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EDITORIAL

Marija LUČIĆ-ĆATIĆ

Dear reader,

It is my great pleasure to present you with a new English edition of the *Criminal Justice Issues* – the *Journal of Criminalistics, Criminology and Security Studies* which includes a wide range of current issues in the field of criminal investigation science, criminology, security studies, psychology and sociology.

The first of the mentioned papers is original scientific paper titled „Family factors and their effects on child violent behaviour“ by Associate Professor at Faculty of Security-Skopje Natasha Peovska. In the paper, based on the results of recent criminological research in the field of juvenile delinquency the author elaborates and analyses part of family characteristics that can influence children’s violent behaviour.

The next paper is review paper by Kenan Hodžić, teaching assistant at Faculty of Criminal Justice, Criminology and Security Studies, University of Sarajevo, titled “Contemporary energy security: COVID-19 era”. In this paper the author tried to determine the factual situation in the field of global energy security of 2021 and the relationship of energy policies to situations in various energy markets of major energy players.

Third paper in this publication is professional paper by Senadin Šabanija, RSO Regional Security Officer in IOM titled “Migrants and refugees: different approaches in local communities and impacts on public safety in Bosnia and Herzegovina” where the author advocates for change in the current approach in Bosnia and Herzegovina aiming to improve the migration management process in local communities ensuring minimal impacts on public safety and security.

The next professional paper is titled “The benefits and limitations of using remote technology to conduct investigative interviews” and written by Kevin Smith from University of Sunderland and National Crime Agency in United Kingdom. In this paper the author reviewed the limited research on the use of remote technology to conduct investigative interviews, and he also reviewed relevant literature from other contexts.

Fifth paper in this publication is also a professional paper titled “Security challenges in organizing and conducting local elections 2020 in the condition of the pandemic virus covid-19” by Ilma Vranac from The Agency for the Prevention of Corruption and Coordination of the Fight against Corruption. The paper offers overview of the challenges of organizing and conducting local elections in B&H in accordance with law regulations without endangering the health and lives of B&H citizens.

Last professional paper is titled “The role of the police in the protection of critical infrastructure in COVID pandemic conditions in the Republic North Macedonia” by Blagojcho Spasov from Ministry of Interior of Republic of North Macedonia.

Finally, in accordance with established practice in recent years, the last part of this edition is reserved for reviews. The authors Arben Murtezić, Director of the Public Institution Centre for judicial and prosecutorial training of Federation Bosnia and Herzegovina and Davor Trlin, Professional adviser at the Public Institution Centre for judicial and prosecutorial training of Federation Bosnia and Herzegovina together presented the book review titled "Review of the publications about the special investigative actions: Practicum "Special investigative actions", Zlatko M. Knežević, Ermina Dumanjić, the AIRE centre, Sarajevo, 2019. page 174. and the Manual about the special investigative actions, group of authors, editor professor Hajrija Sijerčić Čolić, Ph.D., Public Institution Centre for judicial and prosecutorial training of Federation Bosnia and Herzegovina, supported by DCAF, 2020; page 112."

At the end I would like to express my gratitude to authors, Editorial Board members and peer reviewers who have significantly contributed to the quality of this edition.

Editor in Chief
Marija Lučić-Ćatić

FAMILY FACTORS AND THEIR EFFECTS ON CHILD VIOLENT BEHAVIOR

Original Scientific Paper

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Natasha PEOVSKA

Abstract

The results from recent criminological research in the field of juvenile delinquency, address the family as an important factor that can influence on the children violent behavior. According to these findings, this paper will elaborate and analyze part of family characteristics that can influence, as a risk factors for children violent behavior. There are many characteristics that are related to the family which can be put in some correlation with the violent behavior of the child. Thus, the way the family function, the relationships that exist between family members, the size of the family, but also the circumstances in which family lives (especially economic circumstances) can further deepen or emphasize the negative individual characteristics of children. The upbringing style, the lack of attention, parental rejection, parental indulgence, negligence, the violent behavior in the home (physical and verbal aggression between parents and parent towards a child), increases the likelihood of negative behavior in children. In addition to the above-mentioned factors, based on a research review on child aggressive behavior, it has been concluded that the absence of a father, loss of a parent through divorce or death are factors that also can be associated with childhood aggression. Among the important family factors that will also be analyzed in this paper are the presence of alcoholism, criminal, and aggressive behavior in the family.

Keywords

family, child, violent behavior, effects

1. INTRODUCTION

The family is the primary social unit in which the child grows and develops, so it is justified that the analysis of the child's violent behavior to be focused first on the family beside other risk factors. (Jovanova, 2015) Because child development is largely based on the methods of upbringing and the relationship with parents, depending on the ability of parents to raise them

properly, and in accordance with the educational attitudes of parents, the family, on one side can be an optimal and stimulating environment for the child development or, on the other side, it can limit the development. (Nedimović, 2010)

The research findings related to functioning of modern families indicate that the family is losing its traditional form and there is a growing tendency to strengthen the elements of individualization of members and at the same time weakens the cohesive and educational function of the family. (Bošković, 2010) If we consider the results of certain research which indicate that the educational role, economic and demographic function of the family has a significant impact on children's behavior (Bošković, 2010) then the analysis of numerous family characteristics is inevitable when we are researching and studying the children violent behavior.

There are many family characteristics that can be related to the child violent behavior. One of the most important characteristics of the family that is correlated with the child inappropriate behavior is the presence of antisocial or criminal behavior of one of the parents. The size and structure of the family, the way it is functioning, the relationships that exist between family members (Wasserman, et al., 2003), but also the circumstances in which the child lives, can deepen or emphasize the negative individual characteristics of the children or reinforce some other risk factors for inappropriate or violent behavior. Lack of attention, parental indulgence, lack of family discipline, neglect, disruption of parent-child relationships, violent behavior in the family (physical and verbal aggression between parents and parents towards a child), increase the likelihood for child inappropriate behavior. The occurrence of abuse of alcohol, drugs and other psychotropic substances by the parents is also analyzed as a risk factor for children inappropriate behavior. In addition to these factors, based on a Wolff research review (1985) for children aggressive behavior, was concluded that some negative family events such as internal and external stressors, such as: absence of the father, loss of a parent because of a divorce (Wasserman, et al., 2003) or due to death, may be associated with the childhood aggression. (Pearce, 2002, p. 81)

When considering the grouping of family risk factors, the aim is to be identified the combinations of risk factors that give early signs for child inappropriate behavior. The number of risk factors, the stressors, and the length of exposure to them, have a strong influence on the child's behavior. (e.g., Tiet et al., 1998; Williams et al., 1990). (Wasserman, et al., 2003) Hence, it is very important their early identification with aim for early prevention and intervention on child inappropriate behavior.

