

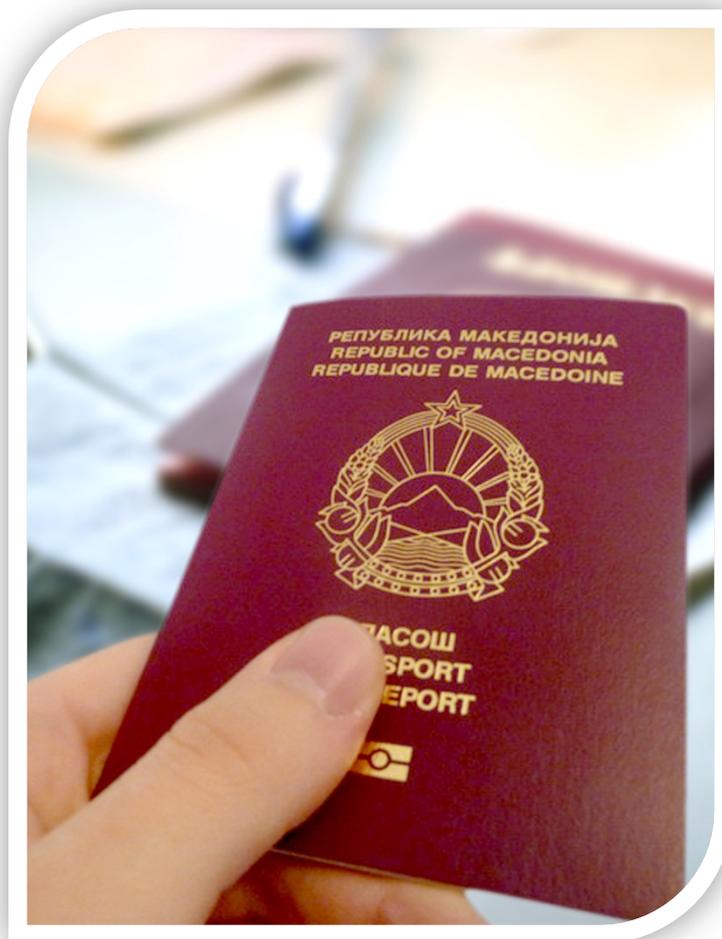
# INTERNS' POLICY REPORT



## Content

- ... Introduction
- ... Background of visa liberalization
- ... The exact meaning of Visa Liberalization for Macedonian citizens
- ... Analysis of the problem
- ... The “gains” of the visa liberalization abuse
- ... A little and a lot
- ... Concluding remarks and recommendations
- ... Bibliography

## The abuse of visa liberalization in Macedonia: What went wrong?





## Introduction

After coping with number of challenges and the fulfillment of the criteria set in the roadmap, finally the border barriers between Macedonia and the Schengen area countries have been lifted. One of Macedonia's top five foreign policies' priorities was reached in December 2009 when the European Council decided to grant visa free travel to and throughout the Schengen area to the citizens of Macedonia, Montenegro and Serbia.

Nevertheless, not everything turned out to be as planned in Macedonia, partly because not everyone understood the meaning of the visa liberalization and partly because many tried to abuse it, which resulted with the first wave of the false asylum seekers. Apparently the visa liberalization was seen by a number of Macedonian citizens, predominantly from the Roma and Albanian ethnic communities, as a possibility to individually improve their financial status, go and work or even live in some of the countries of the European Union (EU). This was done even though these actions are not allowed by the liberalization procedures and have raised many issues since the international law is not familiar with the existence of the economic asylum, at least not yet. In the first year after the liberalization, Macedonia, in the report for Europe and selected non-European countries, was listed as a major country of origin of asylum seekers with the highest relative increase of more than 599% asylum seekers.<sup>1</sup> With time, the number of asylum seekers from Macedonia grew and so did the concern of the EU countries. This trend further developed and became a serious threat to the whole process of the visa liberalization.

