

SMUGGLING OF MIGRANTS ON THE BALKAN ROUTE WITH AN AMPHASIS ON BOSNIA AND HERZEGOVINA

Katica Admir³⁶

Ministry of Internal Affairs of Sarajevo Canton

Abstract: Since 2015 the migrant crisis has affected on a global level regions and started off the worst refugee crisis since the establishment of European Union. While some countries were set to help and provide support to migrants and refugees, others turned to setting up fences, in order to stop illegal entries to their countries. Different approaches were in place depending on the state policy of the country, which majorly focused on strenghtening border control. Along with stricter border controls, the market of smuggling migrants arise and even COVID19 did not impacted the movement of migrants in a broader extent. The smuggling of migrants according to Global Initiative market assesment facilitated millions of euros, only in 2020, while it differed a set of typology of smugglers. Smugglers use current migration, as well as political situation triggered with corruption, to make their 'bussines' flourish. This paper provides insights in how migration and organized crime are linked, in the sense of smuggling of migrants, and presents the market of smuggling in Bosnia and Herzegovina.

Key words: Migration, Smuggling of migrants, Bosnia and Herzegovina, Balkan route, Smugglers typology

Introduction

In 2015, the worst refugee crisis happened since the creation of the European Union, and Turkey became a huge reservoir of refugees and openly encouraged migrants to continue their journey to the European Union. In the spring of 2015, the Greek islands closest to the Turkish coast became the main route for migrants from Turkey to Greece. Thousands of migrants, as well as unaccompanied children, arrived in Turkey, and via the Balkan route, tried to reach their destination, most often Germany, France, Great Britain, with the desire for a better life.

In the last few decades, due to its geographical position, Bosnia and Herzegovina has become part of the Balkan route for smuggling, not only migrants, but also drugs, weapons, etc. Until 2016, Bosnia and Herzegovina was not interesting for smugglers, however, due to increased border controls within Europe, routes were changing, and smugglers were increasingly importing at the local, national, and transnational levels.

During 2020, the corona virus pandemic on a global level posed a challenge for the world, but also further complicated the problem of migration, and thus made movement more difficult. The migrant situation in Bosnia and Herzegovina has become more complex, not only because of the Covid19 pandemic, but also because of the challenge of Bosnia and Herzegovina to adequately manage migration.

³⁶ Contact address: admirkatica@gmail.com

A new wave of irregular migration through the Balkans led to tensions among the member states of the European Union, and in mid-November 2022, Austria announced that it was against the accession of Croatia, Bulgaria and Romania to the Schengen area. Despite this, Croatia joined the Schengen zone on January 1, 2023, and therefore a new and larger influx of migrants on the Balkan route was expected, especially expressing pressure on the territory of Bosnia and Herzegovina, but also Serbia, as the countries closest to Schengen.

Smuggling of migrants on the Balkan route

According to Gallagher, every year an unknown number of people are 'smuggled' or 'trafficked' across international borders. Smuggled migrants are moved illegally for profit: they are partners, however unequal, in a commercial transaction.³⁷ First of all, it is necessary to define the phenomenon of migrant smuggling, in order to be able to understand it. According to Kyle & Koslowski, smuggling of people, according to a simplified definition, is the crossing of an individual across the international border of a country without the permission of that country and with the paid help of smugglers.³⁸

In this regard, according to the Protocol against the Smuggling of Migrants by Land, Sea and Air, which supplements the United Nations Convention against Transnational Organized Crime, "smuggling of migrants" means the acquisition, with the aim of obtaining, directly or indirectly, financial or other material benefits, from the illegal entry of a person to a member state of which that person is not a citizen or a permanent resident.³⁹

However, migrant smuggling follows the same dynamics as other transnational organized crime markets. It is driven by the demand and supply of smuggling services to circumvent existing regulations. Frontex emphasizes, smugglers who are ready to offer services to facilitate irregular border crossing provide different offers of services.⁴⁰

There are several key smuggling routes on a global level, and according to Frontex data from 2023, the following stand out:

- The Mediterranean was the most active route in the first quarter of the year with almost 28,000 irregular border crossings, three times more than a year ago. Organized crime groups (OCGs) have taken advantage of better weather and political instability in some countries of departure to try to smuggle as many migrants as possible across the central Mediterranean from Tunisia and Libya.
- The Western Balkans is still the second most active migration route with almost 15,000 detected, although the number is still lower than a year ago. The decline

³⁷ Gallagher, A. (2002). Trafficking, smuggling and human rights: tricks and treaties. *Forced migration review*, 12(25), 8-36.

³⁸ Kyle, D., & Koslowski, R. (Eds.). (2011). *Global human smuggling: Comparative perspectives*. JHU Press.

³⁹ United Nations, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000, <https://www.ohchr.org/en/instruments-mechanisms/instruments/protocol-against-smuggling-migrants-land-sea-and-air>. Pristupljeno: 17 Juni 2023.

⁴⁰ Frontex (2023) Detections in Central Mediterranean up three-fold in the first 2 months, 12 April 2022, <https://frontex.europa.eu/media-centre/news/news-release/detections-in-central-mediterranean-up-three-fold-in-the-first-3-months-of-2023-fBX34V>. Pristupljeno: 16 Juni 2023.

can be attributed to the harmonization of visa policy in the region with the EU and the strengthening of border control capacity by Hungary.

- The number of irregular Channel crossings to the UK in the first quarter fell by 15% compared to last year to 7,400 (detections on both sides of the Channel). This temporary reduction can be attributed to unfavorable sea conditions. (FRONTEX)

Since the 1970s, the Balkan route has been a notorious route for smuggling drugs (mainly heroin) from east to west. But in 2015, it took on new meaning as an estimated 1.5 million asylum seekers and migrants – driven in part by the war in Syria – crossing Turkey and Greece into the Western Balkans and then into Western Europe.⁴¹

On how to deal with irregular migration, which was very much in the center of interest, not only in the Western Balkans and Bosnia and Herzegovina, but throughout Europe and the world, it really requires a reform of the existing regulations, but also a detailed analysis and understanding of the structure of the illegal migrant smuggling market.