2. CONNECTION BETWEEN PARENTAL ADDICTION OF ALCOHOL, DRUGS AND OTHER PSYCHOTROPIC SUBSTANCES ON CHILDREN BEHAVIOR

Among the important family factors associated with children violent behavior is the addiction to alcohol, drugs or psychotropic substances in the family. A family member who is substance abuser is easily irritable, intolerant for themselves and for the others, and develops a tendency toward inappropriate behavior (including antisocial, violent, or criminal behavior). His/her unfavorable psychological situation reflects on the well-being of the children. Children living with parents who abuse alcohol or drug are often abused, underestimated, ignored and otherwise emotionally abused, which can ultimately end in physical abuse (Jovanovska, 2011, p. 90) Chandy, Harris, Blum, & Resnick (1993) noted the following consequences for children liv-

ing with parents who have a problem with alcoholism: for these children is more likely to miss or drop out of the school, to have negative attitudes toward school, and to have lower school achievement (Gledhill, 2002) cited in (Connolly, Casswell, Steward, Silva, & O'Brien, 1993) Besides the risk for addictive behaviors, children of substance abusers are at higher risk of developing emotional, behavioral, criminal and other social problems (Barnow, Ulrich, Grabe, Freyberger, & Spitzer, 2007) cited in (Vilela, Silva, Grandi, Rocha, & Buzi Figlie, 2016) Generally speaking, parental substance abuse may not be a direct cause for children aggressive or violent behavior, but can contribute to a number of social problems that could have a strong impact on the child's behavior. For example, parental substance abuse is more likely to be associated with higher risk for child abuse and neglect. Children whose parents use substances and consume alcohol, are three times more likelihood to be physically, emotionally, or sexually abused and four times more likely to be emotionally or physically neglected. (Smith, Wilson, & COMMITTEE ON SUBSTANCE USE AND PREVENTION, 2016) In this regard, research confirm that children from families where parental substance abuse is present, felt socially excluded, are often home alone, have a feeling that they are not loved, have low self-esteem, and often even have to take care of their parents. (Burke, Schmied, & Montrose, 2006, p. 1) Whether it is parental inconsistency, disruption or lack of healthy family routines and rituals, or parental conflict and stress, children of substance abusers have no security related to the stability that should be provided by appropriate parenting. (Smith, Wilson, & COMMITTEE ON SUBSTANCE USE AND PREVENTION, 2016)

Parental substance abuse has also been associated with a reduction in the extent that parents monitor their children, which may undermine the ability to provide a safe and nurturing home environment (Barnard & McKeganey, 2004) cited in (Kuppens, Moore, Gros, Lowthian, & Siddaway, 2020) Instability with respect to employment, family structure, housing, child-care, and household finances has also been shown to co-occur with parental substance abuse, with consequences that extend beyond the family environment to influence children's social functioning (e.g., Berger, Paxson, & Waldfogel, 2009; De Goede, Branje, Delsing, & Meeus, 2009; Giesbrecht, Cukier, & Steeves, 2010;; Lander, Howsare, & Byrne, 2013; Martin, Razza, & Brooks-Gunn, 2012; Öberg, Jaakkola, Woodward, Peruga, & Prüss-Ustün, 2011; Parsons, Adler, & Kaczala, 1982;) cited in (Kuppens, Moore, Gros, Lowthian, & Siddaway, 2020)

The association between parental alcoholism and the behavior of 9- to 13-year-old children had been examined in a longitudinal study by Connolly, Casswell, Steward, Silva, & O'Brien (1993). The study concluded that the children who have parents with serious problems with alcohol as opposed to children from families where there are no or minor problems with alcoholism, showed behavioral problems at the age of nine. (Connolly, Casswell, Steward, Silva, & O'Brien, 1993) Although substance abuse by the mother and the father are both important, previous research has often found more pronounced associations with multiple adverse child outcomes of maternal substance abuse (Mitchell et al., 2012; Strausner & Fewell, 2011) cited in (Kuppens, Moore, Gros, Lowthian, & Siddaway, 2020) These gender differences may be due to children spending more time in the presence of their mothers than their fathers, as mothers traditionally take a more active role in child rearing. It is also possible that parental substance abuse effects may manifest differently in boys and girls.

3. CONNECTION BETWEEN PARENTAL ANTISOCIAL AND CRIMINAL BEHAVIOR AND CHILDREN VIOLENT BEHAVIOR

In the criminological research, parental aggressive, antisocial, and criminal behavior is often associated with children inappropriate behavior. (Olweus, 1993) A long history of research shows that aggressive behavior and crime are more prevalent in some families than in others. For example, the Cambridge Study in Delinquent Development, which followed 411 families, found that offending was strongly concentrated in a small group of families and that approximately 5 percent of families accounted for about half of juvenile criminal convictions (West and Farrington, 1977). Overall, antisocial parents show increased levels of family conflict, exercise poorer supervision, experience more family breakdown, and direct more hostility toward their children. In such family circumstances, it is assumed that the opportunities for inappropriate behavior of children increase. In addition, having an antisocial sibling also increases a child's likelihood of antisocial behaviors (e.g., Farrington, 1995). The influences of siblings are stronger when the siblings are close in age. (Wasserman, et al., 2003)

When we discuss about aggressive behavior, the often confirmed assumption is that there is a correlation between the children aggression and the parental aggression when they were the same age (Huesmann et al., 1984) cited in (Nedimović, 2010). According to Farrington (2011) parental criminal behavior is among the strongest family factors that predict the criminal behavior of the children. However, when considering the impact of adult criminal behavior on children's behavior, it is important to consider the frequency and timing of its occurrence. Besemer et al. (2011) investigated the timing of parental imprisonment and found that the impact of parental imprisonment was associated with child criminal behavior only when it occurred after the child was seven years old. When it comes to the frequency of parental criminality it is expected that those parents who are more likely to commit criminal activities, their children to manifest more likely the same behavior, according to theory for social learning (Besemer, 2012). This assumption was not established by West & Farrington (1977), because their research did not found differences between children in terms of the manifestation of criminal behavior depending on whether their fathers were convicted once or more. (Besemer, 2012)

4. CONNECTION BETWEEN DOMESTIC VIOLENCE AND CHILDREN VIOLENT BEHAVIOR

Children's exposure to the domestic violence can take many forms: direct child abuse, neglect or emotional abuse, or by witnessing intimate partner violence as indirect forms of violence. It is assumed that the more experience with parental violence, there is a higher risk for future social, mental, and physical health problems for children.

