

BOSNIA AND HERZEGOVINA – TRANSIT AREA OR UNWANTED MIGRANT DEPOTS?

SENADA NEZIROVIĆ*, BELMA DURMIŠEVIĆ**, AMNA HODŽIĆ***, ANA ŽIVKO****

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Abstract. This paper analyses the routes of migrants fleeing conflict and poverty from the Middle East, South Asia and Africa. The causes of the migrant crisis in Bosnia and Herzegovina are also explained. The problems the state is facing and the potential solutions are presented. Constant conflicts in the Middle East and North Africa have generated mixed-type mass migrations towards the European continent. This process has led to a refugee migration crisis, including refugees, asylum seekers, economic migrants, victims of smuggling and human trafficking, and other categories of vulnerable people who do not have valid documentation. Migrants from endangered areas are moving across the Mediterranean or the Western Balkans towards Europe. After the shutdown of the Western Balkan route, opportunity has arisen for illegal migration, as well as for the operation of criminal networks. Bosnia and Herzegovina has been an inadvertent station for migrants and refugees since 2016, and since 2018 the situation has become more complex due to a larger influx. An additional problem is the lack of accommodation facilities and the complex political system. This article presents a contribution to the theoretical and practical research of contemporary migration flows in the Balkan countries.

1. INTRODUCTION

Migrations are the movements of persons from their place of usual residence, either across an international border or within a country. The International Organization for Migration (IOM) defines a migrant as any person who moves or crosses an international border, or leaves his or her usual place of residence within his or her country, regardless of (1) the legal status of the person; (2) whether the movement is voluntary or forced; (3) the causes of movement; or (4) the length of stay. In everyday speech, the terms refugee, asylum seeker, and migrant are often overlapped, leading to misunderstandings in discussions on asylum and migration. Refugees are people who are outside their country of origin for fear of persecution, conflict, violence, or other circumstances that seriously disturb public order and, as a result, require international protection. Asylum seekers are individuals who have applied for international protection and whose applications for refugee status have not yet been approved. People who do not meet the conditions for refugee status, or the so-called subsidiary protection, may be deported. In Bosnia and Herzegovina, the competent authorities (Ministry of Security of Bosnia and Herzegovina – Asylum Sector) are responsible for foreigners seeking international protection. They have access to primary health care, to primary and secondary education, free legal aid, and psychosocial assistance, with the support of the UNHCR (UNHCR, 2018). A migrant crisis is defined as an assembly of complex and often extensive migratory flows and patterns of crisis-induced mobility

* Ph.D., Associate Professor, Department of Geography, Faculty of Science, ZmajaodBosne 33–35, University of Sarajevo, 71000 Sarajevo, Bosnia and Herzegovina, nezirovicsenadapmf@gmail.com.

** Master of geography, Department of Geography, Faculty of Science, ZmajaodBosne 33–35, University of Sarajevo, 71000 Sarajevo, Bosnia and Herzegovina, belma_durmisevic10@hotmail.com.

*** Bachelor of geography, student, Department of Geography, Faculty of Science, ZmajaodBosne 33–35, University of Sarajevo, 71000 Sarajevo, Bosnia and Herzegovina, amna_travnik@hotmail.com.

**** Bachelor of geography, student, Department of Geography, Faculty of Science, ZmajaodBosne 33–35, University of Sarajevo, 71000 Sarajevo, Bosnia and Herzegovina, zivanna18@gmail.com.

that typically involve significant vulnerabilities for individuals and affected communities, and generate acute and long-term migration management challenges (IOM, 2019).

Europe, one of the most developed parts of the world, has attracted migrants in the past, but the beginning of the great migrant crisis can be traced back to 2015. The demographic crisis is obvious in the area of the European continent, which over time has created the need for additional labour force and rejuvenation of the population. Since 2015, Europe has been facing an increased influx of migrants from the Middle East and North Africa. After the Arab Spring, a growing trend of sectarian, tribal, and local conflicts and tensions within and between countries was evident in the Middle East and Maghreb region. In explaining the civil conflict in Yemen, Petrovic (2017) pointed out that the fragmented internal political scene in the Middle East is not only the product of intervention by external actors, but also of many smaller, local conflicts between tribes fighting for supremacy in a certain territory. The disagreements are further exacerbated by religious differences and different interpretations of Islam. Indirect factors contributing to this rapid acceleration of migration flows are global temperature rises due to global warming, drought, floods and food shortages, as well as the search for better and safer living conditions in relation to the proverbially unstable area of the Middle East (Dušanić, Hrekes, Pralica, 2019). Such a chaotic situation, supported by the poor economic situation in many countries in the region, has caused a huge outflow of refugees and migrants, as well as mass internal displacement, with serious geopolitical consequences that have exceeded the borders of the Middle East and the Maghreb. Sharp divisions within warring religious sects, often mixed with tribal/ethnic rivalries, and the rapid rise of opposing local militias in a political/security vacuum have made the region extremely unstable. The situation has been exacerbated by tensions between regional governments and their active or tacit coordination with one conflict group or another in the country. Hence, the conflicts became multi-layered, multifaceted and increasingly violent. It was the constant conflicts in that part of the world that were the driving force behind the last wave of migration. Due to all these events in Europe, there were a total of 1.2 million asylum seekers and migrants between January 2015 and January 2016, of which 1.06 million travelled by sea. Greece received almost 911,000 asylum seekers and migrants, and Italy over 157,000 (Ghosh, 2018). Most were refugees from Syria (52%), Afghanistan (10%) and Iraq (6%) (ACAPS, 2015). These mixed-type mass migrations, which include refugees, asylum seekers, and economic migrants, victims of smuggling and human trafficking, women and children, and other categories of undocumented vulnerable persons are labelled as a “refugee/migration crisis” in Europe (Bobić, Šantić, 2018).

2. METHODOLOGY

This paper analyses the migrant crisis in Bosnia and Herzegovina, and elaborates the current crisis in the Western Balkans, based on field research, previous knowledge, collection of various information and documents. This paper identifies the causes of the migrant crisis in Bosnia and Herzegovina and the problems faced by the population, the government, and the migrants. Writing this paper, statistical indicators from the Ministry of Security of Bosnia and Herzegovina, the European Union (EU), UN organizations such as the UN Refugee Agency (UNHCR) and the IOM (leading intergovernmental organizations in the field of migration) were used. The methodology is primarily based on analysis and synthesis, as well as induction and deduction. The paper explains the obstacles that stand in the way of overcoming the crisis and provides guidelines and proposals for resolving the migrant crisis. The political scene and the state system appear to be the main enemies of finding a solution. The authors of this paper infer that it is necessary to establish coordination between different levels of government. The conducted research indicates that the issue of the migrant crisis needs to be resolved at the state level. This means that it is necessary to find a consensus to harmonize decisions for both entities. Also, the paper emphasizes the need to strengthen state borders in order to prevent

illegal migration and the need to implement the Readmission Agreement. For migrants who do not want to stay in this area, opening EU borders would be the only solution.

