crime, which destroy the democratic values of almost all countries in the world, spreading a sense of fear and insecurity among all citizens. The successful functioning of this concept is to a significant extent related to the professionalism of the police officer, from which trust arises, which is the core of the entire process of exchanging information, identifying and solving the problem. The strategy of strengthening the community in many countries has proven to be a successful way to detect criminogenic risks and threats which, despite the fact that they cannot be analysed exclusively at the local level, without taking into account the complex global processes, are still closely related to prevention, which is proving to be the most appropriate response to all security threats.

Keywords: police, community, security, threats

1.INTRODUCTION

Abandoning the classic formulation of security definition has shifted the focus of research to individual security, which has, as the central core of research, the individual and his perceptions of security, but also the security problems that differ significantly, especially after the events of September 11, 2001. These concerns are at the source of the threat, but not the possibility of limiting the risks, primarily due to the process of globalization, which has removed borders as an obstacle for committing crimes in international frameworks. Security problems are becoming more complex, but also less predictable, due to risks that change the way they manifest. The need for a more human-cantered approach to security is, in fact, reinforced by the multiplication of threats and dangers and by the insecurity arising primarily from non-military spheres (Митревска, 2016). According to George MaeLean, "the broader sense of the word human security changes the focus of traditional security to the security of the person, the individual. Human security recognizes that personal protection of the individual comes not only from protecting the state as a political entity, but also from access to personal well-being and quality of life" (Митревска, 2016). According to Marina Mitrevska, human security does not only include problems of individual gain, such as education, health care, protection from crime etc., but also the security of individuals in their personal environment (e.g.

family), their local communities and their natural environment (Митревска, 2004). Ǵurovski connects individual security with the stable functioning of a democratic society based on a market economy, the rule of law and respect for human and civil rights and freedoms, emphasizing that individual security must necessarily be considered in a cause-and-effect relationship with the national, regional, international and global security, which in that regard have a dual role and, on the one hand, are responsible for the safety of the individual, and on the other hand, appear as a source of threat arising from national, regional and international norms for the use of force (Ѓуровски, 2021). The police play a central role in establishing that cause-and-effect relationship, as a key institution whose main purpose of action is related to the protection of life, personal security and property of citizens, but also the protection of basic human freedoms and rights. The way police work is carried out is largely related to people's perception of the police as a democratic institution or as a "government with a baton", which, on the other hand, significantly affects the cooperation of citizens with the police.

2. CONTEMPORARY SECURITY THREATS

Security in the 21st century is faced with specific challenges arising from globalization as a process of interconnecting the entire world, which has facilitated the migration of people, but also of criminogenic factors. The Schengen zone, which is conceived and functions as an area without borders, in which citizens from the majority of European countries travel without border controls, on the one hand, facilitates the process of migration of people, but on the other hand, facilitates the movement of criminals, who extend their goals and influence beyond the borders of the countries in which they live. Migrant movements, international terrorism, illegal trafficking in drugs, weapons and people, weapons of mass destruction combined with the dysfunction of the institutions of the system are only part of the security challenges that test the security institutions at the European level. Security experts are faced with a serious challenge, first of all, because of the basic human freedoms and rights, which the more they increase, the more it attacks the underdeveloped institutions of the democratic society, which, in certain areas, still cannot get out of the social transition and cannot appropriately deal with newly emerging risks to their security system.

The biggest challenges for the countries along the "Balkan Route" that are related to migration movements were and remain the following security risks:

- terrorist infiltration among migrants;
- continuous flow of migrants along the route as a result of the activities of smuggling networks;
- encouragement and intensification of existing and new forms of criminal activities (forgery, extortion, blackmail, theft, trafficking in human beings, trafficking in human organs, trafficking in children, prostitution, narcotics, weapons etc.);
- intensified interaction with local criminogenic structures of different ethnicities;
- expanding the existing and establishing new smuggling channels;
- complication of the security and financial situation in the countries along the "Eastern Mediterranean route";
- increased number of corruption crimes and abuse of power, in order to facilitate the path of migrants (Gjurovski et al., 2020).

International terrorism, despite the fact that it has violent extremism and radicalism at its basis, is the result of several types of factors, most of which are religious and ideological, which, in combination with socio-social and economic factors, place it at

the top of threats to the international safety. The feeling of fear and insecurity, which, as a result of the developed technology, spreads extremely quickly and easily, enables the easy achievement of the goals of terrorist attacks on the global level. The Internet enables easy recruitment and connection with financiers, and corruption "breaks through" the measures established to protect against money laundering and terrorist financing.

International terrorism, radicalism and violent extremism present a security risk from several aspects:

- general threats to the region will continue to arise from religious extreme pro-jihadist structures (individuals or hidden groups) which act as the logistical or material support of the global jihadist movement and the network of returnees from conflict regions;

- creating increasingly strong networks and new infrastructures, recruiting an increasingly large membership, which will supposedly aspire to "true Islam";

- in Europe, the demands of radical Islamists for "right to religious affiliation and freedom", "human rights and freedoms" will be increasingly loud, engaging numerous civil associations in working out such agendas. They are expected to activate all social forms of action for the purpose of preparing for an easier acceptance of their existence as a new reality in Western countries;

- radical Islamists will continue to exert various pressures on their fellow citizens, moderate Muslims, as well as non-Muslims, in order to "voluntarily" convert them so as to increase their numbers. They will especially concentrate on the numerous migrant young population, which is an "easy target" for further radicalization, and which, in addition to economic, also faces cultural problems. Their target group will also be young people from the West, offering them a sense of belonging and togetherness;

- religious leaders and teachers/preachers will continue to be promoters of radical ideologies, and in order to avoid security control, they will aim to direct their actions stealthily by targeting selected persons susceptible to manipulation. Such persons may be used as logisticians, facilitators or executors of future terrorist activities;

- there is also the risk of occupying areas (creating extraterritories) in which strict Sharia rules will be observed and applied in the so-called "free zones" for action, where the radical Salafist way of life will be practiced, and in which difficult control by state institutions and local security services will be disabled (e.g. BiH);

- danger of interaction of individual political structures and members of the state and security services in the countries of the region with radical Islamists. Such a strategy is in the direction of creating conditions for the long-term establishment of radical structures in state institutions and achieving influence on the policies (introduction of Sharia regulation) of the states. In the long term, Islamic radicals could be expected to "adapt" religious extremism and direct their activity towards institutional involvement and establishment in Western democratic systems, by using political forms of action. Although this option is seemingly incompatible with the radical interpretation of Islam, which denies democracy and recognizes the caliphate as the only form of governance, there are examples of such political engagement in Islamic countries (Gjurovski M. et al., 2020).