The aim of this paper is to present the phenomenon called "abuse of visa liberalization-false asylum seeking", its results and consequences with the purpose to recommend policies which Macedonia should undertake in order to prevent more asylum seekers and stricter visa regulations. The methodology includes analysis of the European Commission's (EC) progress reports on Macedonia 2008-2010, official EU documents, official Macedonian documents, the public policy research organizations' papers written on this matter, a wide range of media coverage as well as an interview with a former President and current EU adviser.

## Background of visa liberalization

The visa liberalization process has its beginning in 2003 when at the Thessaloniki summit the EU acknowledged the importance and the necessity of the countries of Western Balkans (WB) focusing their efforts on the liberalization of the visa regime.<sup>2</sup> Four years later the first concrete step towards visa liberalisation, the Agreement on visa facilitation and the Agreement on readmission between the Republic of Macedonia and the European Union were negotiated<sup>3</sup>.

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<sup>1</sup> UNHCR, *Asylum Levels and Trends in Industrialized Countries 2010-Statistical overview of asylum applications lodged in Europe and selected non-European countries*, (Geneva, 2011) pg.11,13.

<sup>2</sup> *Declaration of the EU-Western Balkans Summit*, (Thessaloniki,2003).

<sup>3</sup> The Readmission agreements that the EU signs with the third countries to facilitate the expulsion to their own country of third -country nationals residing without authorization in a Member State and that include the false asylum seekers. Republic of Macedonia as a contracting party will readmit to its territory without any formality

These agreements signed in September 2007 and entered into force on 1 January 2008, started the transitional stage towards establishing a visa-free regime for the citizens of Macedonia. In line with all of this, a visa liberalization dialogue with the WB was launched and the tailor-made Roadmap for Macedonia with certain criteria was presented.<sup>4</sup> The requirements consisted of four blocks: Block 1 - of the security of documents; Block 2 - border management, asylum and migration; Block 3 - public order and security, as well as Block 4 - foreign relations and human rights<sup>5</sup>. For the whole process, the country's capacity to ensure correct and effective implementation of the visa facilitation and readmission agreements was taken into consideration while the EC provided financial and technical assistance to support for implementation of the roadmap.

As stated in the initial report of the EC, Macedonia has made significant progress in all four blocks and was from the very beginning recognized as a leader in the region<sup>6</sup>. After the adoption of the EC's proposal for the abolition of visas for citizens of Macedonia, Serbia and Montenegro, in November 2009, during the Swedish presidency of the EU, the Council of Ministers for Justice and Home Affairs made a decision to liberalize the visa regime of the EU for citizens of Macedonia through amendment of Regulation 539/2001<sup>7</sup>. Since December 2009 Macedonia is transferred from the so-called Black List<sup>8</sup> to the White List<sup>9</sup> enabling Macedonian citizens the right to travel freely into the Schengen zone without a visa.

### **The exact meaning of Visa Liberalization for Macedonian citizens**

In order to explain the essence of the abuse of visa liberalization, firstly the meaning of the visa liberalization must be clarified. The visa-free regime for the WB is a purely political action which aims to incorporate all countries in the European zone by ensuring the freedom of movement. In the Communication to the European Parliament and the Council named "Western Balkans: Enhancing the European perspective" the EC stated that promoting people-to-people contacts between the Western Balkans and the EU is of paramount importance. In this occasion

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persons who are residing without authorization in the other country or who have crossed its frontier illegally or in this case who are looking for asylum status on wrong grounds.

<sup>4</sup> Analytica, *Ending 'Ghettoization' of the Western Balkans- Visa liberalisation process*, (Skopje,2009) pg.5

<sup>5</sup> European Commission, *Visa liberalisation with the former Yugoslav Republic of Macedonia roadmap*, (2008) available at <http://www.esiweb.org/pdf/White%20List%20Project%20Paper%20-%20Roadmap%20Macedonia.pdf> (last accessed 04.05.2011).

<sup>6</sup> Ministry of Foreign Affairs of Macedonia, *liberalization of the EU's visa regime towards the Republic of Macedonia*, available at <http://www.mfa.gov.mk/default1.aspx?ItemID=402> (last accessed 04.05.2011).