Exposure and witnessing of intimate partner violence (IPV) involving caregivers, is also known to predict aggressive and antisocial behavior. (Labella & Masten, 2018) In fact, when there is violence or corporal punishment or maltreatment in the family, parents send a message to the child that anger, violence, and getting what they want by intimidation are common. (Hotton, 2003) Children who are exposed to violence, learn that violence is best or least the way the family manages conflict. Most importantly, violence against children destroys the trust and respect that should exist between parents and their children. When a child loses the sense of belonging to the family, it is more likely to show violent behavior (Orpinas & Horhe, 2006, p. 45)

Research confirms the thesis of association between domestic violence and bullying or children violent behavior among middle schoolers. (Labella & Masten, 2018) Recently, Davis and colleagues, reported on the heterogeneity in exposure to domestic violence and the association with peer aggression and victimization. (Ingram, Espelage, Davis, & Merrin, 2020) Results indicated youth exposed to parental violence early in adolescence were more likely to engage in bullying and be victims of peer aggression. (Ingram, Espelage, Davis, & Merrin, 2020) (Mansel, 2001; Fuchs & Schmalz, 2009) cited in (Fuchs Marek, 2009, p. 88) There are studies that differentiate the impact of violent parental behavior on children, depending on whether was committed in childhood or adolescence. The results showed that the adolescents who are victims of parental violence have higher likelihood for behavioral problems in adolescence and for adulthood behavioral problems than maltreatment in early childhood (Eckenrode et al., 2001; Ireland et al., 2002; Smith, Ireland, & Thornberry, 2005) cited in (Besemer, 2012). Focusing specifically on the relationship between physical abuse and children's aggression, one study suggests that 20 percent of abused children become delinquent before reaching adulthood (Lewis, Mallouh, and Webb, 1989). Clearly, most physically abused children do not go on to become antisocial or violent. However, one study that had compared the children without a history of abuse or neglect with children who had been abused or neglected, found that the latter group accrued more juvenile and adult arrests by the age of 25 (Widom, 1989). Little is known about the age range in which children may be most vulnerable or how long associations persist. In most families, when the woman is battered, children are also battered (McKibben, De Vos, and Newberger, 1989). The co-occurrence of child abuse and witnessing domestic violence affects children's adjustment more than twice as much as witnessing domestic violence alone (Hughes, Parkinson, and Vargo, 1989). (Wasserman, et al., 2003)

However, it must be noted that the dilemma always will be reconsidered, whether the presence of domestic violence (inter-partner or parental violence against children) will necessarily lead to the manifestation of child violent behavior, because often there are some protective factors that are protecting the child to stay resilient to many risk factors for violent behavior.

5. CONNECTION BETWEEN THE PARENT-CHILDREN RELATIONSHIP AND CHILDREN VIOLENCE BEHAVIOR

Special emphasis regard children violent behavior is placed on several aspects of the parent-child relationship: relationship between parents and children, communication, and parental supervision. (Jovanovska, 2011, p. 85)

When parents do not develop a strong bond with their child, do not communicate with them, and do not set boundaries or control over children's activities, children are more likely to engage in a variety of risky behaviors. (Cohen, Farley, Taylor, Martin, & Schuster, 2002; Ledoux, Miller, Choquet, & Plant, 2002; L. Steinberg, Fletcher, & Darling, 1994) In the Pittsburgh Youth Study, the co-occurrence of low levels of monitoring and high levels of punishment increased the risk of delinquency in 7- to 13-year-old boys. Conversely, attachments to conventional parents and to society's institutions are hypothesized to protect against developing antisocial behavior (Hirschi, 1969). (Wasserman, et al., 2003)

Among the family risk factors that can be associated with child violent behavior is the parental rejection. Eron (1987) argue that when there is more rejection and punishing of child by the

parents, there is more likelihood for child aggressive behavior at school (Orpinas & Horhe, 2006, p. 45). According to Orpinas & Horhe, children coming from families where there is little supervision and care because of parental rejection, are more likely to accepted or to choose groups of peers who behave violently. (Orpinas & Horhe, 2006, p. 45)

In terms of the relationship between parents and children, research has shown that families of children who manifest violent behavior are characterized by low emotional warmth and high levels of mutual hostility (Seydlitz & Jenkins, 1998). These data were confirmed in a McCord study in 1983, which showed that there is a positive correlation between hostile relationship between parents and children and violent or aggressive behavior, as opposed to the warm emotional relationship between children and parents, which protects children from the manifestation of violent behavior. (Nedimović, 2010)

The second aspect of the parent-child relationship concerns what they communicate with their children and how communicate with them about inappropriate behaviors (Herrenkohl, Aisenberg, Williams, & Jenson, 2011). For example, some parents praise their children for being rude. In one survey who include pupils from fifth to eighth grade in Texas, parental support for beatings was found to be the strongest predictor for child aggressive behavior, beatings, and carrying weapons in schools (Orpinas, Murray, & Kelder, 1999). When parents believe that the best defense is violent defense, schools and other professional services are facing with difficult challenge in trying to influence on the child to exhibit nonviolent behavior. In essence, schools and communities are included in a bitter "war" with the family values. Often, parents who tell their children to fight back if someone else hits them, have good intentions—they do not want their children to become victims. But this means that some parents often do not know about another solution for the problem due to lack of verbal problem-solving skills.

The third aspect is the parental supervision. In the case when the parents forget that an important element in the development of the children is the supervision and the control over what they do, where they go, with whom they associate, how they behave, there is a high probability that the children will manifest violent behavior. The negative impact of the absence of parental supervision and control will be even stronger if the child in the absence of communication with the parents becomes attached to persons who manifest violent behavior. However, parental supervision does not mean absolute control and supervision over every step and behavior in children, because overemphasized control can have negative effects on his later behavior.

Based on these three aspects of the parent-child relationship, the overall atmosphere that exists in the family can be determined. If there is a cold relationship between the parents and children and there is a lack of communication, the children are more likely to show behavioral disorders. In that direction are the results of the empirical research of the doctoral dissertation of Jovanova (Jovanova, 2014). The research showed that the atmosphere in the family is related to the manifestation of violent behavior, i.e., those children who said that there is a cold atmosphere in their family showed higher likelihood for violent behavior. This indicates that the overall communication and atmosphere in the family is a risk factor for the manifestation of violent behavior. Rejection or lack of sufficient communication, support, help from parents, exists as a risk factor for behavioral disorders, such as manifesting violent behavior or withdrawal and isolation of the child.