Illegal drug and arms trafficking is one of the most common forms of transnational organized crime. The international factor in the modern conditions of globalization is the element that affects the connection of criminal groups at the international level, with the aim of greater influence, but also a larger market for the sale of illegal goods. The flexibility of criminogenic factors allows the exploitation of the weaknesses of democratically established institutions through corruption, which is especially pronounced

in economically underdeveloped countries. The dangers of transnational organized crime have harmful consequences on the overall legal order by undermining the foundations of the system's democratically established institutions.

3. "COMMUNITY POLICING" AND DEALING WITH CONTEMPORARY SECURITY THREATS

"Community Policing" is a recognizable concept of problem-oriented policing based on cooperation between the police and citizens, which emphasizes preventive and proactive police action. Adrian Diaz, Chief of Police in Seattle, believes that, at the organizational level, the model promotes strategies that support the systematic use of partnerships and problem-solving techniques to proactively detect immediate conditions that are the cause of public safety challenges, such as crime, social disorder and fear of crime. According to him, the concept rests on three main principles:

- partnerships with the community;
- organizational transformation;
- solving problems (Diaz A., 2019).

The local community, as an essential term for this concept, is based on the connections between people within a clearly defined territorial entity, which has a certain degree of political self-government, communal infrastructure, social, economic and cultural characteristics and resources, in which citizens realize most of their individual, family, social and other needs (Симоновић, Б.,2006). If these ties in the community are weak, the police should, through various methods, contribute to their strengthening and thus develop the feeling of belonging in the community, and this will further contribute to its integration into it and the development of close ties between the citizens and the police. In this way, the police develops its preventive function and detects changes in the environment that may be subject to additional checks in order to detect possible illegal behaviour. Preventive police action is the focus of action of all security institutions in the world, because the consequences of modern forms of crime are very severe.

For preventive police action, two models of proactive action are important:
- a proactive model of police action aimed at the target of an attack;
- a proactive model of police action aimed at criminal activity.

The proactive target-oriented model of policing has as its focus on the collection of data on potential targets of security threats. Depending on the type of security area, this can include different subjects and objects for which it is important to assess the vulnerability of the target. This type of assessment is usually done through several key questions:

- Are there potential targets of attack in the local community (where the police officer works)? If they exist, are they protected, and how are they protected?
- Are there illegal weapons, explosives and chemicals in the local community? If there are, how well protected are they?
- What is the readiness of the police to react effectively, if criminal activity is carried out?
- Is it necessary to consider the possibility of reorganizing the police structures, as well as whether effective communication with the media and citizens has been established?
- Are the security services capable of processing large volumes of evidence and other necessary operational and logical issues? (Spahic & Ganic, 2014)

One of the ways to assess the vulnerability of the attack target is to design a so-called "threat assessment matrix", where the emphasis is placed on four factors:
- probability that security measures will be breached;

- potential injury and loss of life;
- degree of social disruption and action;
- global extent of threats and trends (Spahic & Ganic, 2014).

The matrix presents the four factors ranking on levels 1-5 according to the possibility of occurrence:

Table 1: Matrix to assess the vulnerability of an attack target (Spahic & Ganic, 2014)

Probability of breaking security measures	Potential for causing injury and loss of life	Social disturbance - action	Global extent of threats and trends
1- Almost impossible – it can happen, but only with help from within	1. Small chances	1. Minimal	1. Minimal and distant developments – there are no threats in that region
2. Almost impossible – it could happen, but it is almost impossible for it to happen	2. Some potential	2. Partial	2. Some events in another jurisdiction – distant from the local community
3. Possible - the target of attack is located in an unfavourable place	3. Significant potential	3. Significant	3. Possible – there are threats in the neighbourhood
4. More than possible – the target of the attack is vulnerable, it happened to be the object of attack in other places	4. Particular potential	4. Special	4. Probably – more global events, there are threats
5. Very likely – warning signs are present that it has been the target of an attack before	5. Destructive potential	5. Devastating	5. Very likely – numerous global events, there are threats to the community and its immediate environment.

After the analysis is prepared based on the matrix for assessing the vulnerability of the attack target, the measures and activities that will be taken are determined, with a view to proactive action. These measures may be aimed at increasing the physical corpus of the police, but also at strengthening the measures based on the previously prepared matrix. The second method of proactive action is carried out by increasing a person's awareness to recognize the changes in the environment in which he resides and exists, but also to accurately and timely inform the police officer about the same. The rapid exchange of

information allows action to be taken on any information that may be interpreted in the context of a security threat.

The proactive model of police behaviour oriented towards criminal activity is aimed at behaviour that may be an indication of criminal activity. These indicators may relate to:

- suspicious persons – persons who behave unusually in the local environment or who are newly settled and should be subject to additional checks in order to determine possible connection with illegal activities;

- suspicious facilities – facilities for which the local community does not have ownership or usage data or have been abandoned for a long time;

- suspicious behaviour – behaviour related to increased spending of funds, disposal of funds that exceed the person's monthly income, communication with suspicious persons, purchase of certain items etc.

Directing citizens to be careful about these indicators, through the rapid exchange of information with police officers, can contribute to their timely processing and verification in order to determine the possible existence of criminal activity and thus successfully deal with any form of security threat.