<sup>7</sup> Tanja Fajon, *Report on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 539/2001 listing the third countries whose nationals must be in possession of visas when crossing the external borders of Member States and those whose nationals are exempt from that requirement* (COM(2010)0256 – C7-0134/2010 – 2010/0137(COD)), (2010).

<sup>8</sup> The Black list consists of countries which need visa to enter EU's external border.

<sup>9</sup> The White list consists of countries which do not need visa to enter EU's external border.

the European Council invited the Commission to take initiatives to promote this people-to-people contact, in particular in the areas of visas and scholarships.<sup>10</sup>

According to the new visa regime rules, the citizens of Macedonia who own biometric passports can travel without a visa for a short stay in the countries of the Schengen zone. The stay should not exceed 90 days, meaning that the citizens of Republic of Macedonia have neither the right to a longer stay than 3 months, nor the right to live and work in the Schengen countries.<sup>11</sup>

Besides the biometric passport, there are other entry requirements that apply to all nationals of third countries who travel to the Schengen zone. They are linked to the possession of sufficient funds for duration of stay and return to Macedonia, possession of evidence of the purpose and conditions of intended stay, then determining that passengers do not exceed the maximum approved length of stay and that passengers are not considered a threat to public order, public health or internal security. Macedonian citizens can be rejected for entry into the Schengen zone unless they meet the entry requirements. Citizens of Macedonia who do not possess biometrical passport or citizens who wish to stay in the Schengen zone longer than 90 days require a long-term visa or residence permit.

### Analysis of the problem

It was back in March 2010, only 3 months after the granting of the visa free regime, when the first signs of the abuse of visa liberalization appeared. "Germany is concerned about the false asylum seekers,"<sup>12</sup> "Belgium returned our first 23 asylum seekers"<sup>13</sup> and "Europe risen to its feet by the Macedonian asylum seekers"<sup>14</sup> are only few of the front titles and breaking news in the daily media for the stories of the people who were returned in their homes after they did not get the asylum status.

As soon as the rules for crossing the borders of the EU countries were changed some Macedonian citizens mainly from the northern part of the country as from the municipalities of Kumanovo, Lipkovo and Roma citizens from the municipality of Shuto Orizari, used the asylum as an excuse for applying for a permanent stay in the EU countries. Soon this category of people was called "false asylum seekers".

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<sup>10</sup> European Commission, *Western Balkans: Enhancing the European perspective*, (Brussels,2008).

<sup>11</sup> Nationals of the Republic without a visa for short stays will be able to travel to 25 countries of the European Union: Austria, Belgium, Bulgaria, Germany, Greece, Denmark, Estonia, Italy, Cyprus, Lithuania, Latvia, Luxembourg, Malta, Poland, Portugal, Romania, Slovenia, Slovakia, Hungary, Finland, France, Netherlands, Czech Republic, Sweden, Spain and 3 countries which are not members of the Union, but are part of the Schengen zone: Iceland, Norway and Switzerland.

<sup>12</sup> MIA, Germanija zagrizena poradi prilozvot na azilanti, (14.11.2010), article available at : <http://daily.mk/cluster3/1ad49b1e2b5fd563ef147b11c34fae0d/464390> (last accessed on 11.05.2011).

<sup>13</sup> Alfa TV, Belgija ni gi vrati prvite 23 azilanti,(11.03. 2010) available at : <http://www.time.mk/read/c854ab312a/04629a362e/index.html> (last accessed on 04.05.2011).

<sup>14</sup> Sitel TV, Evropa se krena na noze od makedonskite azilanti,(22.10.2010), available at: <http://www.sitel.com.mk/dnevnik/makedonija/evropa-se-krena-na-noze-od-makedonskite-azilanti> (last accessed on 04.05.2011).