6. CONNECTION BETWEEN THE NEGATIVE EVENTS IN THE FAMILY AND THE CHILDREN BEHAVIOR

Absence of the parent due to death, divorce, serious illness in the family can affect on the dysfunction of the family. Symptoms of dysfunction can be caused by internal stressors, such as an illness of a family member, divorce, or by external stressors, such as natural disasters, war or some other social events or circumstances. Unexpected stressors are death, divorce, unemployment, and various social changes (Batić, 2010, p. 18). In one research that make comparison between boys whose parents are in marriage and boys whose parents are divorced, it was concluded that the boys whose parents are divorced, were more likely to have problems with antisocial and inappropriate behaviors (Hetherington, 1989). As with all family factors, determining the true effects of the divorce on children is difficult because of other risk factors that can arise, such as parental loss, other related negative life events (e.g., predivorce child behavior problems, family conflict, decrease in family income), and a parent's subsequent remarriage. When these related factors are considered, the impact of the divorce itself will sometimes be substantially less. (Wasserman, et al., 2003)

Among external stressors, the disruption of economic conditions in the family often is associated with children violent behavior. Economic circumstances, especially in the case of single parents, can reduce parents' social support for their children. Children from families with poor socioeconomic status have been shown to be more violent than children from families with normal socioeconomic status (Fuchs & Schmalz, 2009) cited in (Fuchs Marek, 2009) The research results in the literature showed that this applies to children whose parents do not have a job or receive social aid. However, if the results of the research are more precisely analyzed, it is not possible to determine with certainty whether this effect is a direct result of absolutely unfavorable socio-economic status or whether relative poverty compared to those with better socio-economic status stimulates violent behavior in these children (Fuchs Marek, 2009, p. 88) In the literature there are opposite views that indicate that children from families with very good economic status show a higher likelihood for violent behavior. Economic comfort in the family can also mean increased absence of parents, insufficient supervision, control, close relationships and thus stimulate violent behavior in them. For some of the children who come from such families, the violent pattern of behavior is a way of showing power or with aim to attract the attention of the parents. According to these considerations, the unfavorable economic situation does not usually mean poor parenting skills. Understanding the conditions that lead to poor parenting skills can help in identifying the appropriate means to help parents and children. For example, parents who work hard to meet the basic needs of the family, spend less time with their children for different reasons than parents who are financially comfortable but indifferent to parenting. (Herrenkohl, Aisenberg, Williams, & Jenson, 2011)

In general, it can be concluded that all families on the internal and external stressors react differently. Whether the family will be functioning normally or will become dysfunctional and with that will influence on child behavior, depends on the way the family adapts to the negative events that occurred. (Batić, 2010, p. 18)

7. CONCLUSION

The family and its characteristics, both in scientific and research terms, are always associated with children's behavior in any aspect. Especially when we talk about children's violent behavior, an integral part of the analysis are the numerous family characteristics that can influence on children's behavior. Numerous studies confirm the thesis of the influence of the family characteristics on children's behavior. However, the evidence for the negative effects of certain risk family factors does not always mean that children who face with number of family related risk factors will have behavioral problems. There are other significant influences on children's development that can mitigate the negative effects of the family related risk factors. Research focusing on the resilience and vulnerability of children exposed to some negative family factors identifies a number of individual, family, and community support factors that minimize the risk among children for inappropriate behavior. On an individual level, a child's high self-esteem, psychological strength, and intellectual ability have been identified as protective factors that reduce the negative effects of, for example, witnessing domestic violence. Hence, the key for preventing violent behavior in children is to focus not only on reducing risk factors but also on encouraging protection factors that have influence on children positive behavior.

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CONTEMPORARY ENERGY SECURITY: COVID-19 ERA

Review Paper

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Abstract

The 21st century is characterized by conflicts and compromises related to the supply of food, water and especially energy. There is a real need to identify threats and causes that could be serious challenges that the world could face due to the coronavirus pandemic. The paper will try to determine the factual situation in the field of global energy security of 2021 and the relationship of energy policies to situations in various energy markets of major energy actors. Just several empirical studies investigate the impacts of epidemics or pandemics on energy security. This paper describes the multifaceted nature of energy security, offers several indicators for assessing changes in energy security and outlines a variety of policy options for enhancing energy security. In order to research the topic, the paper will include a methodology that will provide insight into the importance of energy security, its scope both on the global concept of understanding and its contribution to several conceptual frameworks. The justification of the research is reflected in the need to recognize the importance of the challenges to contemporary global energy security.

Keywords

COVID-19, global energy security, energy security dilemma, global geopolitics, energy utilization, energy production

1.1 Introduction

Many nations are seeking energy security as a goal to guarantee that their economies run smoothly and that their citizens have access to sufficient, dependable, and cheap sources of thoughtfully designed energy. It's a serious problem since energy demand is rising fast as a result of strong economic development, population increase, new energy uses, and rising incomes, yet the energy resources necessary to meet these demands are finite and, in most cases, non-renewable.

Additionally, energy production, transportation, and consumption are important sources of greenhouse gases that contribute to climate change and global warming. All economies re-

quire energy to generate products and services as well as to improve individual, social, and economic well-being (Hoang et al., 2021). It is required by a variety of sectors as a raw material for the manufacture of goods and services, as well as by homes for heating, cooking, lighting, and powering household equipment. Energy consumption is positively associated with measures of economic growth and well-being, according to empirical studies. As a result, providing energy to the vast majority of the world's population has been highlighted as a criterion for measuring progress toward sustainable development. However, both rich and developing nations confront a slew of energy issues, including insufficient and inappropriate energy supplies, energy supply uncertainty, high and changing energy costs, and environmental pollution and deterioration as a result of energy production, distribution, and usage. Additional dangers arise from the potential of energy supply interruptions and the disruptive consequences of such disruptions on economies and energy markets for nations that rely significantly on energy imports from politically unstable regions. Poor nations' prospects for economic growth have been harmed by these obstacles, which have hampered their efforts to relieve poverty and raise people's living standards (Umbach, 2010).