3. RESULTS AND DISCUSSION

3.1. Western Balkans route

Migrations across the Mediterranean to Europe are not a new phenomenon, but the latest ones are numerically the largest. Unfortunately, that route was fatal for a large number of people, where, according to Amnesty International, 23,000 migrants lost their lives in the last 15 years. IOM has increased the number to as many as 46,000 since 2000 and to 60,000 over the past 20 years (Ghosh, 2018). It had been necessary to find a more benign route for movement because the road through North Africa to Italy was longer and riskier, and the number of migrants from Syria was on the rise. Thus, migrant flows were directed across the Balkan Peninsula, which acts as a corridor between East and West, and the route was shorter, safer, and more cost-effective (Bobić, Šantić, 2018). It was the only viable route for the mass influx of migrants from the Middle East and Africa. According to the UN statistics, of the nearly one million refugees in Germany in 2015, 80% took this route (Cocco, 2017). Western Balkan countries¹ represented a transit area and an emigration origin for a large number of people due to ethnic cleansing in the 1990s. The Balkan migration route has become significant since 2012, when Schengen visa restrictions were eased for Albania, Bosnia and Herzegovina, Montenegro, Serbia, and Northern Macedonia (Fig. 1)².

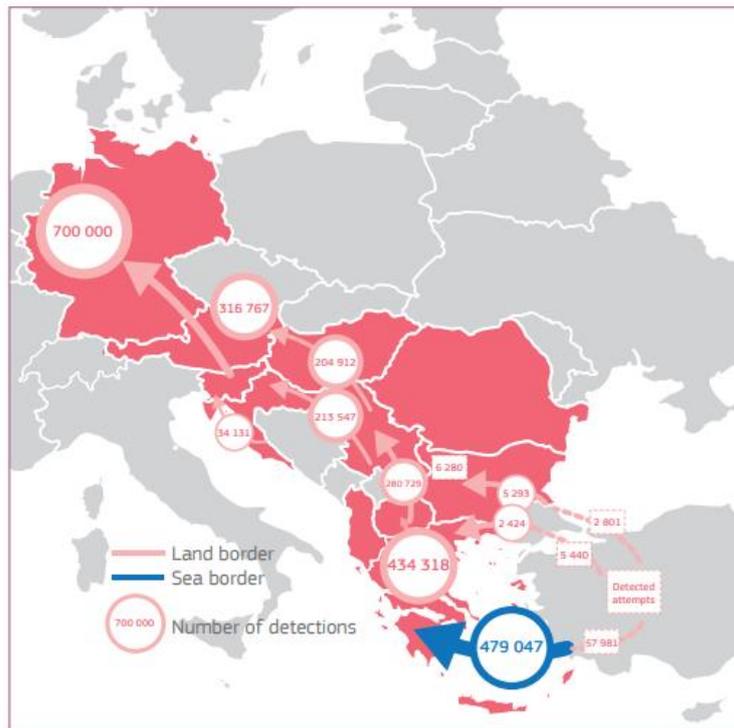


Fig. 1 – Western Balkans route (Source: European Commission, 2015).

¹ Albania and the countries within the former SFRY.

² <https://europeanwesternbalkans.com/2017/02/22/balkan-migration-route-ongoing-story/>.

The entire burden of migration during 2015 fell on two countries: Northern Macedonia and Serbia. In mid-2015, the number of illegal migrants increased, and the overall situation was accompanied by the authorities' poor attitude towards migrants. The Balkan states emphasized that their territories were only a transit area for this population. After Hungary erected border fences with Serbia and Croatia, these countries focused on transporting migrants north to Croatia as quickly as possible to avoid responsibility for them. The Agreement between Serbia and Croatia led to having six to seven trains being organized per day, enough to transport 7,000 people. In November 2015, in an attempt to start managing and reducing flows, the Serbian and Macedonian governments passed a law that enabled migrants to register, seek asylum upon entry, and obtain a 72-hour temporary residence permit. Croatia, Serbia, and Northern Macedonia introduced border controls that allowed only migrants from Syria, Iraq, and Afghanistan to pass, which later became problematic. Serbia and Northern Macedonia also had to adopt EU-style asylum laws as part of accession negotiations, since they are candidates for membership. If one state adopted the restrictions, others would quickly follow their example in order to avoid liability for captured migrants. This created a domino effect (Greider, 2017).

Visegrad Group³ advocated a complete halt to the entry of migrants into Europe, which further affected the agreement on a common solution. Two conflicting approaches have taken shape in the EU on how to solve the crisis. The German proposal, endorsed by most EU and EC member states, which calls for migration management through an agreement with Turkey, has been challenged by the Visegrad Group's proposal to close borders completely along the Western Balkans route. Restrictions increased in early 2016 and the Schengen area was threatened for the first time. Austria and Slovenia have joined the block that supports closing borders along the Western Balkan route. Austria and Germany have started limiting the number of migrants, saying that only those seeking asylum in Austria and Germany will be allowed to enter, so Slovenia and Croatia have adjusted their policies accordingly. The steady influx of migrants and growing dissatisfaction with some EU members over resolving the crisis with Greece have accelerated calls to strengthen security along the Macedonian-Greek border. The Macedonian construction of the second fence along the Greek border was supported by the Visegrad Group on February 8, 2016, which had previously sent additional police units to that country, while Austria, Serbia, and Croatia had done the same. The EU-Turkey Summit, held on March 18, 2016, resulted in a broad agreement that was supposed to restrain the flow of migrants across the Aegean Sea, returning those who had just crossed into Greece to Turkey. The route was closed in early March 2016, although German Chancellor Angela Merkel was against it. Slovenia announced it would close its border the next day (fully in line with the Schengen Border Act) and the other three Western Balkan countries soon followed suit (ŠeloŠabić, Borić, 2016). In April 2016, an Agreement between the EU and Turkey entered into force. In return, the EU agreed to give Turkey €6 billion and expedite visa liberalization for their citizens. Northern Macedonia responded to the deal by effectively closing the Greek border, re-launching the restriction (Greider, 2017).

During the first eight months of 2017, 132,000 migrants came to Europe, which is less than half the number of migrants in the same period in 2016. According to the data of the Migration Centre for Europe, 118,500 migrants came by sea, and only 6,000 by the Balkan route in 2017. About 2,400 human casualties were registered during transport by sea. In 2016, about 388,000 migrants entered Europe, including 5,100 who died during transport by sea. Regarding this period, there was a decrease of migrants along the Balkan route through Turkey, the movements being directed by sea route to Italy, Greece and other European Mediterranean countries (Petrović, Bukvić, 2017).