The Western Balkan countries faced with the problem of the migrant crisis and solving the consequences, as well as other issues caused by the migration process. The approach and reaction of the governments of individual countries to the migrant crisis was different because it stems from the need to stop migration or to bring it under control, especially in the area of accepting migrants and humanitarian issues. The Western Balkans have already felt the weight of the migrant crisis, and for this reason they are supported by the EU and other donors to develop their own action plans and have taken adequate measures to accept and support migrants during the crisis.⁴²

Balkan route of smuggling migrants

According to UNODC, migrant smuggling routes affect every part of the world.⁴³ Migrant smuggling follows the same dynamics as other transnational organized crime markets. It is driven by the demand and supply of smuggling services to circumvent existing regulations. A number of smugglers who are willing to offer services to facilitate irregular border crossings present an offer of services.⁴⁴

According to the Global Initiative, in 2015, the main route taken by asylum seekers and migrants was via Turkey and Greece to North Macedonia and Serbia, towards Hungary and further into the European Union (EU).⁴⁵ However, when Hungary raised a border barrier

⁴¹ W Kemp, K Amerhauser & R Scaturro (2021) Spot prices – Analyzing flows of people, drugs and money in the Western Balkans, Global Initiative, <https://globalinitiative.net/wp-content/uploads/2021/05/Spot-Prices-Analyzing-flows-of-people-drugs-and-money-in-the-Western-Balkans-1.pdf>. Pristupljeno: 18 Juni 2023.

⁴² S Mušić & A Agović (2017) Securitization of migrant crisis on the Western Balkan route, December 2017, https://www.researchgate.net/publication/325973193_Securitization_of_migrant_crisis_on_the_Western_Balkan_route. Pristupljeno: 19 Juni 2023.

⁴³ UNODC, Smuggling of Migrants, <https://www.unodc.org/unodc/en/data-and-analysis/glosom.html>. Pristupljeno: 17 Juni 2023.

⁴⁴ UNODC (2018) Global study on smuggling of migrants, https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf. Pristupljeno: 19 Juni 2023.

⁴⁵ W Kemp, K Amerhauser & R Scaturro (2021) Spot prices – Analyzing flows of people, drugs and money

with Serbia between July and September 2015⁴⁶, at the same time imposing fence along its border with Croatia⁴⁷, the surveillance of border crossings was also strengthened. Then, in 2015, North Macedonia also started building a fence along the border with Greece, which is 30 kilometers long, where border management was improved with the support of Frontex.⁴⁸

It was expected that after these measures and increased border surveillance, through the closure of the Balkan route, in March 2016, the route will shift towards Bosnia and Herzegovina. In this regard, in 2017, an increase in the number of asylum seekers and migrants was just noticed in Bosnia and Herzegovina and, to a lesser extent, in Montenegro.⁴⁹ During 2017, the BiH Border Police detected 651 persons attempting to enter the country illegally. Compared to the previous year, the increase is 380 percent. Most people come via the new route from Greece, via Albania and Montenegro. Considering the increased number, Bosnia and Herzegovina is at risk of lack of capacity for their accommodation.⁵⁰

As it was more difficult for people to move to north towards crossing border between Serbia and Hungary, they turned west instead. This encouraged them to go through Serbia and Montenegro to Bosnia and Herzegovina. They were moving through Republic of Srpska, but were often stuck in northwestern Bosnia and Herzegovina due to strong border controls by Croatia. This created a humanitarian crisis in and around the refugee camps in the Una-Sana Canton of BiH, near the Croatian border.⁵¹ The migration crisis and the large influx of mixed migration flows in the Western Balkans region reveal shortcomings in the protection of migrants, both in transit and stuck in transit countries.⁵²

in the Western Balkans, Global Initiative, <https://globalinitiative.net/wp-content/uploads/2021/05/Spot-Prices-Analyzing-flows-of-people-drugs-and-money-in-the-Western-Balkans-1.pdf>. Pristupljeno: 18 Juni 2023.

⁴⁶ Patrick Kingsley, Migrants on Hungary's border fence: 'This wall, we will not accept it', *The Guardian*, 22 June 2015, <https://www.theguardian.com/world/2015/jun/22/migrants-hungary-border-fence-wall-serbia>.

⁴⁷ Migrant crisis: Hungary closes border with Croatia, *BBC News*, 17 October 2015, <https://www.bbc.com/news/world-europe-34556682>. Pristupljeno: 18 Juni 2023.

⁴⁸ Migrant crisis: Macedonia border closure strands thousands in Greece, *BBC News*, 22 Februar 2016, <https://www.bbc.com/news/world-europe-35629921>. Pristupljeno: 18 Juni 2023.

⁴⁹ Daria Sito-Sucic and Dado Ruvic, Bosnia struggles to cope with arrival of thousands of migrants, 15 May 2018, <https://www.reuters.com/article/us-europe-migrants-bosnia-idUSKCN1IG1LS>. Pristupljeno: 18 Juni 2023.

⁵⁰ Dž Halimović (2017) BiH na novoj migrantskoj ruti ka EU, *Radio Slobodna Evropa*, <https://www.slobodnaevropa.org/a/bih-migranti-izbjeglice-eu/28924875.html>. Pristupljeno: 18 Juni 2023.

⁵¹ W Kemp, K Amerhauser & R Scaturro (2021) Spot prices – Analyzing flows of people, drugs and money in the Western Balkans, Global Initiative, <https://globalinitiative.net/wp-content/uploads/2021/05/Spot-Prices-Analyzing-flows-of-people-drugs-and-money-in-the-Western-Balkans-1.pdf>. Pristupljeno: 18 Juni 2023.

⁵² IOM, Enhancing Counter Trafficking in Crisis in the Western Balkan – Analytical Report, <https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/Analytical%20Report%20.pdf>. Pristupljeno: 18 Juni 2023.