Community crime prevention is based on the assumption that, if the community can be changed, the behaviour of the people living in it can change, too. Possible ways to change the community include the following:

1. organizing the community in order to improve and strengthen the relationship between the residents so as to encourage them to take preventive measures;

2. changes in the appearance of the settlements as public and police surveillance has improved, which will strengthen the security;

3. improving the appearance of the area in order to influence the opinion that it is a favourable target for crime;

4. development of activities and programmes that create a better organized and "more transparent" environment (Roberg et al., 2004).

What needs to receive particular attention is the selection of personnel for employment in the police organization, which should not be reduced to disqualifying unsuitable candidates, but identifying and hiring the best candidates, who, identifying with the role assigned to them, can establish better contacts with the local community where they perform their work tasks, and beyond.

4. CONCLUSION

The concept of community policing is the present and the future of policing in almost all countries of the world. Recognizing the importance that the citizen as an individual has in view of the information deficit, which is a general problem for clarifying and proving crimes, police organizations are constantly developing this concept, making efforts to achieve as close a relationship as possible between them and the citizens. Since each individual lives and functions in a certain local community, it is indisputable that the information that could be obtained from there would contribute to the preventive action of all forms of crime. Modern security threats usually have a transnational character, but seen at the local level, all information about their phenomenological forms can be subject to individual analysis, which will be part of the great mosaic of clarifying the crime. For this reason, there are two types of models of proactive police action, one of which is aimed at the target of the attack, and the other at the criminal activity. In the proactive model of police action, which is aimed at the target of an attack, it is particularly important to make

an assessment of to what extent a particular object can become the target of an attack and, based on that assessment, to take measures that will be related to increased activities by the police officers or, by increasing the awareness of citizens, to recognize the changes that are happening in the environment in which they live. The proactive model of police behaviour oriented towards criminal activity is aimed precisely at increasing the awareness of citizens to recognize the clues of criminal activity that refer to suspicious persons, objects and behaviour. What is especially important for the efficient functioning of this concept is the efficient exchange of information between the police and citizens, which has, at the core of the entire process, the trust that comes from the professional police officer who enjoys reputation and authority in the environment in which he works and lives. Only in this way, the constant process of information exchange will be effective and will be the basis for dealing with all security threats, especially the contemporary ones, which pose a challenge to all security institutions in the world.

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MENTORING IN THE POLICE

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Abstract

Mentoring is the professional relationship between the mentor and the mentee that aims to improve the general and specific work-related competencies by providing support and transferring knowledge, skills and experiences from one person to another. The mentee lends a helping hand to identify and achieve the goals, and the mentor is happy to help employees develop. In the Ministry of Internal Affairs in the Republic of North Macedonia, mentoring and mentoring programmes have been included in the legislation as processes and challenges that are being acted upon.

Positive effects are expected from the implementation of mentoring skills, namely: upgrading of personal and professional skills at the workplace and in the working environment. Special emphasis is placed on mentoring women in order to strengthen self-confidence in a male-dominated work environment. The Ministry of Internal Affairs is supported by the OSCE Mission in Skopje for the challenges related to gender issues and, since 2018, the implementation of the Programme for Women in the Police has been started.

As a result, many benefits are expected: change of institutional culture in organizational environments, respect for human freedom and rights, the need for work-life balance and parental leave, raising awareness of the importance of gender equality and representation of women in management positions.

Keywords: *mentor, mentee, mentoring, mentoring programme and gender mentoring programme.*

1. INTRODUCTION

In the Ministry of Internal Affairs in the Republic of North Macedonia, mentoring and mentoring programmes have been entered into the legislation as processes and challenges that are being acted upon. Positive effects are expected from the implementation of mentoring skills, namely: upgrading of personal and professional skills at the workplace and in the working environment. Special emphasis is placed on mentoring women in order to strengthen their self-confidence in a male-dominated work environment. The Ministry of Internal Affairs is supported by the OSCE Mission in Skopje for the challenges related to gender issues and, since 2018, the implementation of the Programme for Women in the Police has been started.

The term *mentor* comes from Homer's "Odyssey". Mentor was an old man who looked after Telemachus, the son of Odysseus, when he went to war. A "mentor" is an experienced, trusted person, regardless of whether he is a professional in a certain field or there is an informal transfer of experience. The mentor's relationship with the student is bilateral, and such a relationship implies responsibility on both sides.

Today, mentoring has many forms – from guiding someone in the world of sports, to support in research and writing academic texts, such as master's or doctoral dissertations (off.net.mk, 2021).

The first recorded modern use of the word can be found in the book "The Adventures of Telemaque" (French: Les Aventures de Telemaque), by the French writer Francois Fenelon. The book was published in 1699 and was very popular. Today, the use of the word *mentor* has the meaning of, above all, a faithful friend, teacher or usually a more experienced person.

A mentor can be any worker who is assigned to a position at a higher level than the worker who is being mentored and who has completed training for a mentor (Law on Internal Affairs).

A mentor is an employee in the Ministry assigned to a position at a higher level than the employee whom he is mentoring, who has completed mentorship training and is appointed by the Minister of Internal Affairs, or an employee authorized by him at the proposal of the head of the organizational unit in which he works, and:

- trains a trainee in the Ministry and
- trains an employee to independently perform tasks for a specific position in the Ministry (Regulations for Training in the Ministry of Internal Affairs, Official Gazette of RM, No. 42 of March 17, 2015).

Mentors offer competence to less experienced individuals in order to help them advance their careers and upgrade their education. In many areas people benefit from a mentoring relationship.

In some professions, "mentoring programmes" have already been applied, in which newly arrived employees are paired with more experienced employees, who guide them through the work processes, facilitate them, and serve as an example in their further development.

There are numerous definitions of mentoring in the literature, including the following: "Mentoring is a process of informal transfer of knowledge, social capital and psychosocial support essential for work, career or professional development. Mentoring involves informal communication, usually face-to-face and over an extended period, between a person who is perceived to have more relevant knowledge, wisdom, or

experience (the mentor) and a person who is perceived to have less knowledge or experience (the mentee)." (Bozeman, Feeney, 2007).