After the shutdown of the Western Balkan route, space was opened for illegal migration, as well as for the operation of criminal networks, with a special emphasis on smuggling and even human

³ The Visegrad Group (V4) consists of the countries: Poland, Hungary, the Czech Republic and Slovakia. The alliance was formed by Poland, Hungary and the former Czechoslovakia in 1991 to work more closely together and better prepare for planned EU accession. The group was named after the Hungarian city of Visegrad.

trafficking. In 2017, Bosnia and Herzegovina encountered a mass illegal entry of migrants onto its territory, and the trend of illegal entry intensified in 2018 and 2019. The COVID-19 pandemic affected the significant reduction of illegal migration movements on the European routes in 2020 from the second half of March to June, but from June 2020, the Western Balkan route became active again (Atlantic initiative, 2020).

The migrant crisis has highlighted a lack of solidarity and willingness among the EU members to share responsibility for providing assistance and caring for people in need. Even the policies and discourses of the resovereignization of nation states have been renewed, right-wing political populism has strengthened, and the need to defend European culture and the “fortress of Europe” before the invasion of “others” has been emphasized (Bobić, Šantić, 2018). Migrants certainly do not want to stay in the Balkans, primarily because these countries cannot provide normal living conditions for refugees and migrants, nor is the current economic situation sufficient to offer jobs. For the Balkan countries, proving themselves in the migrant crisis and dealing with all the challenges can be an additional reason for improving relations with the EU and an additional incentive in the negotiations. On the contrary, some believe that EU policy shortcomings in the region have been demonstrated. The EU did not offer long-term solutions to the Western Balkans, but its policy was in some ways contradictory – they offered help, and tightened control.

3.2. Migrants in Bosnia and Herzegovina – number and structure

Bosnia and Herzegovina is located in Southeast Europe, in the central part of the Balkan Peninsula. It borders the Sava River to the north, and the Adriatic Sea to the south. Bosnia and Herzegovina has a unique state territory in Southeast Europe between: the Sava River in the north, the Adriatic Sea in the south, the Korana and the Una River in the west and the Drina in the east. It borders the Republic of Croatia to the north and west, Serbia to the east, and Montenegro to the southeast and south. It covers an area of 51,129 km² with 3,531,159 inhabitants. The capital is Sarajevo (Nežirović, Sivac, 2018). The question arises as to why migrants avoided and bypassed Bosnia and Herzegovina during 2015. Although it is estimated that around 1.5 million people took the Western Balkan route, only a few hundred passed through Bosnia and Herzegovina. The residents joked that life in the country was so miserable that even people fleeing humanitarian crises did not want to stay there. Migrants moved along routes that others had successfully used before them (Global Initiative against Transnational Organized Crime, 2020). With the shutdown of the Western Balkan route, Bosnia and Herzegovina has become an inadvertent stop for these people since 2016. Migrants and refugees use two routes to enter the country illegally. Most of them come from Serbia. The second route starts in Greece and goes through Albania and Montenegro to Bosnia and Herzegovina (Stanicek, European Parliamentary Research Service, 2019) (Fig. 2).

According to the UNHCR, the total number of migrant arrivals in the period from January 1, 2018 to January 31, 2019 was 24,799. In October 2018, the largest number of arrivals was recorded. At that time, 5,057 new people were registered, comparing to October 2017, when the number was 105. The figure declined in November 2018 to 1,931, representing the biggest change between two consecutive months in that year. The largest number of migrants entered from the territory of Serbia, mostly in an illegal way through unofficial border crossings. Authorities discovered the arrival of 53,263 migrants, asylum seekers and refugees between January 1, 2018 and December 31, 2019, which is an average of over 2,200 per month (Fig. 3).



Fig. 2 – Migrant routes through Bosnia and Herzegovina
(Source: Global Initiative against Transnational Organized Crime, 2020).

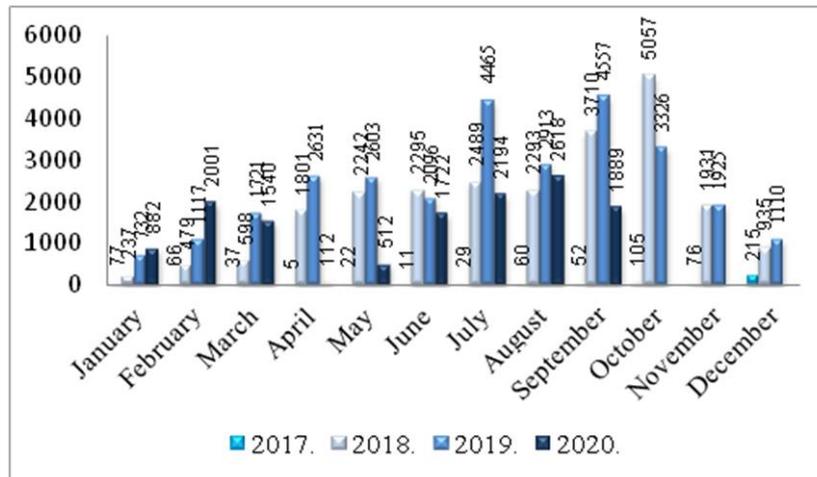


Fig. 3 – Movements in the number of newly arrived migrants in Bosnia and Herzegovina from 2017 to September 2020. (Source: UNHCR, 2017–2020).

The institution of the Human Rights Ombudsman of Bosnia and Herzegovina points out that the state is facing the process of the mixed-type migrations. This means that there are foreigners who are looking for better living conditions, i.e. economic migrants (citizens of Pakistan, Iran, Iraq, Morocco, Tunisia, Algeria, Libya, Afghanistan), and foreigners seeking asylum/persons under international legal protection (Syria) (Hodžić, 2020). At the end of 2019, the largest number of asylum seekers and migrants were from Pakistan 46%, Afghanistan 17%, Iraq 9%, Egypt 6%, Iran 4%, Syria 4%. The proportion of migrants from other countries was 15%. At the end of September 2020, the most represented were Pakistanis (31.9%) and Afghans (30.7%). About 70% were men, 22% families with children, 10% girls and women, and 7% unaccompanied and separated children (UASC) (Fig. 4).