These false asylum seekers have been applying for this status on the basis of a range of reasons starting with the bad economic situation<sup>15</sup> till the fact that Macedonia is a partially free country regarding the civil rights and liberties. The latter was alleged to be a reason since the most of the false asylum seekers belong to ethnic minorities in Macedonia. However, one of the main reasons for the phenomena is that the asylum seekers were uninformed about the meaning of the visa liberalization. There was a poor informational campaign in Macedonia on this issue, meaning the Ministry of Foreign Affairs held only one thematic briefing on aspects of implementation of the visa liberalization with the representatives of tourist agencies and the media.<sup>16</sup> Being uninformed, made the citizens an easy prey of the manipulators who promised that the travel tickets bought in their agencies will lead them to their asylum status and its accompanying economical benefits and financial compensations. It must not be neglected that some of the Macedonian citizens who traveled to the Schengen area countries despite knowing the legal procedure, the obligations of the visa liberalization and the rules of the readmission agreement, went there anyway because of the financial compensations. The German newspaper Focus wrote that the financial aid that Germany paid to the asylum seekers for a family with four children is more than 2,500 EUR, and that was a big incentive for the large number of asylum applications from Macedonia.<sup>17</sup> Furthermore, one ethnic Albanian from Macedonia admitted in the media that he used the asylum to get social and health insurance, alleging to be a Belgium patient.<sup>18</sup> That is why the Croatian experts assessed the situation of Albanian asylum seekers from Macedonia as an issue of the leaders of ethnic Albanian parties in Macedonia because they did not promptly try to educate and prepare citizens.

**Table 1. Asylum applicants in the EU-27 by citizenship of applicants**

MK	Q3 2009			Q4 2009			Q1 2010			Q2 2010			Q3 2010			Jul-Sep 2010	Q2 to Q3 2010 change in %	Last 12 months
	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.			
	65	90	65	80	65	110	65	750	420	235	155	230	275	615	1260	2155	248	4265

Source: Eurostat

<sup>15</sup> Interview with former President and current EU adviser, May 2011.

<sup>16</sup> Ministry of Foreign Affairs of Macedonia, Briefings, available at <http://www.mfa.gov.mk/default1.aspx?ItemID=334> (last accessed 11.05.2011).

<sup>17</sup> Nova Makedonija newspaper, Baraat azil za da dobijat 2500 evra pomosh , available at: <http://www.novamakedonija.com.mk/NewsDetal.asp?vest=1025101035597&id=9&prilog=0&setIzdanie=22115> (last accessed 04.05.2011).

<sup>18</sup> Nova Makedonija newspaper, Azilantni ili "briseliski pacienti", available at: <http://www.novamakedonija.com.mk/NewsDetal.asp?vest=38101027579&id=9&prilog=0&setIzdanie=21928> (last accessed 04.05.2011).

**Table 2. Origin of asylum applications lodged in the European Union (27) | 2009 and 2010**

Origin	2009	2010	Total	Annual change	Share			Rank	
					2009	2010	Total	2009	2010
<b>MK</b>	749	5 773	6 522	67%	0.3	2.4	1.4	40	10

Source: Eurostat

The statistic data in Table 1<sup>19</sup> and 2<sup>20</sup> show that the increased number of asylum seekers raises significantly right after the visa liberalization in December 2010. The third quarter of 2010 is the most alerting despite the fact that many domestic and foreign politicians in this period put lot of attention on this issue.

**Table 3. First instance decisions by outcome across the 30 main groups of asylum applicants' countries of citizenship in the EU-27, 3<sup>rd</sup> quarter 2010 (rounded figures)**

	Total decisions	Total positive decisions	Refugee status	Subsidiary protection	Humanitarian reasons	Rejected
<b>MK (MK)</b>	945	30	20	5	5	920

Source: Eurostat

As shown in Table 3<sup>21</sup> the ratio between the total positive decisions and the rejected applications for asylum is very large. This table also shows that 920 out of the 945 applications were based on economic grounds.

In its progress report the EC mentions that shortly after the introduction of the visa free regime ill-founded asylum claims in several EU member states have been noted and that the authorities have reacted quickly to tackle the matter.<sup>22</sup> Several high representatives from Belgium, as the

<sup>19</sup> Anthony Albertinelli, Eurostat, *Asylum applicants and first instance decisions on asylum applications in third quarter 2010* pg.3 Table 1b: Asylum applicants in the EU-27(1) by citizenship of applicants (including new asylum applicants), Q3/09-Q3/10 (rounded figures), available at [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-QA-11-001/EN/KS-QA-11-001-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-QA-11-001/EN/KS-QA-11-001-EN.PDF) (last accessed 04.05.2011).