Mentoring is a process in which the mentor provides guidance, methods and tools to the person being mentored, with the help of which that person will be able to reach the point to which the mentor is at the moment. Accordingly, a mentor is a person who selflessly shares his skills, knowledge and experience. In that way, it also helps the mentored person to grow and develop (https://growwithkate.mk/author/katerina/, 2022).

In the Law on Internal Affairs, mentoring is defined as a method of transferring knowledge and skills between workers, and it can be advisory or practical (Law on Internal Affairs).

The purpose of mentoring is to establish a relationship between an individual who has a lot of knowledge and experience with someone who has not yet acquired the same knowledge or experience.

Mentoring should be based on free will, that is, a choice where the mentee recognizes professionalism and expertise and therefore wants to learn from that person. Often in certain workplace professions we have "assigned" mentor situations.

The mentoring process takes place over a longer period of time and is a dynamic and interactive process of joint learning between the mentor and the mentee.

2. ROLE OF THE MENTOR

For a successful mentoring relationship, it is necessary for the mentor to be someone who has knowledge and work experience in the relevant field, to be able to transfer his knowledge, to have good communication skills and to maintain good interpersonal relations. An additional key quality for someone to be a mentor is the desire of the person to want to be a mentor, all in order to transfer his knowledge and experience to others.

For a mentor to be successful in his role, he should keep in mind that it is not him who is in question here, but the emphasis is on the person being mentored. The mentor should care about the problems and challenges of the mentee in order to provide help and support.

Understanding the role of both parties in the mentoring process has a great impact for quality and successful overall process. It is also important that both parties are committed and clearly define the desired goals from the very beginning. In order to have results in the mentoring relationship and achieve the goal, it is necessary to have openness, honesty and trust.

The mentor's motivation should exist to demonstrate a positive attitude towards work and be a positive example for others. The motivation comes from following and observing the mentees as they develop on a personal level. In the process of mentoring, in order for the mentor to be able to give directions and constructive feedback, it is necessary to be open to new ideas and to listen carefully.

According to the Guidelines for Introductory Training and Mentoring During Probationary Work, of the Ministry of Labor and Social Policy, the role of the mentor is:

- To encourage, stimulate and support the new employee for his quick integration into the authority and smooth execution of the work and tasks of the workplace;

- To transfer his knowledge, skills and experience to the new employee in the most appropriate way;

- To be a positive example, to direct, help and enable the new employee to perform work tasks independently, as well as to make an assessment of his progress

- To have patience and understanding for the achievements of the new employee.

The mentor's role is to guide the mentee through his personal and professional development and to support him in difficult situations. The mentor should be guided by the desire to share his knowledge with someone who needs it, not to promote himself.

The mentor's role is to listen and ask questions that will open up space for new ways of thinking. The mentor also has a role to warn if the mentee's idea goes outside the framework of reality and legality. It is necessary to help the younger mentees to build and strengthen their self-confidence, to discover if they have hidden talents, to show off their good sides. Also, the mentor's role is to help in making some decisions and facilitate thinking when there is a dilemma. A mentor sees the big picture, should have an objective approach and help find an inspiring example or advice.

In practice, there are many expectations from the function of persons in the role of mentor. Some of them are the following:

- Forms a relationship of mutual trust;
- Provides stable development support through the stages of professional and personal development;
- Discusses career development options with the mentee and offers direction advice;
- Helps the mentee in the analysis of the current and necessary capacities, skills, knowledge and resources;
- Gives the mentee essential information, knowledge and experiences that will enable him to be better at what he does;
- Provides new perspectives and suggestions and different views on doubts and questions of the mentees;
- Provides constructive feedback;
- Shares available and useful contacts for the development of the mentees;
- Has the role of a model (role model).

Ending the mentoring process is part of the boundary setting process, it is in the mutual interest of both the mentor and the mentee.

2.1 CHARACTERISTICS (TRAITS) OF A GOOD MENTOR

For a mentoring process to be successful, it is necessary for the mentor to possess professional competencies, high values and personal characteristics to be able to establish a good mentoring relationship.

Mentors should be trustworthy and maintain confidentiality related to everything discussed and all information shared during the mentoring relationship.

According to some research, the police around the world want their mentors to be civil servants: middle-aged; with work experience that reached at least the middle of the professional career; who have a higher education; who want to develop not only in professional, but also in scientific knowledge; who have a "passion" for change; who know management skills; who are creative and innovative; who have the ability to "lead" others; who build "relationships" and possess general and specialized business knowledge at the highest level (Cutler, 2003).

One of the best qualities a good mentor should have is helping those who need help. Finding the right mentor is a challenge. When choosing the right mentor, several important things should be taken into account:

- To set the goal and accordingly to identify the area in which guidance and support is needed;
- To look for a mentor who is professional, has knowledge and experience in the required field;
- To build a mentoring relationship of trust, respect and understanding, that is, to find a mentor with whom you can communicate openly and who understands the needs of the mentored person.

All mentors are not the same and one mentor cannot mentor everyone. But good mentors share the same traits. Some of those traits are: well-mastered skills and knowledge, desire to help and transfer knowledge, ability to transfer knowledge, experience, patience, reliability, motivational, competent, empathic, creative, communicative, encouraging, respecting the mentee (Mentorstvo: Osobine dobrog mentora, 2021).

2.2 ETHICAL PRINCIPLES AND COMPETENCES IN THE MENTORING PROCESS

2.2.1. Ethical principles in the mentoring process

Ethical principles represent the core of the mentoring process, which will lead to success and results. Mentors should work in accordance with the principles of the Code of Conduct of the European Council for Mentors. Mentors act according to the following principles:

- Mentors should be sure to work within the constraints of their role when mentoring others. They should recognize when those limits have been exceeded and refer the mentee to an appropriate alternative.
- Mentors should maintain confidentiality as agreed upon with the mentee at the outset of their relationship. Information should only be given with the mentee's consent.
- They should act within the law and not encourage, assist or organize with others who engage in dishonest, illegal, unprofessional or discriminatory behaviour.
- Mentors should respond to the learning and development needs of the mentee.
- They must not exploit the mentee in any way.