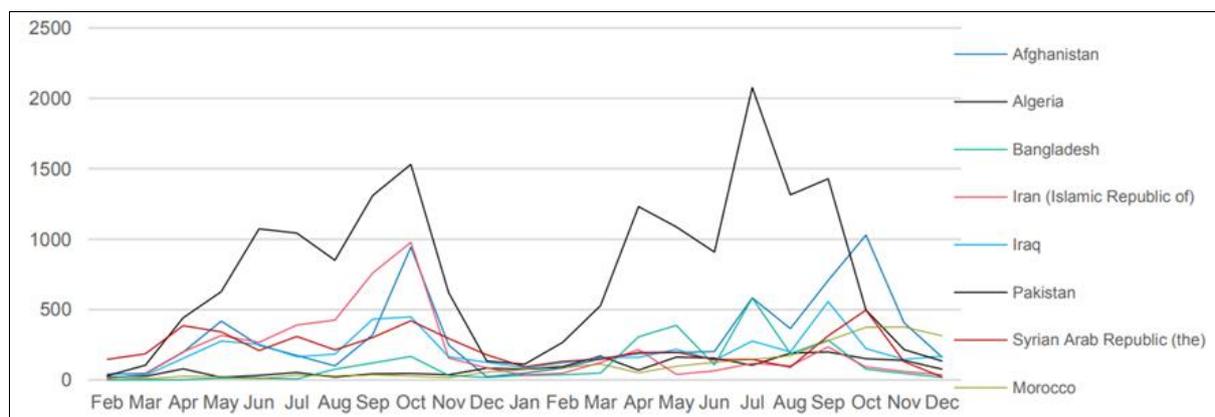


Fig. 4 – Countries of origin of migrants and refugees from February 2018 to December 2019.
(Source: UNHCR, December 2019).

The structure of citizenships among illegal migrants shows that persons entering illegally are mostly economic migrants and that the trend of economic migration is increasing. Compared to the first two months of 2020, from mid-March to June 2020, there was a decrease in the number of illegal entries of migrants into the territory of our country. In 2018, the total number of 23,902 illegal migrants was reported to the Service for Foreigners' Affairs (SFA). Of that number, 22,499 persons expressed their intention to apply for asylum. An application for asylum was submitted by 1,567 or 7% of the total number of expressed intentions to apply for asylum. In 2019, the total of 29,302 illegal migrants was reported, which is an increase by 23% compared to 2018. Out of the total of 29,302 illegal migrants, 27,769 persons intended to apply for asylum. Asylum applications were submitted by 784 persons or 3% of the total number of persons who expressed an intention to apply for asylum. Compared to 2018, the number of expressed asylum intentions increased by 23%, while the number of submitted asylum applications decreased by 50% (Atlantic initiative, 2020). According to IOM Flow Monitoring, in 2019 there were 29,196 registered migrants, in 2020 – 16,160, and in 2021 (by February 14th) – 1,062. From 1 January 2015 to 14 February 2021, a total of 71,230 migrants and refugees passed through Bosnia and Herzegovina. According to the UN High Commissioner for Refugees, in 2020 there were 7,200 migrants, of whom 660 were children, including 450 unaccompanied minors. Just over 5,000 were accommodated in eight reception centres. The actual number of migrants is much higher than the registered ones. According to the IOM, in 2018 24,067 migrants were registered, of which only 6,540 were accommodated in official reception centres. In 2019, 29,196 were registered, and 24,078 were accommodated in the centres. The number of migrants four times surpasses the official capacity of all migrant centres, which means that there is a large fluctuation in the camps because people move across the border illegally. This may suggest that some migrants find temporary shelter outside official camps. Migrants were accommodated in nine reception centres. Three are located in the Sarajevo Canton (SC) – Temporary Reception Centre (TRC) Ušivak in the municipality of Hadžići, TRC Blažuj in Ilidža and Asylum Centre Delijaš in Trnovo and one in the Herzegovina-Neretva Canton (HNC) – Refugee Reception Centre Salakovac. At the beginning of 2020, there were five of them in the Una Sana Canton (USC) – TRC Borići, TRC Bira, Emergency Tent Camp (ETC) Lipa, TRC Miral, TRCSedra. Complications occurred at the beginning of 2018 with the influx of a larger number of migrants and refugees to this area. Existing capacities are not enough, therefore people sleep in makeshift tents or abandoned buildings without access to basic services. Many are without adequate clothing and footwear, without access to safe and dignified shelter, water, sanitation, electricity, heating, with limited access to food and drinking water. During the winter, Bosnian sites often publish photos in which migrants maintain personal hygiene by swimming in cold rivers. The

accommodation of minors is also a problem. During 2020, in the area of Bihać and Velika Kladuša there were more than 500 minors, of which 400 stayed in reception centres, while the rest were in the street or in abandoned buildings. On several occasions, the competent state authorities were asked to get involved in solving the problem, but, quite expectedly, it resulted in no reactions. The practice so far has shown that underage migrants are often victims of physical and even sexual violence (Fig. 5)⁴.

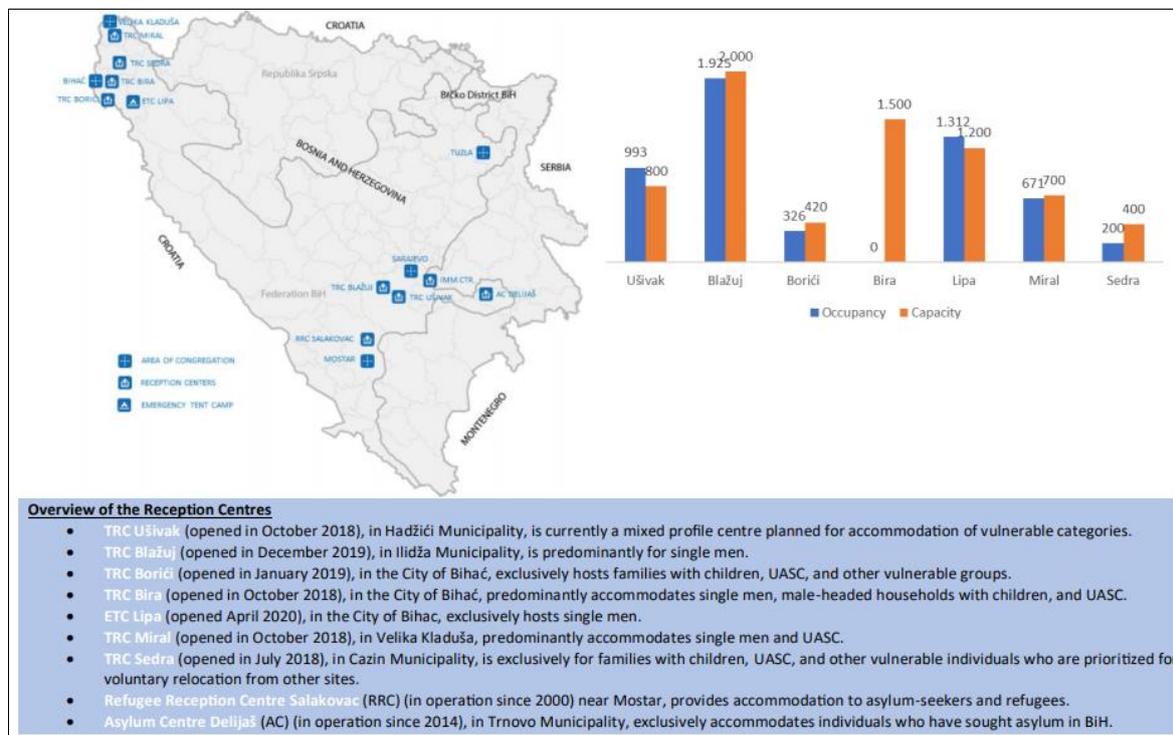


Fig. 5 – Review of reception centres (Source: UNHCR, September 2020).