They've had a negative influence on the balance of payments as well. As a result, addressing these issues has increasingly been a focal point of many countries' energy strategies, where the problem is presented as one of strengthening energy security. This paper focuses on the nature and meaning of energy security, as well as its various aspects, the indicators currently used to quantify energy security, and some policy initiatives that may be utilized to improve energy security.

1.2 Energy Security and its importance in 21st Century

For an efficient and successful pursuit of this policy aim, a comprehensive understanding of energy security is required. The literature on energy security, on the other hand, is marked by vastly divergent and frequently contradictory meanings of the term. This is partially due to the fact that different authors on the issue have tended to focus on different sources of risk and performed research with varying scopes of the various hazards' consequences (Durodié, 2011).

Energy security, as defined by the International Energy Agency, which was established in the 1970s to coordinate a strong response to disruptions in oil supply, is defined as the continuous availability of energy sources at a reasonable price. Energy insecurity, according to Toman, is the loss of wellbeing that might come from a change in the price or availability of energy. Energy security is defined as "minimal vulnerability of essential energy systems" and is an example of security in general. Winzer points out that energy security are frequently defined by taking into account the situation. As a result, the focus of energy security in the United States has historically been on reducing susceptibility to political extortion in the aftermath of the oil embargo imposed by the Organization of Petroleum Exporting Countries in the 1970s (Mastropietro et al., 2020).

This is also why US policymakers are committed to achieving energy independence and increasing renewable energy's share of the energy mix. Energy security has served as a safeguard for the underprivileged in a number of developing countries. Energy security, according to him, is defined as the availability of energy in relation to demand. Energy security is ensuring enough, dependable energy supply at reasonable rates without jeopardizing important national priorities and goals. Even though the descriptions of energy security presented above

are not complete, they all demonstrate the importance of energy security, its multifaceted character, and why it is a policy priority for many governments. Energy security issues in the near term are focused on the energy system's capacity to respond quickly to abrupt changes in the supply–demand balance (Axon & Darton, 2021). Long-term energy security concerns revolve around making appropriate energy supply investments in accordance with economic and environmental demands.

Energy is a key basis for economic growth, national security and sustainable development, making it a top priority in the 21st century (Bielecki, 2002). Since the outbreak of two oil crises in the 1970s, the core of the energy issue has been energy security, which has become the focus of all countries (Iyke et al., 2021). In other words, energy security is not only an economic but also a political, military and strategic issue (Le & Nguyen, 2019). The 2019 pandemic had been really devastating since its occurrence which following graph shows. It had impacted the economy in the worst possible manner.

Coronavirus: a once in century event for energy demand

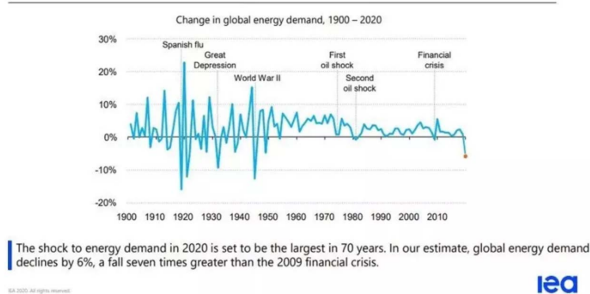


Figure No.1.1: Graph representing changes in global energy demand for 120 years (IEA, 2020)

Yet it had benefitted the atmosphere a lot. The lockdowns, low engine combustion, less traffic on roads has resulted in remarkably low emission of carbon dioxide. It had resulted in lower global warming and ultimately reducing ozone layer depletion. The following graph shows the dropdown of carbon emission whilst pandemic.

CO₂ emissions drop the most ever due to the COVID-19 crisis

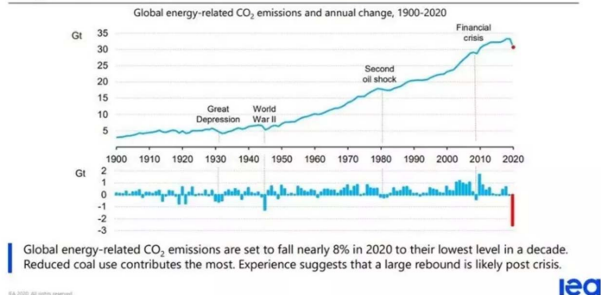


Figure No.1.2: Graph representing dropdown of Carbon dioxide emission during Covid-19 (IEA, 2020)

2.0 Literature Review

The term "energy security" is not a new one. It has always existed in tandem with energy demand and supply, but it has not always received the attention it deserves. Since energy was made available to an increasing number of societies throughout the industrial revolution, when it was solely available to the industrial sector and a few rich families, the implicitness of energy has been more and more apparent. From a first-world viewpoint, it seems unimaginable that everyone's home does not have power and hot water, as well as the necessary transportation for daily movement. To characterize the specific energy situation, a differentiation between the two major energy use sectors, power and transportation, is required. Those nations that rely on energy imports in both consumption and production sectors, such as the European Union, are the most susceptible. Because the electrical sector's fuel mix consists of natural gas, coal, renewable, and nuclear power, but oil is the dominating resource for transportation, the only reliance on resource imports for power production provides at least the possibility for diversification. With the depletion of fossil fuels, global energy consumption is on the rise. In terms of energy security, diversification is a fundamental element (Varış, 2020). Diversification in terms of various providers and different resources can help to decrease the risk of energy supply interruption. Furthermore, the distribution of energy will shift drastically over the next twenty years, making it much more difficult for individual Western countries, as well as Europe as a whole, to compete for energy resources with China, Russia, and India. Even if the European Union commits to reducing greenhouse gas emissions by 20% by 2022 and increasing the overall percentage of renewable by 20% by 2022, fossil fuels will remain the primary source of energy for the next 20 to 30 years. However, Europe's fossil resources are depleting, and its reliance on foreign resources is growing (Grigoryev & Medzhidova, 2020).

2.1 Energy security in an international context

Due to its natural resources in the North, Germany, France, and the United Kingdom have the least reliance on imported fossil fuels among the European Union's three major economies. However, these resources are depleting; peak output has been achieved, and the United Kingdom is aware of this. Since 2008, many security issues have been recognized in the United Kingdom's National Security Strategy, including energy competitiveness. This is due to the UK's diminishing resources and the fact that it will soon have to compete with other countries across the world for the remaining natural energy resources (Dhaka, 2009).