They should understand that professional obligations continue after the termination of the mentoring and maintain the following (maintaining the agreed confidentiality of all information related to the mentoring, avoiding any exploitation of the former relationship, monitoring the agreed activity and ensuring that all observations and information are kept safe or destroyed) (Kompetencii3_Mentorstvo%20i%20kompetencii.pdf).

2.2.2. Developing competencies in the mentored person

The mentee has to achieve the goal with certain behaviours and competencies. After the end of the mentoring process, the mentored person should possess acquired competencies, namely:

- To organize effectively according to acquired key concepts and set goals,
- Planning and preparation,
- Realization,
- Communication and cooperation with the environment and the community and professional development and professional cooperation

(https://www.mcgo.org.mk/pub/Upatstvo_za_mentorska_poddrska_MK.pdf).

In order to reach a certain level of expertise, precision and accuracy, the mentee has the opportunity to ask for the opinion of other people (immediate superior, employees at a lower level, other colleagues etc.) After the mentor and the mentee get a clear picture of the areas in which the mentee needs further development, he should get additional help and support to understand the activity in more detail. This is done by discussing and observing the work of another person who possesses that skill (Kompetencii3_Mentorstvo%20i%20kompetencii.pdf).

3.   MENTORING IN THE MINISTRY OF INTERNAL AFFAIRS

In the Ministry of Internal Affairs, mentoring is implemented in the legal framework. There are two types of mentoring: advisory and practical. Advisory mentoring is practically used for giving advice and developing competences, while practical mentoring is for introduction to practical work. To be mentored by a mentor, to provide practical instruction to a worker who has concluded an employment contract, or to mentor a person to work independently, a decision by the Minister of Internal Affairs needs to be prepared first. A mentor is exclusively a person who has completed mentorship training and has a higher position than the mentored person. The mentor also receives a one-time monetary reward for successfully mentoring a mentee.

The training provided by a mentor is legally compliant with Article 85 through Article 89 of the Law on Internal Affairs and the Collective Agreement of the Ministry of Internal Affairs of the RNM.

3.1. Gender Mentoring Programme in the Police

Teaching is a form of transferring knowledge to students. Even today, most governments and many organizations consider that continuous (so-called 'lifelong') learning is necessary for all employees and can be facilitated through mentoring (O'Neil Patricia, 1986).

In 2017, the Department of Police Development at the OSCE Mission together with the Women's Section at the Macedonian Police Union (MPU) started the implementation of the mentoring programme within the project to strengthen the gender equality of members of the MPU employed in the Ministry of Internal Affairs. The goal of the project is to enable the creation of a concept of mutual support for women in the Ministry of Internal Affairs/MPU, through the sharing of knowledge and experiences, strengthening solidarity, promotion of good examples, networking and strengthening of the women employed in the Ministry of Internal Affairs – members of the MPU.

The programme was designed to strengthen solidarity among women in the police and facilitate mutual support through sharing experiences and networking. Policewomen were given the opportunity to develop their skills, improve their personal and professional relationships and increase their self-confidence.

By the end of 2023, four generations of mentors and mentees attended the Programme. A total of 178 police officers (166 women and 12 men) successfully completed the basic and advanced training on gender and mentoring skills.

Seven selected mentors additionally completed a Mentor of Trainers course to ensure sustainability of the programme within the Ministry. During many courses and events, Programme participants had the opportunity to learn about mentoring, personal growth and well-being, time and stress management, and also improved their presentation skills, academic writing and public speaking skills to communicate more effectively and contribute to increased presence of women in law enforcement in the country.

This approach offered by the Programme has proven to be effective in promoting women's empowerment. Policewomen are progressing in their professional careers and today occupy key positions such as police station commander, head of the internal affairs unit and heads of other organizational units in the police.

It is important to say that the inclusion of male police officers in the Programme led to a greater understanding of the concept of gender, a gender-sensitive attitude and awareness of gender bias in the workplace.

The aim of the project was to help young female police officers better navigate a male-dominated work environment, to recognize and overcome obstacles in their relationships with their colleagues and to identify opportunities that can lead to their professional self-development and advancement in the service.

Through the programme, policewomen, and later several male police officers, were given the opportunity to develop their skills, improve their personal and professional relationships, and increase their self-confidence.

In addition to the personal and professional benefits, as a result of the Programme the participants also noticed a change in the institutional culture within their organizational units.

Mentors and mentees held special sessions in pairs that helped them achieve their goals, balance their personal and professional lives, increase creativity, improve decision-making skills and advance in their work careers.

During the evaluation, the programme showed that it had an impact:
- On a personal level: participants reported increased confidence, new knowledge and experiences, increased personal development
- On the professional level: participants recognized increased confidence, improved performance, improved skills - communication (active listening), time management and overall management skills, as well as job promotion.
- On the organizational level: there was empowerment of young police officers, improved teamwork, greater cohesion, increased awareness of gender issues and interest of male colleagues in participating in the programme.

3.1.1. Benefits of a mentoring process

The benefits of mentoring not only in the police but also in other institutions, we can freely state that they are multifaceted. In addition to the mentor and the mentee, the institution itself, where these people are employed, has a significant benefit.

Benefits for the mentee would be:
- To acquire new knowledge from more experienced colleagues;

- To get an insight into the daily operations in the specific area, to understand the influence of the employees in the institution and to get the big picture for the institution;
- Identifying strengths and weaknesses;
- Gaining more self-confidence;
- Developing new working skills as well as improving existing skills
- Strengthening interpersonal relations with colleagues, as well as increasing the network of collaborators.

The benefits for the mentor would be:
- Greater satisfaction of the mentor due to helping the mentee to improve skills and professional development;
- Developing leadership skills, communication and skills for building interpersonal and professional relationships;
- An opportunity to reconsider and think about the efficiency of their own practices;
- Strengthening interpersonal relations with colleagues, as well as increasing the network of associates and
- The opportunity to develop their own professional career.

4. CONCLUSION

Mentoring is a relationship between a more experienced and a less experienced person, with the goal of professional development of the less experienced person. Effective mentoring requires the mentor to be an expert in the professional domain that is the subject of mentoring.