In the Balkans, negative attitudes towards migrants began to develop over time, which partly led them to come to Bosnia and Herzegovina, being predominantly Muslim and with the population remembering the recent war, so that, at least in the Federation of Bosnia and Herzegovina (FBiH), people showed solidarity with migrants and welcomed them. However, migrant reluctance began to appear among Bosniaks as well, especially in the north of the country (Rekšć, 2019). According to the last census of 2013, Bihać had 56,261 inhabitants. In reality, this number is significantly lower, especially considering emigration to more developed parts of Europe. According to estimates in 2019, about 20% of the total population of Bihać were migrants. In recent years, the local population has held protests on several occasions. At the end of July 2018, representatives of the authorities of Bihać, Ključ, Bosanski Petrovac, Cazin and Bužim held a peaceful protest due to problems with migrants in the USC area in front of the building of the institution of Bosnia and Herzegovina in Sarajevo.⁵ In Bihać, on August 13, 2018, starting at 12 o'clock, peaceful protests were held with the motto "Minute to 12" pointing out that they were angry with the state. On October 20, 2018, more than a thousand residents of Bihać gathered in the town square requesting for an urgent reaction. About 200 migrants tried to enter Croatia on October 22, 2018, through the Maljevac border crossing in Velika Kladuša, but they did not succeed, and then that crossing was blocked on October 24. The day before that, the

⁴ <https://www.nezavisne.com/novosti/gradovi/Problem-USK-Nedostaje-smjestaj-za-maloljetne-migrante/597494>.

⁵ <https://istinomjer.ba/migrantska-kriza-u-bih-godine-prebacivanja-odgovornosti/>.

USC police had not allowed them to disembark from the FBiH Railways train in Bihać because a decision was made to prevent the arrival of migrants in the canton due to the occupancy of accommodation facilities. In November, about 150 migrants travelling by train from Sarajevo to the USC were prevented from leaving. Most were returned to Sarajevo, seven migrants (women and children) were transferred to migration centres. The people of Bihać also protested on June 16, 2019, due to the security situation. During 2020, citizens also gathered to express dissatisfaction. One such gathering was on August 29, 2020, where the messages “What about our human rights” and “The state, protect its citizens!” were sent.⁶ Residents of the Purići village in Velika Kladuša went out in the streets in August. The locals took matters into their own hands and organized checkpoints for returning buses with migrants. On the last day of 2020, almost a thousand people in Bihać protested against the decision to resettle migrants in Bira. The situation in the area of USC, but also in the rest of the country, escalated when migrants killed Jasmin Berović in Otes on November 17, 2020 and seriously injured two others. This caused a great revolt of the residents who organized three-day protests, the first in Ilidža, the second in Hadžići and the third one in Otes. A small group of residents gathered on November 23, 2020, near the migrant camp in Blažuj. They demanded that refugees and migrants be restricted from moving after 5 pm, that the camp be fenced off and that stricter police control be introduced.

A big conflict between migrants was recorded in Blažuj on January 20, 2021, and then the migrants attacked the police. The cause of the conflict has religious elements, namely one Iranian uttered derogatory words about the Prophet Muhammad as followed by a conflict with Afghans and Pakistanis.⁷ IOM workers tried to relocate the migrant to another camp, which disturbed public order and peace, and consequently led to a conflict between the migrants and the police. It is estimated that as many as 2,000 migrants stoned police officers. In those riots, two police officers, one IOM member, were injured, two police vehicles were overturned, about 20 cars and the centre premises were destroyed. The SFA issued a measure of expulsion from the country for six participants in the riots. During the search of the camp, 17 people were detected as being perpetrators of criminal acts, so they would be expelled from the country. A large number of fights were recorded among migrants in the streets and camps during these years. All this has meant that the local population no longer feels safe in their homeland. The security situation was not satisfactory even before the migrant crisis, so it deteriorated further. Migrants often attack people, steal mobile phones and money, break into houses. SC and USC receive reports and complaints every day that they are driving under the influence of alcohol and drugs. The Minister of the Interior of SC Ismir Jusko accuses migrants of the increase in crime. However, in the period January-September 2020 in the area of SC, according to the official records of the Police Administration of the Ministry of Internal Affairs of SC, 3,433 felonies were registered, and 88 of them were committed by migrants.⁸ There are records of cases where migrants are the victims of looting.

3.3. Causes of the migrant crisis in Bosnia and Herzegovina

The migrant crisis showed many weaknesses in the functioning of the state, which, honestly, has always existed, but came to the fore in this period. Weak institutions and insufficient accommodation became evident. Institutions and the political scene in Bosnia and Herzegovina are characterized by enormous instability due to ethnic divisions. ‘Bosnia and Herzegovina is constructed as a loose union of semi-autonomous administrative bodies sharing limited common functionalities, but operating as a *de facto* poorly implemented consociational power-sharing agreement among the former belligerents. The entire territory of Bosnia and Herzegovina remains in the state of a frozen conflict between the

⁶ <https://ba.n1info.com/vijesti/a458297-veliki-protest-u-bihacu-gradjani-traze-rjesenje-problema-migranata/>.

⁷ <https://www.klix.ba/vijesti/u-neredima-u-blazuju-ucestvovalo-2-000-migranata-sukob-zbog-pogrdnih-rijeci-o-poslaniku-muhammedu/210121031>.