Typology of migrant smugglers and prices of services on the Balkan route

Smugglers' profits derive from the fees they charge migrants for their services. Fees are largely determined by the distance of the smuggling route, the number of border crossings, geographical conditions, means of transport, the use of false travel or personal documents, the risk of detection, etc. Fees are not fixed and may change according to migrants' profiles and their perceived wealth. For example, Syrian citizens are often charged more than many other migrants for smuggling on Mediterranean routes (an additional charge that may or may not lead to a safer or more comfortable journey).⁵³

In a report published in 2021, the Global Initiative made a typology of smugglers in relation to their role in smuggling, the offer of their service - crossing one or more borders, as well as the prices for said services. In this regard, a distinction was made between: "fixer, gatekeeper and package arrangement". In addition to using smuggling services, migrants often relied on self-help - that is, on their own resources and resources to cross borders.

- Fixers most often represent citizens who use the 'opportunity', such as taxi drivers, who provide transportation from point A to point B, where point B is usually near the border with another country. "The fixers also connect migrants with smugglers or taxi drivers, suggest routes and safe houses and alert them to police patrols. Some fixers also act as observers or scouts. They wait at bus and train stations to meet expected arrivals. When new groups of migrants arrive in a city, fixers pass on information to smugglers about the size and composition of the group. If fixers share the same ethnicity as members of the migrant group, they can act as an intermediary between the group and the smugglers." It is important to emphasize that fixers usually work within the borders of a country, unlike gatekeepers who help people cross borders. The fact that there is such a prominent role for all kinds of fixers suggests that the migrant smuggling market is relatively open. The price of the fixer services depends on the distance that needs to be covered, as well as the number of passengers.
- Gatekeepers / Gatekeepers are those who allow the doors of other borders to open for you, that is, the door of entry into the European Union, as the most important one. Gatekeepers also enable border crossing with different means of transport - by ship and/or boat, if necessary. "The most organized and profitable forms of smuggling seem to be around the most difficult borders to cross: between Greece and North Macedonia; North Macedonia and Serbia; Serbia and Hungary; and Croatia and Bosnia and Herzegovina. These key border crossings are relatively well protected and therefore riskier to cross. This makes it lucrative for smugglers to charge people for safe passage. The criminal gangs in these locations appear to be a mixture of locals with knowledge of the terrain and police movements, as well as nationals of the countries from which the asylum seekers and migrants originate (such as Afghanistan, Pakistan, Morocco and Syria). They fit the description of an organized criminal group, sometimes even with cross-border criminal networks. Some smugglers are well-equipped and well-connected, including contacts in the police and border services."

⁵³ UNODC (2018) Global study on smuggling of migrants, https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf. Pristupljeno: 19 Juni 2023.

- Package arrangements are essentially the ones that bring the most money, because the realization of such a complex operation of smuggling - cross-border, requires a high level of sophistication in planning, coordination and the provision of a transnational network of collaborators. Agreements on package deals are most often made in Turkey or Greece, because smugglers use their contacts in refugee camps and/or large cities where there are a large number of migrants and asylum seekers. "For a few thousand euros, migrants in Greece or Turkey are promised a package deal that will take them to Western Europe. Crossing multiple international borders in the region can cost from 600 to 20,000 euros per person, depending on the starting point and destination. In this way, migrants can reach Croatia, Slovenia or ideally Austria from any of the entry points in the Western Balkans, including Kakavia and Kapštica in southern Albania, Strumica and Đevđelia in southern North Macedonia, and Niš in southern Serbia. The price to be paid to enter any EU country from Iran or Afghanistan ranges from €3,000 to €3,500 per person. Interviewed migrants in Bosnia and Herzegovina trying to reach Croatia reported that they paid around €6,000 from Pakistan."

Smuggling prices on the Balkan route

Although according to the report previously published by the Global Initiative, the amounts for migrant smuggling depend primarily on the distance traveled, as well as the number of borders to be crossed. However, according to the latest information from Europol in May 2023, migrants who used the services of criminals had to pay exorbitant prices to cross secretly into the European Union. An illegal trip from Serbia to Austria would require a payment of around 5,000 euros per person. The entire journey from the country of origin to the EU would cost between 15,000 and 20,000 euros, making the smugglers an enormous profit. Investigators believe that criminals made a profit of over 3,180,000 euros for the transport from Serbia to Austria.⁵⁴ As Europol further states, migrants usually entered Hungary via the Serbian-Hungarian green border on foot with the help of a guide. The migrants were then transported through Hungary and dropped off near the Austrian border. After crossing the border into Austria on foot, they would surrender to the police and ask for asylum.

According to the indictments, as well as based on the statements of police officers and non-governmental activists in Bosnia and Herzegovina and the Western Balkans, as well as the migrants themselves, the price demanded by smugglers varies from several factors, the most important of which are the following:

- Distances of the destination to which the migrant should be transferred,
- Whether the transfer involves crossing a border,
- Number of people in the group,
- Is accommodation in private apartments included while waiting for transfer,
- Are the smugglers from the countries of the region or are they migrants or from other countries.

⁵⁴ Europol (2023) 13 criminals arrested or smuggling at least 212 people, 16 februar 2023, <https://www.europol.europa.eu/media-press/newsroom/news/13-criminals-arrested-for-smuggling-least-212-people>. Pristupljeno: 20 Juni 2023.

The average price of smuggling per person for crossing the border (on foot or by boat) of Serbia or Montenegro, from 100 euros to 300 euros per person. Transfer across the border with Croatia (by car) costs from 500 euros to 1000 euros. While the price of smuggling from Bosnia and Herzegovina to Trieste in Italy is 2000 euros per person. The price for the transfer to Slovenia is similar, with transportation ranging from 1,500 to 2,000 euros per person. The price of smuggling on foot over the hills from BiH to Croatia is 600 euros per person.⁵⁵ Smuggling of migrants by motor vehicle within the territory of BiH ranges from 200 to 500 euros.

Prices are always expressed in euros and smugglers are paid exclusively in cash, although migrants in BiH receive funds from relatives and friends through bank transfers, most often using the 'Hawala' system. Although there is no universal definition to explain what exactly hawala means, it implies a money transfer system. But what can be emphasized, that it is a way of transferring money, which does not involve the physical transfer of money.⁵⁶

Bosnia and Herzegovina on the Balkan migrant smuggling route

Bosnia and Herzegovina is a specific country for many reasons, and one of the specifics is certainly its political structure, which has an impact on many issues, including the fight against organized crime and migrant smuggling.