Mentoring can be formal or informal, paid or unpaid. More likely for mentoring in institutions is that most of it is informal and therefore unpaid.

In the Ministry of Internal Affairs, mentoring and mentoring programmes are placed on a pedestal, which enables a comfort zone for all mentees. Mentoring for newly employed persons and persons receiving specialist training are organized at the highest level with special programmes for the workplace and the competencies that the mentee has and develops. In this area of mentoring the mentor is financially rewarded. And with the introduction of the gender mentoring programme in the police since 2018 with great support from the OSCE mission, a great challenge was introduced.

In the years that followed, there was a great interest to get involved in the programme for mentors and mentees. The beginning was difficult and bumpy, but with hard work female empowerment improves in predominantly male environments. The gender mentoring programme helped overcome stereotypes and reduce prejudice in a professional police environment. The authors of the paper through electronic communication and request tried to investigate these conditions in the region in the following countries: Kosovo, Bosnia, Serbia, Montenegro and Albania, but the answer we received was that such programmes have not yet been introduced. Materials from similar activities were shared, but they were not of interest for this paper.

The Ministry of Internal Affairs provides significant results from mentoring and mentoring programmes and represents a great step forward in the region.

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THE ROLE OF POLICE UNIONS IN PROTECTING POLICE LABOUR RIGHTS

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Abstract

This research paper analyses the crucial role of Police Unions in safeguarding the labour rights of law enforcement officers. Against the backdrop of evolving societal expectations and challenges faced by police personnel, this paper places the question of Police Unions within the broader context of labour relations, human rights, and the professionalization of law enforcement. The purpose of this research is to analyse the mechanisms through which Police Unions advocate for and protect the rights and interests of police officers, ensuring fair treatment, adequate working conditions, and equitable representation within law enforcement agencies.

The research paper comprises a detailed exploration of the topic, combining different methods such as legal analysis, literature review, comparative analysis, and empirical evidence to discuss the human rights of police officers and the role of Police Unions in protecting those rights, as well as to provide a comprehensive understanding of the functions, effectiveness, and challenges faced by the Police Unions in protecting specifically police labour rights.

Key findings of the paper highlight the essential role of Police Unions in negotiating fair wages, benefits, and working conditions for police officers, advocating for improved training and equipment, and addressing issues of discrimination and disciplinary procedures within law enforcement agencies. Furthermore, the paper identifies the significant impact of unionization on enhancing morale, job satisfaction, and professional development among police personnel.

In conclusion, this paper underscores the indispensable role of Police Unions in advocating for the rights and well-being of law enforcement officers, contributing to the overall effectiveness and legitimacy of policing in contemporary society.

Keywords: *Police Unions, labour rights, collective bargaining, professionalization of the police*

1. INTRODUCTION

Freedom of association is a fundamental human right essential for the functioning of a democracy and the exercise of other human rights (United Nations, 1966). Associations, including interest groups, trade unions, and political parties, play a crucial role in achieving public interest goals and supporting the protection of human rights (Van Dijk, 2008). The right to freedom of association is enshrined in major international human rights treaties such as the Universal Declaration of Human Rights (UDHR), the International Covenant on Civil and Political Rights (ICCPR) and the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR) (United Nations, 1966; Council of Europe, 1950). These treaties recognize the importance of all associations as

integral components of a democratic state (United Nations, 1966; Council of Europe, 1950).

The right to organize is a fundamental labour right recognized and protected by the International Labour Organization (ILO), particularly ILO's core conventions: 1. Freedom of Association and Protection of the Right to Organize Convention, 1948 (No. 87), ratified by 159 countries[90], providing *that workers and employers, without distinction whatsoever, shall have the right to establish and join organizations of their own choosing without prior authorization".* 2. Right to Organize and Collective Bargaining Convention, 1949 (No. 98), ratified by 168 countries[91], stipulating and emphasizing the importance of promoting collective bargaining as a means of regulating terms and conditions of employment*".*

As such, the protection of freedom of association is crucial for fostering pluralism, diversity, and democratic participation within society (Ewing, 2007).

2. DO POLICE OFFICERS HAVE HUMAN RIGHTS? THE RIGHT TO FREEDOM OF ASSOCIATION OF POLICE OFFICERS AS A UNIVERSAL HUMAN RIGHT

When discussing human rights in relation to policing, it is important to acknowledge that police officers, have an obligation to uphold and safeguard the rights of individuals. However, a pertinent question often raised by the police officers themselves is whether they, enjoy rights as individuals while carrying out their duties. The unequivocal answer is affirmative.

Police officers are entitled to the same rights and freedoms as any other person and are protected by international human rights instruments.[92] They can invoke their rights as outlined in various documents such as the Universal Declaration of Human Rights (UDHR[93]), the European Convention on Human Rights (ECHR) or the International Covenant on Civil and Political Rights (ICCPR). The principles governing the human rights of police officers are aligned with those applicable to all individuals. Police rights may be restricted, but only if they are relative rights and their restriction is necessary in a democratic society for the police to function in accordance with the law and with respect to the principle of proportionality.[94]

Human rights are universal and indivisible, inherent to all individuals by virtue of their dignity. Joining a police organization or wearing a uniform does not require individuals to forfeit these rights in favour of internal organizational regulations. Previous interpretations denying the applicability of human rights to police officers have now been outdated (Feldman, 2016). The European Council of Police Unions (CESP) has emphasised the question: Are police officers second-class citizens, and do all these

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[90] https://normlex.ilo.org/dyn/normlex/en/f?p=1000:11300::::::

[91] https://normlex.ilo.org/dyn/normlex/en/f?p=1000:11300:0::NO:11300:P11300_INSTRUMENT_ID:312243

[92] EU Agency for Fundamental Rights, A manual for police trainers, (2019). see Summary 1: Examples of the human rights of police officers, Fundamental rights-based police training, p.185

[93] United Nations, Universal Declaration of Human Rights, Article 2: In the exercise of his rights and freedoms, everyone shall be subject onto such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

[94] Council of Europe, Committee of Ministers (2001), Explanatory Memorandum, Recommendation Rec (2001)10 of the Committee of Ministers to member states on the European Code of Police Ethics, 19 September 2001.