China and India are cited explicitly as emerging economies with rising energy consumption. According to the National Security Strategy of the United Kingdom, rising demand for global energy consumption will be 50% more in 2030 than it is today and will raise the risk of conflict. Along with climate change and water scarcity, it [energy competition] is one of the most powerful potential causes of the disintegration of the rules-based international order, the reemergence of significant inter-state conflict, and rising regional strains and turbulence. Some countries, such as China and Russia, have already made energy security a priority in their foreign policy. The United Kingdom, like the United States, recognized the link between climate change and energy policy. As a result, the UK's objective is to combat climate change by lowering CO₂ emissions and increasing energy efficiency. The United Kingdom has proposed an integrated plan to improve energy security. It is intended to secure energy supplies, decrease the UK's

susceptibility to security shocks, alleviate tensions arising from energy resource rivalry, and combat climate change (Grigoryev & Medzhidova, 2020).

The establishment of a global gas market, in particular, is being emphasized as a way to enhance the competitive energy market. To ensure secure and dependable gas imports, this will have to include Russia, the world's largest gas producer and responsible for half of Europe's gas imports. This is unsurprising, given that gas presently accounts for 40% of the UK's domestic energy output. With its own resources dwindling, the United Kingdom sees a need to bolster its energy position by competing for resources.

Particular attention should be paid to the impact of pandemic, as they can lead to cascade failure or chain reaction in interconnected energy networks (Bell & Gersbach, 2013; Namatame & Komatsu, 2011). If pandemics are not controlled, they spread rapidly through the population, with huge negative economic consequences. The COVID-19 pandemic has destroyed the health of many and has had a major impact on the social economy at all levels (Kathiresan et al., 2020). Given this context, we believe that pandemics can reduce energy security. A possible channel through which epidemics can affect energy security is as follows. First, the emergence of epidemics reduces the level of economic growth and leads to a decrease in trade openness of countries (Cuesta, 2010), which has a further negative effect on energy security. Second, infectious diseases will undermine the country's financial stability (Salisu and Obiora, 2021). Stock market reactions will further increase energy price risk and negatively affect energy security. Third, the spread of the pandemic between countries disrupts their energy security through geopolitical factors (Liu et al., 2019).

Also, global energy markets are experiencing some geostrategic historical turmoil (emergence of surplus fossil fuel, dramatic reduction in oil demand and its prices), competition between energy superpowers (USA, Russia, OPEC countries) and the emergence of a new energy opponent (China).

2.2 Nord stream pipeline

The Nord Stream pipeline is both a benefit and a curse for Europe. Strong arguments in support of Nord Stream and Europe's ability to decrease Russia's influence have been offered. On the other side, there are compelling arguments that indicate Russia has a competitive edge over Europe in terms of energy security as a result of Nord Stream. Do the benefits of Nord Stream outweigh the dangers involved? It all depends on your point of view. Both negative and positive elements contribute to energy security in one way or another, and they represent its core concepts. Nord Stream helps to increase diversity by giving Europe access to enormous natural gas reserves, and Nord Stream lets Russia provide gas to Europe without the negative influence of transit nations as third parties ("The Nord Stream 2 Gas Pipeline and Germany's Relationship with Russia," 2021).

It also enables Europe to diversify its gas supplies from insecure areas, such as the Arab Mediterranean states. On the other side, Nord Stream increases Europe's reliance on Russia, whereas diversification entails a reduction in reliance and an increase in the number of resource providers. Natural gas is a scarce resource found only in a few countries across the world. As a result, Europe does not have many alternatives when it comes to supplier variety. Greater fuel mix diversity, as desired by the Union, is difficult to attain and will not happen quickly. This will

become increasingly essential for the EU in the long run, but it will not address the short-term needs of Europe's expanding energy consumption. When it comes to gas, resilience is tough to develop. Natural gas can only be delivered through pipelines and LNG terminals, and storing it is complicated and expensive. In Europe, storage facilities are limited, and their existence is owing to government backup plans. The volume of gas in the pipeline represents Nord Stream's contribution to resilience. Although an increase in the number of storage facilities in Europe is beneficial, it cannot be linked to the goal of Nord Stream.

3.0 Global geopolitics and energy security

As the year came to a conclusion, it was clear that the US shale revolution had helped the Trump administration achieve its geopolitical and foreign policy goals, allowing it to effectively pursue its "America First" and "Energy Dominance" strategies, particularly in Europe and Asia. However, the emergence of pandemic-related lockdowns and industrial closures throughout the world has muddied the picture.

Therefore, there is no reason to presume that as additional nations emerge from economic sanctions and recover, the United States will lose its position as the world's largest oil and gas supplier. However, as energy expert Daniel Yergin puts it, "rocks don't go bankrupt." In other words, the country's oil and gas resources are still there, and when the oil market rebalances with supply cutbacks and demand rises up as nations emerge from their lockdowns, US shale output will ramp up again if oil prices rise over US\$55–60 per barrel. With the necessary deep capital markets, technology, and trained labor, the United States will continue to be the world's leading oil and gas producer. Low oil and gas costs will be an additional element in Asian economies' favor as they recover from the worldwide pandemic in the months and years ahead. The big Asian economies will be able to use imports of US oil and gas as a method of lowering their trade surpluses with the US in their trade discussions with the US. In the long run, when the global economy picks up speed, Asia's emerging countries will once again emerge as the world's greatest growing market for fossil fuels, which are required to promote industrialization, urbanization, and improved living standards (Pradhan, 2021).

The Middle East is without a doubt the region that has suffered the most. In the medium run, the GCC nations cannot rely on high oil and gas prices to save them from fiscal insolvency. Much will hinge on how they re-negotiate their social contracts with their population in the face of abundant oil and gas supplies, as well as how effective these "rentier" governments are in adopting more sustainable economic development models. The political and economic instability suffered by their poorer, conflict-ridden oil-importing neighbors in the Middle East and North Africa will make the economic and political reforms required in this process much more challenging. It's possible that America's strategic interests in the Middle East may fade as its oil imports from the region decline. However, exaggerating America's reduced reliance on Middle Eastern oil would be a mistake.

Containing terrorism, reducing the possibility of nuclear proliferation, and assisting Israel's defense requirements in a volatile region remain critical foreign policy objectives. More importantly, as the declassified version of the US national defense policy report from 2018 makes clear, the US does not want the Middle East to be dominated by any country unfriendly to the US. Much now relies on how the next US government uses its strategic advantages in the

area, including its military and diplomatic capabilities, enormous oil resources, and creative and free market economy. There is a school of thought that now that Joe Biden has won the US presidential election, a semblance of realism will prevail when the Democrats' extravagant campaign promises are exposed to the cold light of day and the true costs of policy decisions become evident. The US Senate is expected to stay Republican, putting a brake on more radical commitments to achieve "net zero" emissions in the power sector by 2035 and in the whole economy by 2050 (Lidsky & Miller, 2002).