<sup>20</sup> UNHCR, *Asylum Levels and Trends in Industrialized Countries 2010 -Statistical overview of asylum applications lodged in Europe and selected non-European countries*, (2011) pg.19 Table 5, available at <http://www.unhcr.org/4d8c5b109.html> (last accessed 04.05.2011).

<sup>21</sup> Anthony Albertinelli, Eurostat, *Asylum applicants and first instance decisions on asylum applications in third quarter 2010* pg.11 Table 6b: First instance decisions by outcome across the 30 main groups of asylum applicants countries of citizenship in the EU-27, 3rd quarter 2010 (rounded figures) , available at [http://epp.eurostat.ec.europa.eu/cache/ITY\\_OFFPUB/KS-QA-11-001/EN/KS-QA-11-001-EN.PDF](http://epp.eurostat.ec.europa.eu/cache/ITY_OFFPUB/KS-QA-11-001/EN/KS-QA-11-001-EN.PDF) (last accessed 04.05.2011).

<sup>22</sup>European Commission, *the former Yugoslav Republic of Macedonia 2010 progress report accompanying the Communication from the Commission to the European Parliament and the Council Enlargement Strategy and Main Challenges 2010-2011*, (Brussels,2010) pg.64-65 available at : [http://ec.europa.eu/enlargement/pdf/key\\_documents/2010/package/mk\\_rapport\\_2010\\_en.pdf](http://ec.europa.eu/enlargement/pdf/key_documents/2010/package/mk_rapport_2010_en.pdf) (last accessed on 04.05.2011).

first most concerned country, visited Macedonia regarding this issue. Yves Leterme, the Prime Minister of Belgium and Meklior Wathelet, Secretary for Budget, Asylum and Migration in the Belgian Government in their visits urged the authorities to make greater efforts to prevent displacement and by recognizing the problem of false asylum seekers recommended that a public campaign is needed in order the Macedonian citizens-asylum seekers in the EU to be informed about the meaning of the visa liberalization.

Nonetheless a new rise in asylum applications was registered in August and September 2010. Regarding this the Home Affairs Commissioner Cecilia Malmstrom sent a letter to the Minister of Interior Gordana Jankulovska in which she warned about the "very worrying phenomenon" of the rapid increase of persons from Macedonia seeking asylum, stating that this could seriously jeopardize the entire process of visa liberalization in the Western Balkans.<sup>23</sup>

One of the issues which influenced the abuse of the visa liberalization process are the quasi touristic agencies which in order to make more profit manipulated the citizens by promising them asylum status, financial gain and bright future outside Macedonia. The citizens from the municipality of Shuto Orizari claim that the agencies charged the passengers 90 EUR so they can "help" them get asylum status in the foreign countries.<sup>24</sup> The Mayor of Shuto Orizari Elvis Bajram said that he is not aware who assists the citizens from his municipality in such a manner. Later on, there was a scandal which announced that one of these fraud travel agencies, the agency "Skaj VIM-AB" is owned by Mayor's brother and father, the latter a member of the Macedonian Parliament.<sup>25</sup>

The Former EU Ambassador in Macedonia Erwan Fouere added that the issue of abuse of visa liberalization raises the question of the living conditions in Macedonia as the main reason for search for a better life in the European countries. He advised that the Government should invest more in order the citizens not to leave their country<sup>26</sup>. However there seems to be a lack of understanding for the gravity of the issue as on the official page of the Ministry for Foreign Affairs there is an official statement saying that the experience from the implementation shows that the visa liberalization is impeccably implemented in practice.<sup>27</sup>

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<sup>23</sup> Article in the newspaper *Utrinski vesnik* available at : <http://daily.mk/cluster3/f65a0b9b75a7a4a1eb08e2af40e62db9/431345> (last accessed 04.05.2011)

<sup>24</sup> Valentina Stojceska in the newspaper *Vreme*, *Vladata nema plan za azilantskiot bran*, (Skopje, 2010) available at <http://www.vreme.com.mk/DesktopDefault.aspx?tabindex=2&tabid=1&EditionID=2151&ArticleID=150536> (last accessed on 11.05.2011).