Conventions, Protocols and Recommendations referring to the human rights apply to them? (Valadas, R., Lira Calvo, J., & Ivanovska, I (2023).

One notable exception to the general application of human rights to police officers is found in Article 11 of the ECHR[95], which addresses the right to freedom of assembly and association. Article 11 permits states to impose lawful restrictions on this right for members of the armed forces, police, or state administration. Due to their specific roles, agents of the state may face stricter limitations on their freedom of assembly and association compared to the average citizen, reflecting the state's priority in safeguarding essential security functions over individual interests. However, restrictions must be in accordance with domestic law and they must not be arbitrary. In that sense, regarding the right to join trade unions, the European Social Charter (Article 5)[96] offers a nuanced interpretation for police, allowing member states some discretion. However, jurisprudence under the Charter has established that while the right of police to organize may not be absolute, prohibiting police officers from forming their own representative associations would constitute a violation of the Charter.[97] Nevertheless, who protects human and labour rights of police officers?

2.1 The role of Police Unions in protecting police labour rights

Protection of labour rights within law enforcement agencies is not only essential for the well-being and effectiveness of police officers but also crucial for maintaining the integrity and professionalism of policing as a whole.

Law enforcement officers face unique challenges and risks in the line of duty, often needing labour rights protection. Police Unions often serve as the primary mechanism through which officers can voice their concerns and seek recourse for workplace grievances (Greene, 2017).

The role of Police Unions in protecting labour rights encompasses a wide range of issues, including fair wages, adequate benefits, reasonable working conditions, and due process in disciplinary procedures (Chappell & Lanza-Kaduce, 2018).

These rights are not only fundamental to the dignity and welfare of individual officers but also integral to the effective functioning of law enforcement agencies and the delivery of quality public safety services to communities (Felsen, 2019).

The demanding nature of police work underscores the importance of upholding fundamental labour rights to safeguard the interests of officers, through the collective bargaining process, by which unions negotiate with management to secure contractual provisions that protect officers' rights and promote their overall well-being. These provisions may include provisions related to salaries, pensions, health benefits, vacation time, and workplace safety measures (Brown, 2017).

Moreover, Police Unions engage in advocacy and lobbying efforts to promote legislative reforms and policy changes that advance the interests of law enforcement officers. By leveraging their collective bargaining power and political influence, unions

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[95] See also: United Nations (UN), International Covenant on Civil and Political Rights (ICCPR), 16 December 1966, Art. 22 (2).

[96] https://www.coe.int/en/web/european-social-charter/-european-social-charter-and-european-convention-on-human-rights

[97] Commentaries on the European Code of Ethics
https://www.dcaf.ch/sites/default/files/publications/documents/CoE.pdf

can influence decision-making processes at the local, state, and national levels to enact laws and regulations that protect and enhance police labour rights (Davis et al., 2018).

Additionally, Police Unions have been instrumental in addressing systemic issues within law enforcement agencies that impact labour rights, such as discriminatory practices, harassment, and lack of due process. Through legal advocacy, grievance procedures, and arbitration, unions work to hold management accountable and ensure that officers are treated fairly and equitably (Smith, 2019).

Studies by Davis et al., (2018) highlight the role of unions in addressing disparities in recruitment, promotion, and disciplinary outcomes, thereby fostering a more equitable and inclusive work environment for all officers.

Examples abound of unions collaborating with management to implement innovative programs and policies aimed at enhancing officer well-being, promoting professional development, and improving overall morale within law enforcement agencies (Jones, 2018; Roberts, 2019). Overall, the positive impact of Police Unions in protecting police labour rights cannot be overstated.

However, despite the importance of collective labour rights, various countries have adopted restrictions on police officers' association in trade unions and other collective labour rights. Thus, some states have enacted legislation that includes a ban on police strikes, while others have imposed a ban on all aspects of the organization of police officers in trade unions[98]. The denial of the right of police officers to organize is problematic and violates their freedom of association. In addition, the total, sweeping prohibition on strikes in different countries, regardless of the types of positions and the nature of the specific functions performed by the police officer, raises concerns over police officers' rights (Litor L. 2023).

2.2 Collective Bargaining

Social dialogue in the public sector, including within law enforcement agencies, refers to the structured communication and negotiation processes between employers and workers. It serves as a mechanism to address workplace issues, improve working conditions, and promote mutual understanding and cooperation.

In the context of law enforcement agencies, Police Unions negotiate collective bargaining agreements to protect police labour rights. The right to collective bargaining has been regulated differently depending on various countries' legal systems. A common basis however exists, the International Labour Organization Convention no. 154 (1981), ratified by 50 states[99], including most of the member states of the European Union. Collective bargaining under this convention encompasses negotiations between employers or employers' organizations and workers' organizations, comprising discussions aimed at establishing working conditions, employment terms, regulating employer-worker relationships, and managing interactions between employers (or their representatives) and workers' organizations. However, about police and military personnel, ILO Convention 154 leaves it to the discretion of the national legislature to determine the extent to which

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[98] See: Summary 1, p.7, Warneck, W., Clauwaert, S., Monaco, M., Militaru, V., & Schömann, I. (Eds.). (2009). Better defending and promoting trade union rights in the public sector, Part II, Country reports, Report 108.

[99]

https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:11300:0::NO:11300:P11300_INSTRUMENT_ID:312299:NO

the guarantees provided for in the Convention apply (Dimitriu, R. 2023). Despite its benefits, social dialogue in the public sector, including the police, faces challenges such as the legal and regulatory frameworks that refer to the variations in national laws and regulations.

Research has shown that Police Unions typically increase the earnings and fringe benefits of its members (Freeman, 1984; Card, 1996; Frandsen, 2014). Increases in salary have also been shown to improve morale and performance among officers (Mas, 2006), suggesting that unionization may reduce malfeasance by officers.

Research by Smith (2019) emphasizes the importance of collective bargaining in addressing issues such as shift schedules and overtime pay, leading to improved job satisfaction and morale among police officers.