Despite the possibility of a Republican Senate vetoing some of the more radical policies in the Biden plan for clean energy, a Biden presidency will retain broad powers through executive orders reintroducing onerous regulations that the Trump administration had discarded, as well as working through politicized administrative agencies like the Environmental Protection Agency. A Biden administration focused on renewable energy and climate change would fulfill the long-sought and shared goals of Russia, Saudi Arabia, and other OPEC oil and gas producers suffering from low oil prices by limiting US oil and gas output. But Biden isn't a perfect ally for the Middle East or Russia. A Biden administration will explore relaxing President Trump's "maximum pressure" sanctions on Iran, while unwittingly aiding Russia, Saudi Arabia, and the rest of the OPEC group by stifling US oil and gas output. Biden has indicated that if Iran "resumes compliance," he will return to the 2015 nuclear deal. The OPEC+ group would be unable to balance supply and demand if Iranian shipments of above 2.5 million barrels were to resume. The 9.7 million dollar OPEC cutback deal, as well as oil prices, would be at risk of collapsing from their already low sub-US\$40 per barrel proportions.

3.1 Nord and energy security dilemma

In Germany, the compartmentalization of gas ties with Russia has long been a paradigm, backed by a market-based approach and a desire to "depoliticize" the pipeline. Since its inception in 2015, the German government has evaluated the project through economic and regulatory lenses, agreeing that Nord Stream 2 will increase gas market flexibility and liquidity. There are serious concerns about the initiative in security and foreign policy sectors, even within coalition parties. Nord Stream 2 has become embroiled in a classic energy security conundrum, with all parties pursuing their own security goals while bracing for the worst. Germany is in a precarious situation. It seemed inevitable that Russia and the United States would battle over the German gas market. More twists and turns favoured Russia's Gazprom in the final stages (Sziklai et al., 2020). As the EU gas market transitioned from an oversupplied to a tight market in the first half of 2021, supply security became increasingly problematic.

A buyers' market was expected to persist until 2025, thanks to ten years of reasonably low gas costs and the Covid-19-induced price fall in 2020. As a result of a convergence of circumstances, gas supplies are limited. The heating season in Germany and abroad was extended by cold temperatures from February to May 2021. However, LNG was diverted to Asia since its price was 80% more than in the EU, or it didn't even make it to Europe because US LNG shipments fell by two-thirds in February 2021. This resulted in the depletion of European gas storage facilities. In Asia, demand for LNG increased, and heat waves in North America increased energy demand. European gas output has been steadily declining in recent years, while Norway's supply has been reduced owing to maintenance that was put off during the outbreak (Motomura, 2017).

4.0 Indicators

Multiple indicators have been proposed for measuring the energy security threats that various nations confront, as well as how these countries' energy security circumstances have changed over time and how their energy policies affect energy security. Estimates of these variables are useful in creating energy security plans that consider a country's energy resource capacity, market circumstances, vulnerability to energy supply shocks, and technological advancement. I'll provide various energy security indicators, explain how to use them to measure energy security, and offer energy security metrics for a few nations in the following sections.

4.1 Reserves of Energy

Oil reserves are the estimated amount of energy sources that are known to exist with reasonable confidence and can be extracted at a cost that is economically acceptable using currently available technologies. Energy security is influenced by a country's energy resources and how well they are developed. Nations with abundant energy resources are, on average, more energy secure than countries with limited resources. Changes in a country's energy resources, on the other hand, can occur over time, improving or worsening the country's energy security (Kober et al., 2020). North America comes in second with the most confirmed oil reserves, followed by the Middle East. Despite the fact that these two regions have more than half of the world's confirmed oil reserves, this fact alone does not guarantee the regions' energy security. Additional aspects like oil production and consumption, as well as how they are changing over time, must be considered when assessing oil security. Several areas of the world, with the exception of Europe, have reported an increase in known oil reserves, implying an improvement in energy security.

The US example is particularly noteworthy since it has significantly increased domestic output and reduced its reliance on imported oil in recent years. This has been made feasible by the shale revolution, as well as regulatory reforms that have allowed oil to be drilled and extracted in previously forbidden regions (Dooyum et al., 2020). It may be assumed that coal availability and usage will continue to provide energy security in the near to medium term. Although there are presently concentrated attempts to limit coal consumption as part of climate change mitigation measures, coal will continue to play a key role in certain parts of the world. However, it means that in the next few years, coal will play a smaller and smaller role in energy security. This might change if major advancements in carbon capture and storage lead to increased coal consumption.

4.2 Energy utilization vs. production

Oil production and consumption can serve as a good indication of energy security because it is the most common source of energy in most of the globe. On a worldwide scale, both oil production and consumption have been steadily increasing over time, with oil production about matching oil consumption.

This suggests that the world has the capacity to be energy secure provided sufficient systems are put in place to allow the transfer of oil from oil surpluses to oil shortages (Gatto & Busato, 2020). The Middle East and the Commonwealth of Independent States (CIS) have the largest oil

surpluses, whereas Europe has the largest oil deficit. We may deduce from this broad picture based on aggregated regional statistics that Europe and Asia Pacific have the highest levels of oil insecurity, while the Middle East, Africa, and the CIS have the lowest levels of oil insecurity. Oil consumption in Asia Pacific has increased significantly in recent years as a result of the region's strong population and economic development rates. Natural gas shortages in China during the winter of 2017 are a current illustration of how natural gas demand and supply may affect energy security. China's resolve to minimize reliance on filthy coal in order to reduce urban air pollution and enhance overall environmental quality was the major reason for the scarcity. This policy move resulted in an increase in natural gas demand and a price increase for customers in China as well as other natural gas suppliers (Hughes & de Jong, 2021). Despite a global oversupply of natural gas, China's natural gas shortage and price increase were caused by infrastructural and logistical restrictions.

As a result, achieving natural gas security necessitates not just actions targeted at increasing natural gas production, but also complementing measures like expanded distribution infrastructure expenditures and increased LNG shipping capacity (von Münchow, 2020). Most economies across the world rely heavily on electricity, and its importance is projected to grow in the future as governments strive to decarbonize their power sectors. Electricity is also critical in the fight against poverty and the creation of a world that is safe, egalitarian, and ecologically sustainable. However, owing to fast rising demand and supply restrictions, several nations are currently experiencing significant problems in terms of power security.