Bosnia and Herzegovina⁵⁷ is a complex country, consisting of the entities of the Federation of Bosnia and Herzegovina (51% of the territory) and the Republic of Srpska (49% of the territory) and the Brčko District. The Federation of Bosnia and Herzegovina (FBiH) and the Republic of Srpska (RS) are entities that have their own constitutions, which should be in accordance with the Constitution of Bosnia and Herzegovina. The Federation of Bosnia and Herzegovina is an entity consisting of ten cantons (which are further administratively divided into municipalities), while the Republic of Srpska as an entity is administratively divided into regions (Banja Luka, Doboј, Bijeljina, Pale and Trebinje), and the regions are they are further divided into municipalities. The territory of Brčko, which was under arbitration, was placed under the administration of the state of Bosnia and Herzegovina as a separate district at the end of 2000 by the decision of the International Arbitration Commission for Brčko. Brčko District has its own multi-ethnic government with an elected assembly, executive committee, judiciary and police force.

Such a complex state arrangement significantly affects the functioning, efficiency and operation of police agencies, as well as prosecutors' offices, which significantly complicates

⁵⁵ G Latkovic, Priča iz migrantskog kampa: Otkrili kako varaju hrvatsku policiju i koliko plaćaju krijumčare, RTL, 22 January 2019, <https://www.rtl.hr/vijesti-hr/novosti/crna-kronika/3325479/pri-ca-iz-migrantskog-kampa-otkrili-kako-varaju-hrvatsku-policiju-i-koliko-placaju-krijumcare/>. Pristupljeno: 19 Jun 2023.

⁵⁶ W Kemp, K Amerhauser & R Scaturro (2021) Spot prices – Analyzing flows of people, drugs and money in the Western Balkans, Global Initiative, <https://globalinitiative.net/wp-content/uploads/2021/05/Spot-Prices-Analyzing-flows-of-people-drugs-and-money-in-the-Western-Balkans-1.pdf>. Pristupljeno: 18 Juni 2023.

⁵⁷ Ministarstvo vanjskih poslova BiH, Administrativno-teritorijalno uređenje, https://www.mvp.gov.ba/dobro-dosli_u_bih/drzavno_uredjenje/administrativno_teritorijalno_uredjenje/?id=265. Pristupljeno: 17 Juni 2023.

and limits the fight against organized crime and corruption. Also, representatives of the EU⁵⁸, OSCE⁵⁹, as well as Western embassies in BiH pointed out the influence of political structures on the work of the judiciary and the lack of investigations in cases of corruption and crime. These shortcomings are also expressed in the fight against migrant smuggling, in addition to the fact that the fragmentation of the police system in Bosnia and Herzegovina and the non-existence of the state Ministry of Internal Affairs favors only criminals and smugglers.

At the state level of Bosnia and Herzegovina, there is a Ministry of Security responsible for the issue of migration, and the Service for Affairs with Foreigners, the Border Police and the State Investigation and Protection Agency (SIPA) are responsible for the operational part. Also entity and cantonal ministries of interior are involved in police activities related to migrants and often participate in actions of apprehension, blocking the movement of migrants, escorting the transport of migrants, as well as in investigative actions inside and outside the camps.

Jurisdiction over investigations of the criminal offense of migrant smuggling in the judicial sense rests with the BiH Prosecutor's Office (state prosecutor's office), while jurisdiction over human trafficking is assigned to entity and cantonal prosecutor's offices.

One of the main problems when it comes to the management of migration in BiH in the past period is the uncoordinated unified policy towards migration at the state level. Namely, the RS entity does not allow locations for the accommodation of migrants on the territory of that entity, so the complete burden of migration falls mainly on two cantons in the FBiH (Sarajevo canton-central BiH and Unskosanski canton-western BiH along the border with the EU, i.e. Croatia).

Such position of the authorities in the RS entity was confirmed by the former President of the RS Željka Cvijanović and emphasized that the RS will not change its decisions when it comes to migrants. Transit yes, stay in RS no! There will be no camps or other accommodation, emphasizes the President of the RS.⁶⁰

The current situation of migration in Bosnia and Herzegovina – Canton Sarajevo

According to the report of the Sarajevo Canton Government on the current state of migration for May 2023, it is stated that the number of migrants in the month of April 2023 in the Temporary Reception Centers (TRC) in the area of the Sarajevo Canton is slightly lower than it was in the month of March. In March, 697 migrants stayed in PPC, while in April, 606 migrants stayed in TRC. Facilities for organized accommodation of migrants in the area of Sarajevo Canton are TRC Blažuj (municipality of Ilidža) and TRC Ušivak (municipality of Hadžići). The occupancy capacity of TRC Blažuj is 1,700 persons, and as of the end of April,

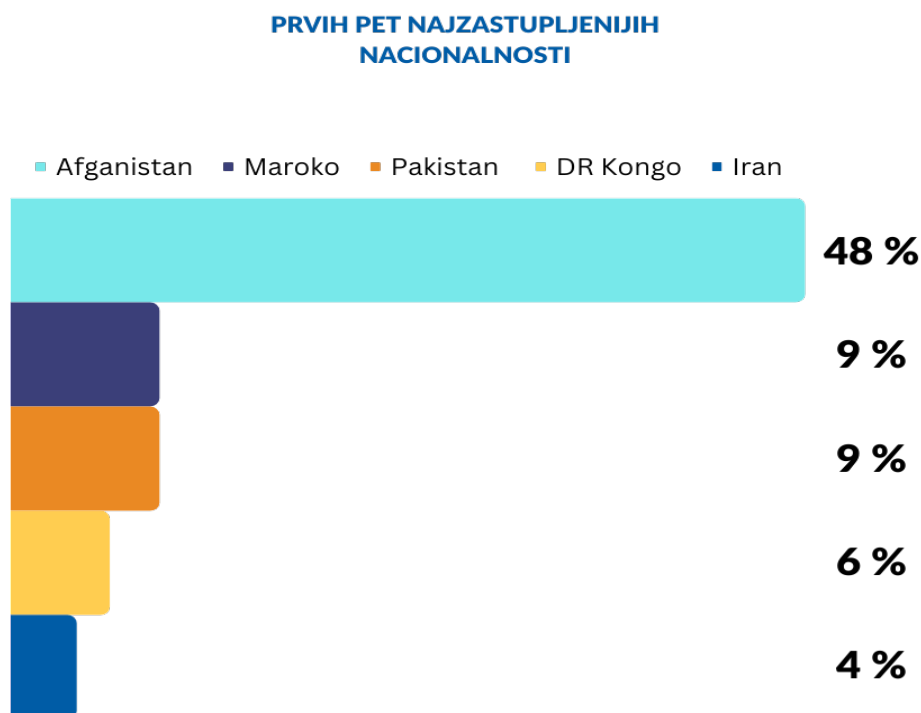
⁵⁸ VOA (2020) Evropska komisija, razočarana otporom za reforme pravosuđa, najavljuje prekid podrške putem VSTV-a, 09 Juni 2020, <https://ba.voanews.com/a/eu-vstv-reforme/5455237.html>. Pristupljeno: 19 Juni 2023.