⁸ <https://zurnal.info/novost/23545/od-3.433-krivicna-djela-tek-88-su-pocinili-migranti>.

competing nationalistic ideologies, where the return to hostilities, although unlikely, is always possible and that the overall situation is overprinted upon the general situation in the realm of crisis-management' (Korajlić, Smailbegović, 2020, p. 21). The Aliens and Asylum Laws were revised in 2015 and 2016 to bring them in line with the European standards. In March 2016, the Council of Ministers of Bosnia and Herzegovina adopted a strategy and action plan for migration and asylum for the period 2016-2020. The strategy was prepared in light of the implementation of the Stabilization and Association Agreement (SAA) with the EU, which entered into force in June 2015. However, the SAA has created new obligations in the area of migration and asylum, and the authorities have poorly prepared for such a major challenge. Bosnia and Herzegovina boasts the most complex political system. It has three or five presidents, 14 separate parliaments, hundreds of deputies and 136 appointed ministers! After the General Elections held in October 2018, the current BiH Presidency consists of: Milorad Dodik, Serbian member of the BiH Presidency, Željko Komšić, member of the BiH Presidency from the ranks of the Croatian people, and Šefik Džaferović, Bosniak Member of BiH Presidency.

The state consists of two entities, the Federation of Bosnia and Herzegovina (FBiH), which consists of 10 cantons, and the Republic of Srpska (RS), and the Brčko District. Both entities have their own presidents. The migrant crisis has strained relations between Bosnia and Herzegovina and neighbouring countries, relations between the entities, relations between cantons, and criticism has been directed at the EU and the IOM.

In 2018, the Organization for Security and Co-operation in Europe (OSCE) announced that the Border Police of Bosnia and Herzegovina, SFA, local governments, local police forces, prosecutors and courts, health centres, social welfare centres, NGOs, and informal volunteers' groups and religious communities were the main actors. For each participant, the OSCE assessed the responses they provided to the situation and the gaps in those responses, leading to the conclusion that there was poor coordination between them and a general unwillingness to resolve the situation. When it comes to law enforcement agencies, e.g. the SFA, the border police and the local police force, have a lack of human and material resources, as well as appropriate indications and training on accomplishing their tasks. Regarding the provision of health care and other services to people on the move, health care centres and social work centres are unable to provide adequate support, which has been taken over by NGOs and informal groups of volunteers as "major providers of direct humanitarian aid". However, the activity of both groups is limited by a lack of resources and a lack of coordination with other parties. The OSCE did not take into account international organizations and the Institution of Human Rights Ombudsmen of Bosnia and Herzegovina in the assessment (Deidda, 2020).

The lack of consensus on what to do at the state level, especially the RS leadership's refusal to improve border management and the opening of humanitarian centres, has placed the main burden of a humanitarian response on the FBiH authorities, especially the USC and the city of Bihać (Global Initiative Against Transnational Organized Crime, 2020). Although the EU has demanded that migrants be evenly distributed throughout the country, reception centres are located only in the FBiH. More precisely, migrants are settled only in areas where the majority of the population is Bosniak.

Milorad Dodik had successfully used the influx of migrants in the 2018 election campaign, emphasizing anti-migrant narratives in which he spread stories that this phenomenon was a part of a grand plan to increase the Muslim population. Certainly, these claims are fabricated, especially when one considers that migrants do not want to stay in the Balkans. Dodik's strategy is simple and clear. Instead of facing the challenges posed by the influx of refugees, it is easier to explain that there are no problems, while spreading an atmosphere of fear against the Islamic world and Bosniaks, diverting attention from the harsh reality, prolonging the economic collapse and inefficiency of state institutions. (Rekšć, 2019). The Croatian side has the same attitude. The president of the largest Croatian party in Bosnia and Herzegovina, Dragan Čović, has expressed opposition to the distribution of migrants across the country.

Already in February 2018, the existing accommodation capacities in Delijaš and the Immigration Centre in East Sarajevo were almost overflowing. The camp Vučjak, not far from Bihać, was opened in June 2019. The UN mission then expressed dissatisfaction because the camp had not been equipped according to international standards, basic living conditions had not been provided, there were no toilets, it had been located near minefields, and there had also been a risk of fire or explosion due to the possible presence of methane being underground given that there used to be a landfill, which means that the location posed a significant health and safety risk. The centre was closed after 6 months and the migrants were transferred to Ušivak and Blažuj. In 2019, the authorities in Bihać proposed the relocation of migrants from Vučjak and the Miral and Bira camps to the uninhabited location of Medenopolje, Bosanski Petrovac. This was opposed by the authorities of Bosanski Petrovac, where the majority of the population is Serb. Bira was closed on September 30, and the closing of the Lipa camp was announced for December 18, 2020. This was prolonged, however, because the authorities and the IOM did not find an alternative. It was proposed to move it to the centre of Bira, which the local authorities flatly refused. At the announced closure on December 23, a large fire broke out in the camp and 1,359 migrants in the December deficit remained under the open sky.⁹ At the end of December 2020, the relocation of about 700 migrants from an improvised tent settlement in the village of Lipa began. The Minister of Security of Bosnia and Herzegovina Selmo Cikotic announced that they would be relocated to the former Armed Forces of Bosnia and Herzegovina facility in Bradina, Konjic, HNC, but this was opposed by local authorities and locals.¹⁰ More absurdly, the HNC government and the mayor of Konjic claimed to have learned of the plan on the day of the relocation, and the Minister of Finance and Treasury Vjekoslav Bevanda said there was no decision by the Council of Ministers to relocate to the area. Citizens gathered in Bradina and thus blocked their arrival, and migrants spent the night in buses. Afterwards, it was decided that the Armed Forces would set up tents at the Lipa camp site to accommodate homeless migrants who found themselves in the area.

Donations and their spending raised a lot of dust. The first million euro in aid was awarded by the Council of Europe Development Bank for equipping facilities and accommodating about 400 people in the former Ušivak barracks. Despite great efforts and negotiations between the EU and local authorities, no agreement was reached to open additional reception facilities and they continued to close existing ones. The EU provides technical and financial support to Bosnia and Herzegovina in the overall management of migration, including the asylum system and reception capacities, as well as strengthening border management. From the beginning of 2018 the EU has provided more than €88 million. On January 3, 2021, the European Commission announced an additional €3.5 million in humanitarian aid¹¹, and in October 2020 requested the urgent approval of about €25 million. However, the question arises as to how it is possible for migrants to live in such inhumane conditions despite significant donations.