Collective bargaining agreements signed between Police Unions and law enforcement leadership often result in tangible improvements to working conditions. Research by Davis et al. (2018) shows that departments with strong union representation tend to have better equipment, facilities, and training opportunities for officers, leading to enhanced job performance and public safety outcomes.

Collective bargaining agreements also serve to protect officers' rights to fair treatment and due process in disciplinary proceedings. A study by Brown (2017) found that departments with robust union contracts experienced lower rates of unjust disciplinary actions and higher levels of trust between officers and leadership.

2.3 Challenges of Police Unions

Starting from the first two decades of the 20th century, the question of whether police associations belonged in the labour movement at all was widely debated. Some in the movement were concerned about the "divided loyalty" of police officers in situations where they were tasked with handling strikes by other unionists[100].

In the evolving period, apart from other issues, Police Unions face several challenges in their efforts to represent and advocate for law enforcement officers effectively.

In some countries, including developed western states, the right of police to unionise has still not been achieved or has taken place only recently (Andreescu and Keeling, 2012; Jauregui, 2018; Marks and Fleming, 2008).

Regarding **public perception and accountability**, Police Unions often face criticism regarding their role in defending officers accused of misconduct or excessive use of force. Some may argue that unions may prioritize protecting officers' jobs over accountability and public trust in law enforcement.

Another discussion referring to the Police Union status quo is a union's potential to jeopardise security (Adams, 2008; Marks and Fleming, 2006). One of the primary criticisms against Police Unions is their potential to hinder security measures and reforms. Some argue that union protections can make it challenging to discipline or remove officers involved in misconduct, which may compromise public safety (Marks & Fleming, 2006).

Another challenge for resisting the advance of Police Unions stems from the police's commonly conservative stance towards reform. As such, challenges can stem from

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[100] https://www.nationalaffairs.com/publications/detail/the-trouble-with-police-unions

entrenched organizational cultures and historical mistrust of external oversight (Fisk & Richardson, 2017).

However, not all Police Unions are defensive. There is evidence of Police Unions taking leading roles in implementing reforms (Fisk and Richardson, 2017), in addition to contributing towards improving police working conditions and relations between police forces and communities (Berry et al., 2008).

The diversity of interests within Police Unions often results in fragmentation and internal divisions, posing significant challenges to their effectiveness. Berry et al. (2008) highlight that these internal dynamics can lead to conflicting priorities among different factions within the union. The diversity of interests makes it difficult to achieve consensus on collective bargaining agreements or policy positions, thereby weakening the union's bargaining power and its ability to represent all members effectively (Chappell & Lanza-Kaduce, 2018; Davis et al., 2018).

Moreover, changes in labour laws, political pressures, and court rulings significantly impact the bargaining power and legal protections of Police Unions. Adams (2008) discusses how shifts in public policy or judicial interpretations can pose challenges to longstanding union practices and rights. For example, court rulings may reinterpret collective bargaining laws, limiting the scope of issues unions can negotiate (Smith, 2019). Additionally, legislative changes driven by political pressures can introduce new constraints on union activities, such as restrictions on strike actions or the scope of bargaining (Fisk & Richardson, 2017).

While some unions engage in proactive legislative lobbying to protect their bargaining rights and influence policymaking (Davis, Hernandez, & Smith, 2018), others focus on building coalitions with other labour organizations or community groups to strengthen their position in negotiations and advocacy campaigns (Felsen, 2019).

Another aspect of promoting and advocating for police labour rights on a higher level is the affiliation in European Police Union Associations with aim of moving forward police issues high on the agenda of the European policy makers. Some of the active Police Union associations on a European level are: the European Council of Police Unions (CESP), the European Police Union (EPU), the European Confederation of Police (EUROCOP), European Federation of Police Unions (Eu.Pol) etc. The objective of these organizations is to group professionals of the security sector whose experience put them into a position of proposing adequate and sometimes alternative solutions to institutional responses within the reach of the United Nations, the European Union, the Council of Europe or others[101]. As stated by the EPU[102], the mission is to protect and secure police rights and benefits through effective representation and professional relationships with the national governments and EU' institutions. These organizations, some of them with participatory status in the Council of Europe, members of the INGO of the CoE[103] aim to define, propose and lobby for amendments in legislations both on national and European level for the benefits of its members, emphasising the importance of Police Union organizations as counter-power to avoid abuse of the police by governments.

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[101] https://www.cesp.eu/our-mission/

[102] https://www.dpolg.de/fileadmin/user_upload/www_dpolg_de/pdf/2017/Summary_analysis_minimum_standards_for_maximum_security__published_.pdf

[103] CESP being member of the CoE since 1991with a consultative status and member of the Joint Commission of the NGOs since 1998

3. CONCLUSION

Police Unions serve as crucial defenders of labour rights for law enforcement officers, employing collective bargaining and advocacy to ensure fair treatment and equitable working conditions. Through these mechanisms, unions negotiate not only for competitive wages and comprehensive benefits but also for improved working environments that enhance the physical and mental well-being of police personnel. By safeguarding due process in disciplinary procedures, unions uphold officers' rights and promote accountability within law enforcement agencies.

Looking ahead, it is imperative to acknowledge and support the positive impact of Police Unions in law enforcement. They are pivotal in professionalizing police services by advocating for higher standards of training, equipment, and operational protocols. However, challenges persist, including resistance to reforms and the need for greater adaptability in addressing evolving societal expectations and technological advancements. Police Unions must navigate these challenges while reshaping outdated perceptions and practices that may hinder their effectiveness. This includes fostering greater transparency and accountability within union structures and adapting negotiation strategies to align with contemporary labour laws and practices. Education, better communication to both their members and the broader community, becoming closer to the membership can regain the trust from the general public.

Nevertheless, the future focus of Police Unions should prioritize overcoming internal and external barriers to reform while maintaining their core mission of protecting and advancing labour rights of law enforcement officers. Embracing new trade union approaches in dealing with the new challenges can reshape and adapt the current somewhat "obsolete" Police Union movement in the near future.

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