⁵⁹ VOA (2020) Izvještaj OSCE-a o kažnjavanju korupcije u BiH: Zatajenje sistema dovelo do nekažnjivosti, 23 Novembar 2020, <https://ba.voanews.com/a/bih-osce-korupcija-procesuiranje-izvjestaj/5673017.html>. Pristupljeno: 20 Juni 2023.

⁶⁰ ATV BL (2020) Republika Srpska bez promjene po pitanju migranata, 05 Oktobar 2020, <https://www.atvbl.rs/vijesti/republika-srpska/republika-srpska-bez-promjene-odluka-po-pitanju-migranata-5-10-2020>. Pristupljeno: 18 Juni 2023.

it accommodated 448 migrants, while the accommodation capacity of TRC Ušivak is 800 persons, and 158 migrants were accommodated there in April. At the same time, 246 migrants were accommodated in two TRCs in the Una-Sana Canton (USC), which is significantly less than in March, when 407 migrants stayed in them.⁶¹

Picture number 1. National representation of migrants in TRC in BiH



The national structure of migrants staying in the TRC in the Canton Sarajevo area has changed compared to the previous month only in that they are in fifth place with citizens of Iran, while in March they were citizens of Cuba. Almost half of the migrants who are in the TRCs in Bosnia and Herzegovina are of Afghanistan origin, in second place in terms of representation are still migrants from Morocco, followed by Pakistan, DR Congo and Iran.

The schedule of locations for the accommodation of migrants in Bosnia and Herzegovina, as well as the main hotspots when it comes to the accommodation and residence of migrants, is shown on the following UNHCR map, and it is evident that all locations are in the territory of the Federation of Bosnia and Herzegovina.

⁶¹ Prema podacima iz Situacijskog izvještaja IOM dostavljenih Vladi Kantona Sarajevo putem MUP-a KS.



Source: UNHCR

The state of migration at the level of Bosnia and Herzegovina

According to the data of the Service for Foreigners' Affairs of BiH, from January 1 to April 12 this year, a total of 12,061 migrants were registered to enter BiH, of which 9,045 were registered in the Sarajevo Canton, and 3,016 in the Una-Sana Canton. Of the 728 migrants who are currently accommodated in the temporary reception centers of the Sarajevo Canton, 138 are accommodated in Ušivak, and 509 in Blažuj.⁶²

Based on data from the Ministry of Security of BiH, 1,643 migrants entered BiH in April 2023, which is 317 fewer registered entries than in March. For the sake of comparison, and according to data from the same source, the number of migrants entering Bosnia and Herzegovina in April 2022 is approximately the same as in April 2023. In the first four months of 2023, 6,844 migrants entered BiH, which is an increase compared to the first four months of 2022, when 3,481 migrants entered BiH. The increase in the number of migrants who entered BiH was by 3,363 migrants. In the reporting period, one migrant was returned to the country of origin in compliance with international legal regulations and procedures.

Although the current situation regarding the increased influx of migrants in Bosnia and Herzegovina is stable, especially if you compare 2020 and 2021, trends in the entire region show that the number of migrants on the Balkan route has increased in 2023. According to the data of the Service for Foreigners' Affairs of BiH, from the beginning of the year until

⁶² Vlada KS (2023) Dolaskom proljeća bilježi se rast broja migranata, stanje u Kantonu Sarajevo pod kontrolom i bez problema, 13 April 2023, <https://vlada.ks.gov.ba/aktuelnosti/novosti/dolaskom-proljeća-bilježi-se-rast-broja-migranata-stanje-u-kantonu-sarajevo-pod>. Pristupljeno: 18 Juni 2023.

June 8, 10,823 migrants were registered in the territory of Bosnia and Herzegovina, of which 9,952 expressed their intention to seek asylum. The largest number comes from Afghanistan, Morocco, Cuba, Pakistan and Congo.⁶³

Smuggling of migrants in Bosnia and Herzegovina – legal framework

The state authorities in Bosnia and Herzegovina started dealing with the issue of trafficking in human beings (THB) in 2001. On December 6, 2001, the Council of Ministers of Bosnia and Herzegovina adopted the Action Plan for the Prevention of Human Trafficking in Bosnia and Herzegovina.

The Act on the Movement and Residence of Foreigners and Asylum from 2003 defined temporary residence for humanitarian reasons, which will be granted to a foreigner if he is a victim of organized crime, i.e. trafficking of human beings, with the aim of providing protection and assistance in recovery and return to the country of habitual residence. The aforementioned provisions were adopted in the Law on the Movement and Residence of Foreigners and Asylum from 2008, and the sub-legal act elaborated in detail the procedures for the protection of foreigners who are victims of human trafficking.

In domestic legislation, the criminal offense of international trafficking of human beings is criminalized by Article 186 of the Criminal Code of Bosnia and Herzegovina, and it belongs to the group of criminal offenses against humanity and values protected by international law. Organized international trafficking in human beings is criminalized by Article 186.a and Smuggling of migrants by Article 189.a of the Criminal Code of Bosnia and Herzegovina. In the Criminal Code of the RS, the criminal offense of trafficking in human beings is criminalized by articles 198.a and 198.b, and organized trafficking in human beings by article 198.v. In the Criminal Code of the Brčko District of BiH, the criminal offense of trafficking in human beings is criminalized by Article 207.a, and organized trafficking in human beings by Article 207.b.⁶⁴

At the state level of BiH, the Strategy in the area of migration and asylum was adopted and the Action Plan (2016-2020) is a comprehensive document based on all relevant indicators and factors in the area of migration and on realistic, reliable and objective assessments of migration flows and the interests of Bosnia and Herzegovina in this area.