<sup>25</sup> Article on *A1* television, 04.03.2011, available at: <http://www.a1.com.mk/vesti/default.aspx?VestID=120598> (last accessed on 04.05.2011).

<sup>26</sup> Article in the newspaper *Vreme* available at : <http://daily.mk/cluster3/13b39c714f397cb2e846f4a3d4e76e69/431121> (last accessed on 04.05.2011).

<sup>27</sup> Ministry of Foreign Affairs of Macedonia, *liberalization of the EU's visa regime towards the Republic of Macedonia*, available at <http://www.mfa.gov.mk/default1.aspx?ItemID=402> (last accessed 04.05.2011).

### The “gains” of the visa liberalization abuse

As previously presented, the problem with the abuse of visa liberalization has led to negative consequences for Macedonia and the rest of the WB. The concern of the Schengen countries triggered mechanisms and new stricter rules which would prevent further spreading of the problem. The EU, having in consideration that the visa liberalization gives responsibilities both to the EU and to the third countries on the White Schengen list, adopted a declaration which introduced stronger monitoring in the visa liberalization usage in the WB countries with increased border control, checking the biometric passports and enhanced intelligence cooperation. This declaration was a result of the appeals of the European politicians that in several occasions tried to warn about the abuse of the visa liberalization.

The monitoring will be strengthened by the follow-up mechanism which will include joint work of Europol, Frontex and the EU missions to the countries. The monitoring was put in place for Macedonia, Montenegro, Serbia but also for Albania and Bosnia and Herzegovina. The EC stands behind the monitoring and is allowed in case of difficulties, to propose a suspension to the visa-free travel. Eventually the EU can threaten with returning Macedonia on the black Schengen list. Such measures can be taken at the request of one or two states in case they feel threatened by the great wave of asylum seekers<sup>28</sup>. Some EU member states such as France and Netherlands have already proposed stricter legislation possibly leading to suspension of visa free regime. This means that also the EU ministers could decide to reintroduce visa obligation. This mechanism also includes regular reports on visa-free regime for the WB every six months of which the first report is expected in June. In addition, the Belgium Prime Minister Mr. Wathélet in fact described the visa liberalization as a contract of confidence and further stated that its abuse could jeopardize its existence.<sup>29</sup>

### A little and a lot

A little and a lot is the answer of the question how much was done and how much should be done regarding the problem of the abuse of visa liberalization by the Macedonian citizens. The focus will be put on the set of actions that the respective Macedonian institutions should undertake in order not to further endanger the visa liberalization process.

The reason that Macedonia was granted the visa liberalization status was the list of achievements starting from the high quality biometric travel and ID documents, over the Integrated Border Management system, the National Coordination Center for Border Management, the cooperation with FRONTEX, the Migration, Asylum, Refugees Regional Initiative till the enhanced capacity

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<sup>28</sup> Tanja Fajon former EU Parliament reporter on visa liberalization for the Balkans, article in newspaper Dnevnik, 24.11.2010, available at <http://www.dnevnik.com.mk/default.asp?ItemID=BC13DFA4444892429F4634AA6A3A8777> (last accessed on 04.05.2011).

<sup>29</sup> Influx of Asylum Seekers in the EU : a threat to the visa-free regime, Script - March 2011, available at : <http://www.seetv-exchanges.com/upload/documents/Asylum%20seekers%20EN.pdf> (last accessed on 05.05.2011).

of the Border police which made the country a regional leader in fulfilling the respective criteria set in the roadmaps.

### *Informational campaigns*

There were no intensive informational campaigns on national level regarding the rules and obligation stemming from visa-free travel, but however certain media stories made it clear that no EU country will give economic asylum, and all seekers of asylum will be sent back without financial compensation. In addition, there were also no initiatives or measures from the concerned municipalities to address this issue and there were lack of possible strategies and other activities in order to inform the citizens about the consequences from illegal emigration.