The distribution of money was disputable, which was pointed out by the then Minister of Security, Dragan Mektić, in 2019. Authorities expressed dissatisfaction because EU money is being spent without the knowledge of state institutions and demanded an end to the practice of circumventing them. Zoran Ivančić, from the Centre for Advocating Civic Interests, stated that the money is mainly spent on the functioning of those organizations, and at least on things related to the organizations existence, while Denis Hadžović, from the Centre for Security Studies, pointed out the non-establishment of an effective mechanism and strategy for resolving the crisis, as well as the lack of mutual coordination between the institutions, the reasons for bypassing the government and the involvement of the IOM, the Red Cross and other bodies.¹² In January this year, IOM published a

⁹ <https://www.dw.com/hr/iom-se-povukao-iz-kampa-lipa-a-1359-migranata-je-pod-vedrim-nebom/a-56045359>

¹⁰ <https://www.slobodnaevropa.org/a/31024727.html>

¹¹ <http://europa.ba/?p=71270>

¹² <http://css.ba/ajb-gdje-su-otisli-novci-iz-eu-za-migrante-u-bih/>

detailed report on the money received and what it was spent on. Starting June 2018, the EU remitted €76,851,217 for IOM or via IOM, and by December 2020, €51,560,327 had been spent.¹³

The migrant crisis has also shown the weaknesses of borders and existing strained relations with neighbours. The OSCE's 'Assessment: Migrant and Refugee Situation in Bosnia and Herzegovina' noted the apparent lack of adequate human resources, such as translators and cultural mediators, in the Border Police. Different answers regarding the proper procedure and legal protocols indicate the lack of clear operational instructions by the Ministry of Security of Bosnia and Herzegovina, especially regarding the treatment and interviewing of migrants, and especially potential victims of human trafficking. Currently, the country has only one police officer for every 30 km of border. One of the proposals for reducing the number of illegal migrants was the army going to the border with Serbia or accepting the offer of Frontex to bring their forces to the border. This was proposed by Željko Komšić and Šefik Džaferović at a presidency meeting in June 2019, but Milorad Dodik opposed the proposal because it would separate ethnic Serbs living in the RS from those in Serbia. Dodik also recently vetoed the signing of a status agreement with Frontex (Global Initiative Against Transnational Organized Crime, 2020). Migrants have been caught crossing the Drina River on several occasions during these years. The border between Serbia and Bosnia and Herzegovina is 363 km long, of which the Drina is 261 km, and comprises of 11 official border crossings, but the terrain offers numerous opportunities for illegal crossings. Since 2017, this route has been used for smuggling migrants. People without hesitation decide to smuggle migrants due to negligible penalties and symbolic fines (Global Initiative Against Transnational Organized Crime, 2020). Strengthening and establishing a more efficient system of state border protection in river basin districts is necessary, especially in order to prevent deaths. The south-eastern route through mountainous areas is also difficult to manage and is convenient for smuggling.

The USC is the biggest victim of the migrant crisis bearing the biggest brunt of the border with Croatia and the EU. Bosnia and Herzegovina borders Croatia over 932 km, so it is not clear why migrants move only towards Bihać and do not cross the border at other points. Assumingly, they follow well-trodden routes. During 2020, members of the USC Ministry of the Interior registered 7,210 migrants who were illegally transferred to the territory of the country from the direction of Croatia. A year earlier, that number was slightly higher, meaning that at least 15,000 migrants from EU territories had been illegally transported to Bosnia and Herzegovina. EU countries return migrants to each other on the basis of an interstate Readmission Agreement. The Readmission Agreement is an international agreement relating to the procedures, on the basis of reciprocity, of States returning persons who are not nationals of those States and who are in irregular situations moving from their country of origin or from the country of transit. Croatia mostly smuggles migrants illegally. The readmission process is carried out exclusively by the SFA of Bosnia and Herzegovina. Based on the Readmission Agreement, Croatia transferred only 783 people to Bosnia and Herzegovina in 2019. All others were illegally transported to the USC area. At the same time, Bosnia and Herzegovina returned a total of 332 people to Serbia in the past two years, based on the readmission agreement.¹⁴

Unfortunately, in this 'game', a large number of migrants bear the effects of the cruelty of politics directly. At the border with Croatia, as some believe, international rights are being knowingly violated. Croatian police beat migrants and refugees, take off and burn their clothes, destroy things, take money and mobile phones, keep them locked in garages and containers without access to food, water and toilets, shoot and turn dogs onto them. They are even being sexually abused. Croatia rejects all these accusations and points out that they are only protecting their border, doing everything

¹³ <https://www.klix.ba/vijesti/bih/iom-objavio-koliko-je-novca-dobio-od-eu-za-migrante-u-bih-i-na-sta-je-novac-potrosen/210113113>.

¹⁴ <https://www.istraga.ba/zvanicni-dokumenti-dokazuju-iz-sengen-zone-u-bih-za-dvije-godine-ilegalno-ubaceno-preko-15-hiljada-migranata/>.

according to the law. The Croatian police were embarrassed in November 2019 when two Nigerian students, who participated in the Zagreb World Intercollegiate Championship, were caught and transferred across the border into the woods in the Bihać area. On January 30, 2021, they prevented the entry of MEPs who came to investigate the situation on the border between Bosnia and Herzegovina and Croatia, after numerous warnings from civil society organizations and institutions about violence and human rights violations. The reason for Croatia's excessive use of force is most likely hidden in the Schengen accession process, as pointed out by the Human Rights Watch (2019) and international media, such as The Guardian (2019).

An additional problem is undocumented migrants. This was also written about in 2015. Migrants destroyed their documents in order for the EU to accept them as refugees. They thought that in this way they would get asylum in Germany faster. Most of them declared themselves to be Syrians, but had no documents. The situation is similar today in Bosnia and Herzegovina. Information was circulating in Bosnia and Herzegovina that of those who do have documentation, large number of them have the same name and surname – Muhamed Ali.

3.4. The solution to the migrant crisis

The migrant crisis has caused an avalanche of problems in the country, which need to be solved as soon as possible. Even after so many years, Bosnia and Herzegovina does not have an adequate strategy. The authorities have been constantly shifting responsibility between themselves. This issue should be addressed at state level, not at cantonal level. Institutions have shown that they are not up to such a substantial task. Representatives of the authorities and international organizations have on several occasions stressed the need to protect and strengthen state borders. The RS and Croat-majority municipalities have not given up on rejecting proposals to deploy migrants and refugees throughout Bosnia and Herzegovina. The ruling people in RS are only advocating the deportation of migrants to their countries of origin. The opening of new camps in these areas would certainly reduce the pressure on the USC and SC, and thus provide better conditions for migrants. However, these are short-term strategies that would not solve the whole situation.

At a meeting between representatives of the Ministry of Security of Bosnia and Herzegovina and Enlargement Commissioner Oliver Varhelyi, the commissioner announced that €1.5 million would be set aside for the procurement of border protection equipment. The Commissioner was acquainted with the measures taken by Bosnia and Herzegovina in order to better control and monitor the border, prevent illegal migration and humanitarian care for illegal migrants. The Ministry of Security has started activities to connect all institutions and security agencies in accordance with their competencies in terms of border protection, preservation of public order and peace and protection of personal and property security of citizens, as well as strengthening vertical and horizontal coordination of all competent structures for illegal migration management as complete controls of movement and residence as possible in relation to the status of foreigners who have illegally entered the territory of the state. Full cooperation and coordination with all international organizations in Bosnia and Herzegovina involved in activities with foreigners who entered the country illegally is defined and achieved, and work is being done to expand and provide adequate accommodation in order to relocate migrants outside populated and urban areas in specially constructed facilities. One of the priorities is intensifying cooperation with prosecutors' offices and courts in order to prosecute persons responsible for smuggling migrants.