Considering the specificity of the functioning of the state of Bosnia and Herzegovina, it can be said that the existing legislation and regulations enable a systematic fight against the smuggling of migrants.

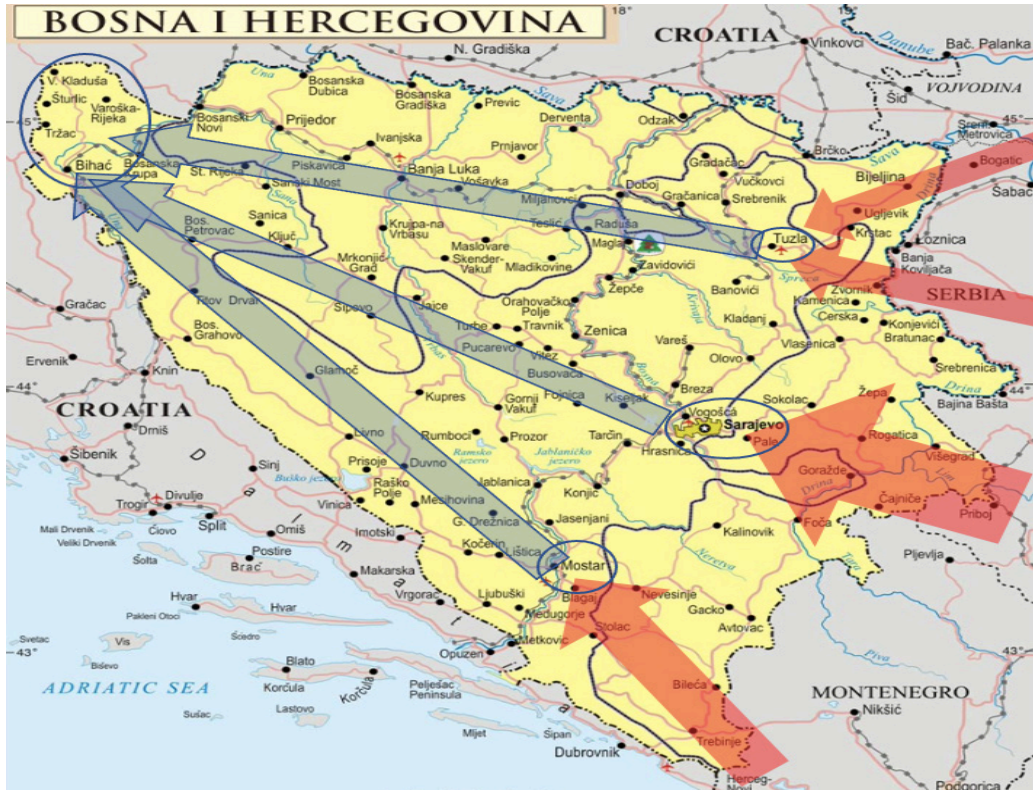
Smuggling routes within Bosnia and Herzegovina

According to the data of the BiH Border Police, as well as the statements of activists, journalists and migrants themselves, about 70 percent of migrants entered BiH from the territory of Serbia, and about 30 percent through Montenegro, in previous period. Lately this

⁶³ Klix (2023) Ulaskom Hrvatske u šengenski prostor je BiH postala još poželjnija ruta za migrante, 11 Juni 2023, <https://www.klix.ba/vijesti/bih/ulaskom-hrvatske-u-sengenski-prostor-je-bih-postala-jos-pozeljnjia-ruta-za-migrante/230611052>. Pristupljeno: 19 Juni 2023.

⁶⁴ Ministarstvo sigurnosti BiH (2016) Strategija u oblasti migracija i azila i Akcijski plan za razdoblje 2016-2020, http://www.msb.gov.ba/PDF/Strategija_HRV_2016.pdf. Pristupljeno: 20 Jun 2023.

trend of entering from Montenegro is very low. Migrants cross the BiH border at the following places, in the southeastern part of BiH (border with Montenegro): Trebinje, Bileća and Foča. In the eastern and northeastern part of BiH (border with Serbia), migrants cross the border in: Čajniče, Rudo, Višegrad, Zvornik and Bijeljina.⁶⁵



Source: Author

Smuggling routes are not always the same and smugglers sometimes change their direction of movement, mostly after migrants enter at the eastern border of BiH, over 90 percent of migrants leave or are smuggled to the western border of BiH, the area of the Una-Sana Canton (USC). Smuggling of migrants who entered Bosnia and Herzegovina in Trebinje, Bileća, mostly continues in the direction via Mostar, then in one direction towards Sarajevo and then via Travnik to USC, and in the other direction via Prozor, Jajce to USC. Migrants who entered BiH via Foča, Čajniča, Rudo and Višegrad will be smuggled towards Sarajevo and further towards USC. While migrants who entered BiH in Zvornik and Bijeljina are transported by smugglers to Tuzla, from where they use two routes to USC, one via Banja Luka and the other via Sarajevo.⁶⁶

⁶⁵ W Kemp, K Amerhauser & R Scaturro (2021) Spot prices – Analyzing flows of people, drugs and money in the Western Balkans, Global Initiative, <https://globalinitiative.net/wp-content/uploads/2021/05/Spot-Prices-Analyzing-flows-of-people-drugs-and-money-in-the-Western-Balkans-1.pdf>. Pristupljeno: 18 Juni 2023.

⁶⁶ Ibid.

Methods of migrant smuggling

A very small number of migrants have arranged smuggling already from Turkey or Greece, mostly agreements on further smuggling are made on the territory of Serbia or when they come to Bosnia and Herzegovina. In the southeastern part of Bosnia and Herzegovina, the border zone is a mountainous terrain and migrants mostly cross that part of the road on foot. While in the eastern and northern parts, migrants most often cross the border across the Drina and Sava rivers, using boats or rafts. This is where migrant smugglers come to the fore, mainly transporting migrants across rivers.