On the other hand, Albania's Interior minister has been campaigning intensively to raise public awareness about the seriousness of the issue. Through community meetings, leaflets, billboards and TV spots, the Albanian government has been giving a clear message that breaching EU regulations can have consequences. Such awareness raising campaigns were unfortunately not practiced in Macedonia.

### *Local communities and local authorities' acts of commitment*

Poverty as a main reason for searching a better life outside the borders is a widely known fact. Even though it is more difficult to combat it on national level, there are ways and mechanisms which the municipalities from the concerned regions may undertake in order to provide information about the issue in question. The EU funds available for the municipalities are a great possibility to improve the citizens' quality of life since these funds can be used for combating energy poverty, raising awareness regarding environmental issues, strengthening human rights etc. The lack of proactive approach from the municipal administration to make the best use of the foreign funds also results in limited municipal budget and low level of quality of the communal services, which beside the economical problems, are some of the reasons for emigration. Strengthening the capacities of the municipal administration and municipal council in the area of emigration and further concretizing the actions of the local authorities in this matter with an action plan are necessary steps for combating poverty and indirectly the reasons for immigration.

In the instrument for Pre-accession Assistance – IPA 2007-2013, for instance, the local communities are eligible to apply for the following components: the Component 1 – Transition Assistance and Institution Building offering more efficient services to citizens and supporting decentralization; Component 2 – Cross border Cooperation including grants support for infrastructure, cultural and economic relations with neighboring municipalities; Component 3 - Regional Development including environmental protection for example construction of water treatment plants, regional landfills and Component 5 - Rural Development as grants for

diversification of rural economy (alternative tourism) and grants for the construction of rural infrastructure<sup>30</sup>.

Besides this, there is a wide range of other pre-accession support and foreign assistance from bilateral and multilateral donors<sup>31</sup>, The Technical Assistance and Information Exchange (TAIEX)<sup>32</sup> as a possibly source of finances for the municipalities to apply for. However the municipalities could invest their own resources in other productive projects. Moreover, it must be made clear that the EU funds and other foreign assistance can help the government's policies, but they cannot by themselves solve the problems.<sup>33</sup>

#### *Enhancing the Border Police*

Border Police checks currently focus on establishing the identities of persons by means of checking travel and vehicle documents. However, the Border Police should also check whether the people who travel meet the necessary criteria as having necessary funds for a stay in the member countries of the Schengen zone. In addition, efforts should be made to deliver appropriate training to all Border Police personnel to ensure that border checks are conducted effectively in accordance with EU requirements and best practices. There is also a need to improve and modernize the equipment required to undertake effective border surveillance.<sup>34</sup>

Even though the Border Police has access to the Ministry of the Interior's data communication network as well as to the relevant databases, the Police Stations responsible for Border Surveillance still has no access to the databases which should be rectified as a matter of urgency. Furthermore, a central database of false and genuine documents is not available.

#### *Stricter monitoring of the travel agencies*

One further aspect of the problem is the issue of quasi touristic agencies. Even though it was said that Macedonian police is monitoring the work of several local travel agencies in Shuto Orizari, the Ministry of Interior and other institutions should make bigger efforts to trace the possible fraud by travel agencies and process claims against them.

The Ministry of Finance is in charge for the issuing license for the travel agencies which are listed in Registry of travel agencies<sup>35</sup> and it might be their obligation to create specific bodies for

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<sup>30</sup> Secretariat for European Affairs/IPA, <http://www.sep.gov.mk/Default.aspx?ContentID=26>

<sup>31</sup> Secretariat for European affairs Other foreign assistance, available at <http://www.sep.gov.mk/Default.aspx?ContentID=27> (last accessed on 11.05.2011).

<sup>32</sup> Secretariat for European affairs TAIEX, available at <http://www.sep.gov.mk/Default.aspx?ContentID=171> (last accessed on 11.05.2011)

<sup>33</sup> Interview with former President and current EU adviser, May 2011.

<sup>34</sup> ICM, *Assessment and monitoring mission (amt) report Strengthening Integrated Border Management in the Western Balkans and Turkey*, (Budapest, 2010) pg.56-59.