The OSCE (2018) made specific recommendations to each participant involved in resolving the crisis, and several general recommendations were also highlighted: strengthen the ability of relevant government stakeholders to respond to the migrant and refugee situation, including potential trafficking victims and especially in locations with high rates of migrants and refugees; tailor support

to migrants and refugees by ensuring there is a sufficient presence of trained and qualified staff including interpreters, cultural mediators and female officials; strengthen data collection and data management (including sex and age disaggregated data) to ensure a more effective monitoring of the situation and contribute to the development of evidence-based strategies/contingency plans; establish effective communication channels to ensure that information is properly disseminated at the local, cantonal, entity and state levels; develop and disseminate clear guidelines and standard operating procedures and strengthen referral mechanisms, to allow relevant stakeholders to more effectively address the needs of migrants and refugees in vulnerable situations; organize regular co-ordination meetings with international organizations, embassies and the main active NGOs to discuss the latest developments and funding needs.

At the beginning of 2020, the then Minister of Security, Fahrudin Radončić, put forward his plan to deport 10,000 migrants, announced the closure of migrants who hide their personal identity documents, but Radončić resigned at the beginning of June 2020 due to the situation caused by the migrant crisis. Later, Bosnia and Herzegovina and Pakistan established a Draft Readmission Agreement, which confirms the readiness to engage in international actions to prevent illegal migration. In addition to Pakistan, work is underway to initiate readmission agreements with seven other countries with the largest number of migrants represented in Bosnia and Herzegovina. EU officials often criticize Bosnia and Herzegovina, so Commissioner Ylva Johansson, in charge of internal affairs, officially warned Sarajevo in January this year that by inadequately resolving the problem of migrants, indecision and even incompetence, they ‘further erode the reputation of Bosnia and Herzegovina every day’.¹⁵ A deeply dysfunctional and fragmented state, it failed to generate a cohesive response due to the complex and fragmented structure of the level of government, so the need for EU intervention through IOM arose. Bosnia and Herzegovina had to respect the EU strategy primarily because of the promise of membership. The EU appears to have contradictory targets for Bosnia and Herzegovina and the wider region. On the one hand, it is the transformation of the region into a hotbed of migrants and refugees where people on the move can be dealt with before they arrive in the EU, and on the other hand, a long-standing post-war stabilization goal. The goal of stabilization has been set aside mainly to take advantage of the fragility of the political system to implement the externalization of migration control. Such fragility prevents the state from taking on the role of ‘filter zone’ more independently. Moreover, internal instability and conflicting relations between the countries of the Western Balkans would be negative for the EU in the long run, because in the worst-case scenario, in the event of a new war, it would mean having a source of unwanted migrants at the door. Therefore, the EU strategy seems to be extremely short-sighted, even considering the EU’s own interests, in addition to being unjust and even deadly to those who suffer its immediate consequences (Deidda, 2020).

Igor Pellicciari, a professor of International Relations at the University of Urbino, published an analysis of the migrant crisis in Bosnia and Herzegovina entitled ‘Eternal Migrants, Victims of Assistance’. In his paper, he explains that citizens fear refugee camps becoming institutionalized, and thus long-term solutions based on the Palestinian, Jordanian and Lebanese models, turning the area into ‘human repository for migrants that the EU does not want to take and is willing to pay the UN to manage them on the territory of Bosnia and Herzegovina’. Citizens are definitely becoming increasingly resentful of EU policy, calling it hypocritical. The fact is that migrants do not want to stay on this soil, so the only way to solve the current crisis is to open the EU’s borders. Incompetent politicians, obviously not taking the current situation seriously, rub salt into the wound of the local population. Selmo Cikotić commented on readmission requests and many other challenges: ‘I have heard many interesting and sexy ideas about migrants being returned to their countries of origin.

¹⁵ <https://www.politicki.ba/news/read/14520>.

However, to do that, you need a lot of assumptions.’ Stating this he shocked everyone, because he sees an overall positive aspect. Due to reduced tourism, there is an increased consumption of many goods with the presence of migrants who buy and spend.¹⁶

4. CONCLUSIONS

Based on the analysis of the overall current situation in Bosnia and Herzegovina, it can be concluded that things are getting out of control day by day. They choose the Western Balkan route because it is easier and safer than the one through North Africa to Italy. The sticking point is primarily the political system where certain competencies are at the state level, some at the entity level, and some at the level of cantons and municipalities/cities, but they all point fingers at each other. Issues of the migrant crisis need to be addressed at the state level, although this is unlikely to happen. The situation is further exacerbated by the coronavirus pandemic. The migrants don’t have any kind of medical protection and care, so their lives are further impacted by the pandemic. The RS entity explicitly advocates only the deportation of migrants. Also, it is too optimistic to expect that in the future the EU will finally open its doors, which is an obvious indicator of the hypocrisy of its policy. There are no indications that they will accept migrants any time soon. However, migrants and the local population suffer the most because the authorities must act in accordance with EU principles if they want Bosnia and Herzegovina to become a future member of the Union. Although advocating for the deployment of migrants in other cantons and in both entities, the team would not completely resolve the crisis but improve existing conditions in reception centres and many people now living in the streets would get at least a temporary ‘roof over their heads’. By sending donations, the EU wants to show its humane side and wishes to prove that they are not against migrants. However, the situation on the ground shows otherwise. It would be easier for everyone if they expressed their clear intentions and goals. If they do not want migrants on their territory, the money from donations could be redirected to the return of migrants to their home countries. What would currently ease the crisis is enhancing controls on the eastern border with Serbia in order to prevent the entry of more illegal migrants. Rising tensions between the local population and migrants require an urgent solution. Politicians need to take a more serious approach to the problem and try to set aside national tensions. It is necessary to promptly form strategies to solve the migrant crisis, because every human being on Earth deserves a decent life and normal living conditions. The EU, but also all of us, should show solidarity with these people and ease their current situation, because as the writer Meša Selimović said, as IOM pointed out in the project of psychosocial support providing: “The world is full of accidents. I know, only ours concern us, but aren’t others also ours!?”.

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¹⁶ <https://thebosniantimes.ba/49641/pravi-migrant-na-pravom-mjestu-cikotic-cuo-sam-seksi-ideje-o-vracanju-migranata-ako-nemamo-turiste-imamo-migrante/>.

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