Smugglers often use motor vehicles that have been adapted to accommodate migrants, with double bottoms or modified trunks. Then they also use vans, and they also often use trucks, then refrigerated trucks and tankers. After increased controls at the border of Croatia and Slovenia, in which migrants were discovered during searches of vehicles, smugglers suggest that migrants cross the border on foot and pick them up after the border.⁶⁷

When migrants who have already entered BiH want to contact smugglers, in some cases they approach them themselves, and try to find a contact person among the migrants to arrange the next steps. According to the smuggling indictments, migrant smugglers who are migrants themselves generally use tactics to insert themselves among the migrants and then arrange the details of the smuggling. In most cases, smugglers who are not citizens of BiH connect with smugglers from BiH for logistical needs and easier organization of smuggling.

Most of the smugglers who are migrants themselves use the tactic of being guides to groups of up to 5 migrants, which they pick up in the Una-Sana Canton and bring them into Croatia on foot via forest roads. Then these smugglers return to Bosnia and Herzegovina and in this way earn money so that they can pay other smugglers to transfer them to one of the western countries.

One of the methods used by smugglers is to find corrupt police officers whom they pay to let them cross the border. Such an example happened on November 4, 2020, when police officers of the BiH Border Police, in the area of Zvornik, Bijeljina, Kalesija and Brčko, implemented an operational action codenamed "BOAT". On that occasion, searches were carried out at 11 locations, which are used by 11 suspected persons. 10 people were arrested, including one member of the Border Police, at the border crossing in Zvornik, and he is the head of the Sector at the Border Crossing.⁶⁸ This is not the first case of corruption among border police officers, so this phenomenon represents a major problem in the fight against migrant smuggling.

Also, as the investigation of one case of migrant smuggling in the area of Mostar showed, the smugglers used a migrant woman to pay off the promised transfer to the West with her work. Smugglers kept a woman from Iran with a minor child in an apartment for

⁶⁷ Granična policija BiH (2020) U kamionu otkriveno 36 migranata, 15 Oktobar 2020, <https://www.granpol.gov.ba/Publication/Read/937927?title=u-kamionu-otkriveno-36-ilegalnih-migranata&pageId=0>. Pristupljeno: 19 Juni 2023.

⁶⁸ Radio Slobodna Evropa (2020) Tužilaštvo BiH predložilo pritvor za tri osobe uhapšene u akciji 'Boat', 06 Novembar 2020, <https://www.slobodnaevropa.org/a/tužilaštvo-bih-predložilo-pritvor-za-tri-osobe-uhapšene-u-akciji-boat-/30933818.html>. Pristupljeno: 19 Juni 2023.

several months, and in return she was forced to clean the apartment and prepare food for dozens of migrants who passed through that apartment.

Migrant smugglers are very adaptable, they have contacts outside Bosnia and Herzegovina, as well as contacts with the police, they are very mobile and use mobile phones and various applications to communicate with each other and with migrants. They are ready to change the direction of smuggling, the way of transport, changes and the way of communication. Even during the period of epidemiological measures due to COVID-19, smugglers found ways to reach migrants and try to transfer them across the border.

Conclusion

The complex political system of Bosnia and Herzegovina also affected the organization of the security and judicial system. The police system is decentralized and fragmented, and there is no state ministry of interior affairs. In addition, the judiciary and the police are burdened by the influence of politics, which affects the fight against organized crime, including migrant smuggling.

Currently, Bosnia and Herzegovina, with the entry of Croatia into the Schengen area, has once again become a more desirable transit route for migrants. According to data from Europol and Frontex, smuggling attempts are intensifying, compared to 2018, when the largest illegal crossings in Bosnia and Herzegovina were reached.

Legal regulations enable the fight against migrant smugglers, but there is a lack of cooperation on the internal level, as well as more effective cooperation with neighboring countries and FRONTEX.

The structure of migrants has changed, but it is difficult to overlook further migration trends, but an increase in the number of migrants is still expected this year. Although the situation is currently satisfactory and migration management is considered good, currently most migrants are accommodated in reception centers in the Sarajevo Canton. The profile of migrants has not changed significantly, so there are mostly single people, aged between 18 and 35, and a smaller number of families with children and unaccompanied children.

Smugglers are changing routes and methods of smuggling, although the main routes are still active, it is noticeable that recently smugglers are trying to use the border in the north of Bosnia and Herzegovina more. Smuggling prices range from 100 euros to 2000 euros, depending on the destination and other factors. The problem is also the appearance of corruption among members of the Border Police of BiH.

References:

- Gallagher, A. (2002). Trafficking, smuggling and human rights: tricks and treaties. *Forced migration review*, 12(25), 8-36.
- Kyle, D., & Koslowski, R. (Eds.). (2011). *Global human smuggling: Comparative perspectives*. JHU Press.
- United Nations, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime, 15 November 2000, <https://www.ohchr.org/en/instruments-mechanisms/>

instruments/protocol-against-smuggling-migrants-land-sea-and-air. Pristupljeno: 17 Juni 2023.