<sup>35</sup> Internet page of Ministry of Finance of Macedonia <http://www.economy.gov.mk/?article=c40e8d4e-62c0-4e67-b4ad-3b4a387628f7&lang=3>, Registry of travel agencies available at: <http://www.economy.gov.mk/Uploads/files/sektorskiDok/turizam/Registar%20na%20turisticki%20agenci.pdf>

inspection which would accomplish the major task for field checks and strict monitoring of agencies carrying passengers in order to prevent the mass departure of asylum seekers.

#### *Secretariat for European Affairs' (SEP) tasks*

Part of the guilt must be addressed to the SEP which should have done much more than the printing of few leaflets. SEP was established as a separate professional service of the Government of Republic of Macedonia in 2005. It was established in order to comply with the increased demand arising from process of EU integration of Macedonia.<sup>36</sup> The SEA is in charge for the National Programme for the Adoption of the European Union (NPAA) and Strategy for Information and Public Relations in the process of the accession of the Republic in the EU 2007-2010<sup>37</sup>. SEP must prepare a new Strategy for Information and Public Relations in the process of the accession of Macedonia in the EU which should include the detailed information about the visa liberalization since previous one expired in 2010.

#### *The work of the relevant Committees*

The Macedonian Government established a Committee to monitor the applications for asylum by nationals of the Macedonia in other countries after the rise of the problem of visa liberalization abuse. This committee concluded in few occasions that it would take further measures to prevent this misuse in joint coordination between state institutions, the Macedonian diplomatic and consular missions abroad and the relevant authorities in the EU member states. An intensive information campaign on the rights and obligations of citizens traveling in the Schengen zone, and organizing debates and discussions on this issue, with emphasis on adverse effects and risks of asylum were also announced.

Another relevant organ, the Joint Parliamentary Committee between the EU and Macedonia, has the main objective to examine all aspects of relations between Macedonia and the EU, and especially the implementation of the Stabilization and Association Agreement. This Joint Committee has never reviewed or discussed the visa liberalization abuse mentioning only once the gain of the status of visa liberalization.

### **Concluding remarks and recommendations**

This policy paper tackled the issue of the abuse of the process of visa liberalization and after presenting a clear picture of its meaning, background, achievements and setbacks, focused on indentifying solutions which will address this problem by suggesting recommendations to the relevant institutions.

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<sup>36</sup> Internet page of Secretariat for European Affairs/ Organization :  
<http://www.sep.gov.mk/Default.aspx?ContentID=8>.

<sup>37</sup> Internet page of Secretariat for European Affairs/ Communication projects  
:<http://www.sep.gov.mk/Default.aspx?ContentID=32>.

- The local authorities and national bodies need to organize more intensive informational campaign throughout the whole country. They can take advantage of the various media tools as instruments for dissemination of the benefits and obligations of the visa liberalization: TV spots, leaflets and brochures on Macedonian, Albanian and other languages, community meetings, institutional open days for questions regarding the visa liberalization, trainings and seminars are only part of the methods that will usefully spread the message among the wider population. All this information should focus on explaining that no EU country will give economic asylum, and all false asylum seeker will be sent back without financial compensation;
- The border police should be more precautious and should ask for all the necessary documents as sufficient funds for duration of stay and return to Macedonia, possession of evidence of the purpose and conditions of intended stay, then determining that passengers do not exceed the maximum approved length of stay, and that passengers are not considered a threat to public order, public health or internal security. Moreover, the Police Stations for Border Surveillance need to gain access to the Interior ministry's databases as well a central database of false and genuine documents should be established.
- The travel agencies in the concerned regions of Macedonia should be monitored more strictly by the respective inspection bodies;
- Claims should be processed against tourist agencies which manipulated the citizens by promising them asylum in the Schengen countries;
- The municipalities need to be strengthened in project management and focus on preparing projects dealing with local economic development and improving the quality of life;
- SEA should prepare a Strategy for Information and Public Relations in the process of the accession of Macedonia in the EU in which the issue of visa liberalization will be addressed;
- The Committee for monitoring the applications for asylum by nationals from Macedonia in other countries and the Joint Parliamentary Committee should tackle more intensely the issue of the abuse of visa liberalization.

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# INTERNS' POLICY REPORT

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