- Frontex (2023) Detections in Central Mediterranean up three-fold in the first 2 months, 12 April 2022, <https://frontex.europa.eu/media-centre/news/news-release/detections-in-central-mediterranean-up-three-fold-in-the-first-3-months-of-2023-fBX34V>. Pristupljeno: 16 Juni 2023.
- W Kemp, K Amerhauser & R Scaturro (2021) Spot prices – Analyzing flows of people, drugs and money in the Western Balkans, Global Initiative, <https://globalinitiative.net/wp-content/uploads/2021/05/Spot-Prices-Analyzing-flows-of-people-drugs-and-money-in-the-Western-Balkans-1.pdf>. Pristupljeno: 18 Juni 2023.
- S Mušić & A Agović (2017) Securitization of migrant crisis on the Western Balkan route, December 2017, https://www.researchgate.net/publication/325973193_Securitization_of_migrant_crisis_on_the_Western_Balkan_route. Pristupljeno: 19 Juni 2023.
- UNODC, Smuggling of Migrants, <https://www.unodc.org/unodc/en/data-and-analysis/glosom.html>. Pristupljeno: 17 Juni 2023.
- UNODC (2018) Global study on smuggling of migrants, https://www.unodc.org/documents/data-and-analysis/glosom/GLOSOM_2018_web_small.pdf. Pristupljeno: 19 Juni 2023.
- Patrick Kingsley, Migrants on Hungary's border fence: 'This wall, we will not accept it', The Guardian, 22 June 2015, <https://www.theguardian.com/world/2015/jun/22/migrants-hungary-border-fence-wall-serbia>. Pristupljeno: 18 Juni 2023.
- Migrant crisis: Hungary closes border with Croatia, BBC News, 17 October 2015, <https://www.bbc.com/news/world-europe-34556682>. Pristupljeno: 18 Juni 2023.
- Migrant crisis: Macedonia border closure strands thousands in Greece, BBC News, 22 Februar 2016, <https://www.bbc.com/news/world-europe-35629921>. Pristupljeno: 18 Juni 2023.
- Daria Sito-Sucic and Dado Ruvic, Bosnia struggles to cope with arrival of thousands of migrants, 15 May 2018, <https://www.reuters.com/article/us-europe-migrants-bosnia-idUSKCN1IG1LS>. Pristupljeno: 18 Juni 2023.
- Dž Halimović (2017) BiH na novoj migrantskoj ruti ka EU, Radio Slobodna Evropa, <https://www.slobodnaevropa.org/a/bih-migranti-izbjeglice-eu/28924875.html>. Pristupljeno: 18 Juni 2023.
- IOM, Enhancing Counter Trafficking in Crisis in the Western Balkan – Analytical Report, <https://bih.iom.int/sites/g/files/tmzbd11076/files/documents/Analytical%20Report%20.pdf>. Pristupljeno: 18 Juni 2023.

- Europol (2023) 13 criminals arrested or smuggling at least 212 people, 16 februar 2023, <https://www.europol.europa.eu/media-press/newsroom/news/13-criminals-arrested-for-smuggling-least-212-people>. Pristupljeno: 20 Juni 2023.
- G Latkovic, Priča iz migrantskog kampa: Otkrili kako varaju hrvatsku policiju i koliko plaćaju krijumčare, RTL, 22 January 2019, <https://www.rtl.hr/vijesti-hr/novosti/crna-kronika/3325479/prica-iz-migrantskog-kampa-otkrili-kako-varaju-hrvatsku-policiju-i-koliko-placaju-krijumcare/>. Pristupljeno: 19 Jun 2023.
- Ministarstvo vanjskih poslova BiH, Administrativno-teritorijalno uređenje, https://www.mvp.gov.ba/dobro_dosli_u_bih/drzavno_uredjenje/administrativno_teritorijalno_uredjenje/?id=265. Pristupljeno: 17 Juni 2023.
- VOA (2020) Evropska komisija, razočarana otporom za reforme pravosuđa, najavljuje prekid podrške putem VSTV-a, 09 Juni 2020, <https://ba.voanews.com/a/eu-vstv-reforme/5455237.html>. Pristupljeno: 19 Juni 2023.
- VOA (2020) Izvještaj OSCE-a o kažnjavanju korupcije u BiH: Zatajenje sistema dovelo do nekažnjivosti, 23 Novembar 2020, <https://ba.voanews.com/a/bih-osce-korupcija-procesuiranje-izvjestaj/5673017.html>. Pristupljeno: 20 Juni 2023.
- RTRS (2020) Lukač: Bezbjednosna situacija zadovoljavajuća, 28 Oktobar 2020, <https://lat.rtrs.tv/vijesti/vijest.php?id=407008>. Pristupljeno: 18 Juni 2023.
- ATV BL (2020) Republika Srpska bez promjene po pitanju migranata, 05 Oktobar 2020, <https://www.atvbl.rs/vijesti/republika-srpska/republika-srpska-bez-promjene-odluka-po-pitanju-migranata-5-10-2020>. Pristupljeno: 18 Juni 2023.
- Srpskainfo (2020) "DEPORTOVATI IH BEZ OKLIJEVANJA" Dodik poručio da Srpska ima najjasniju politiku o migrantima, 29 Juli 2020, <https://srpskainfo.com/deportovati-ih-bez-oklijevanja-dodik-porucio-da-srpska-ima-najjasniju-politiku-o-migrantima/>. Pristupljeno: 19 Juni 2023.
- Vlada KS (2023) Dolaskom proljeća bilježi se rast broja migranata, stanje u Kantonu Sarajevo pod kontrolom i bez problema, 13 April 2023, <https://vlada.ks.gov.ba/aktuelnosti/novosti/dolaskom-proljeća-biljezi-se-rast-broja-migranata-stanje-u-kantonu-sarajevo-pod>. Pristupljeno: 18 Juni 2023.
- Klix (2023) Ulaskom Hrvatske u šengenski proctor je BiH postala još poželjnija ruta za migrante, 11 Juni 2023, <https://www.klix.ba/vijesti/bih/ulaskom-hrvatske-u-sengenski-prostor-je-bih-postala-jos-pozeljnija-ruta-za-migrante/230611052>. Pristupljeno: 19 Juni 2023.
- Ministarstvo sigurnosti BiH (2016) Strategija u oblasti migracija i azila i Akcijski plan za razdoblje 2016-2020, http://www.msb.gov.ba/PDF/Strategija_HRV_2016.pdf. Pristupljeno: 20 Jun 2023.

- Granična policija BiH (2020) U kamionu otkriveno 36 migranata, 15 Oktobar 2020, <https://www.granpol.gov.ba/Publication/Read/937927?title=u-kamionu-otkriveno-36-ilegalnih-migranata&pageld=0>. Pristupljeno: 19 Juni 2023.
- Radio Slobodna Evropa (2020) Tužilaštvo BiH predložilo pritvor za tri osobe uhapšene u akciji 'Boat', 06 Novembar 2020, <https://www.slobodnaevropa.org/a/tuzilaštvo-bih-predložilo-pritvor-za-tri-osobe-u-hapšene-u-akciji-boat-/30933818.html>. Pristupljeno: 19 Juni 2023.