4.3 Renewable Energy Share

Generally speaking, economies that rely on a small number of non-renewable energy sources are less energy secure than those that have a large supply of renewable energy. Renewable energy sources are appealing because their supplies are limitless and inexhaustible, ensuring that, unlike non-renewable sources, current usage does not affect future flows. They can replace nonrenewable energy and support the energy system transformation needed to sustainably fuel economic development while reducing the threat of climate change if they are properly developed. Biomass, hydropower, solar, wind, and geothermal energy are some of the common renewable energy resources that may be used to increase energy security (Komiyama et al., 2005).

Many nations are now focusing on increasing the percentage of renewable in final energy consumption, as shown by the European Union's aim of producing 20% of its power from renewable by 2020. Similarly, in the United States, power supply firms are required to produce a certain percentage of their electricity from renewable energy sources. In Germany, the Renewable Energy Act stipulates that by 2020, 35 percent of power be generated from renewable sources, with that percentage rising to 80 percent by 2050.

5.0 Impact of Covid-19 on global energy security

Energy resources are critical for every growth of the economy, and they are now regarded as a necessary commodity for humans. Due to limited natural resources and the Covid-19 pandemic, several nations are experiencing varying degrees of energy crises, ranging from mild

to severe. In times of crisis, such as the COVID-19 pandemic, reliable electricity supply has become crucial for the provision of medical services and teleworking under conditions of isolation (International Finance Corporation, 2020). Some parts of the energy sector have been hit harder than others. Demand for oil is expected to fall by 8%, with demand for aviation fuel being the hardest hit segment and demand for coal by 7% (IEA, 2020). Compared to the 2009 economic crisis, I can say that both events have seriously affected the energy investment sector due to financial difficulties and weak demand and indicated consequences in production and market functioning. This issue might result in the closure or restriction of numerous industrial units, reduced energy availability, increased unemployment, and other negative consequences for people's lives. The major cause of these challenges is the widening disparity between supply and demand for energy, as well as logistics, financial issues, and inadequate strategic planning (Mulalic & Karic, 2014).

Many activities, including travel, economic activity, building, and manufacturing, were halted during the lockdown, lowering world energy consumption. The energy sector is harmed by the decrease in energy demand and use. The COVID-19 pandemic, for example, led at least 19 energy firms in the United States to go bankrupt. For energy industry reactions, government measures have been undertaken quickly. According to the most recent statistics from July 2020, peak decrease rates of power usage in France, Germany, Italy, Spain, the United Kingdom, China, and India during the lockdown period were more than 10% lower than in the same month in 2019. Energy toxic waste are inevitable, and they are typically given a lesser priority during this critical phase of COVID-19 eradication; nevertheless, as the COVID-19 pandemic continues, environmental footprints/impacts should be examined and perhaps minimized (Yueh, 2010).

The preliminary conclusion that "the pandemic produced a highly beneficial influence on the world environment" appears overly categorical at this early stage of the pandemic and lockdown, based on little accessible data and information. Kleme et al. issued a call in April 2020 to reduce plastic waste, energy use, and environmental footprints during and after the COVID-19 pandemic. Climate change and environmental protection have moved from the margins to the foreground of international relations and geopolitics, as they are increasingly recognized as threats to economic stability and human well-being. There is widespread agreement that this global issue necessitates global action.

However, in recent years, international cooperation on climate change has deteriorated, particularly amongst the three major economic superpowers: China, the EU, and the United States. As a result, government policy has shifted toward competitive trade systems that can help advance climate action in this new setting. Lockdowns throughout the world halted transportation, particularly aircraft, lowering oil consumption by at least a quarter in the second quarter of 2020. This drop would have been far higher if strategic stores and bunkers had not been filled to near-capacity during the lockdowns. Oil prices fell to their lowest levels in almost two decades as a result of this, along with the pricing war between Russia and Saudi Arabia. They plummeted below \$20/barrel in April 2020, after starting the year at \$65/barrel. Annual oil demand has decreased by 8.8% by the end of 2020. These drops far outstripped those seen during the global financial crisis of 2009, when oil consumption decreased by less than 2%. As a consequence of the earliest but also shortest COVID-19 lockdown, China's oil consumption recovered fast, and by June, it had returned to 90% of its pre-pandemic norm (Axon & Darton, 2021).

6.0 Trinity of energy, climate, and environment

China has a direct and major influence on climate change as the world's greatest energy consumer and emitter of GHG emissions. Coal dominates the country's energy industry, accounting for approximately two-thirds of overall energy consumption. Oil is the country's second-largest source of energy, and China, behind the United States, is the world's second-largest oil user. Until the early 1990s, the country was a net oil exporter, but in 2013 it became the world's largest net petroleum importer. It has a large proportion of hydropower, followed by a modest but growing natural gas supply, a small but quickly expanding solar and wind share, and, to a lesser extent, nuclear power. In contrast to President Donald Trump's approach, President Xi's declaration conveys the image of support for multilateralism. It was also created at a time when Joe Biden, a more progressive climate activist than Trump, appeared to be the front-runner in the US presidential race. One could question if President Xi's statement was timed to maintain China's global leadership role in a new era of more aggressive climate change action (Odgaard & Delman, 2014).

The EU has created a framework that combines climate and energy goals, and it has matched it with the UNFCCC's reporting structure. In 2009, it passed its first draught climate and energy package, which included 2020 objectives aligned with the Copenhagen Accord. Before COP21 in 2014, the 2030 framework was established. Energy efficiency objectives, renewable energy utilization, and GHG emission reductions were the centerpieces of both programmes. Climate change is at the top of the agenda for the new European Commission, which was elected in 2019. President Ursula von der Leyen recommended increasing the EU climate-mitigation objective to decrease emissions by at least 55 percent by 2030 compared to 1990 during her first State of the Union address. Given the EU's very ambitious strategy, however, there is no consensus among member states and EU institutions on the seriousness of climate change, and therefore on the parameters of the objective. The European Parliament voted in October 2020 for more aggressive action, setting a target of 60% by 2030. Although these sectors are covered under the EU–UK Trade and Cooperation Agreement, the UK now has its own climate and energy policy after leaving the EU. Importantly, the UK has left the EU's Emissions Trading System and must submit its own NDC to the UNFCCC. The UK government set its 2030 emissions target of a 68 percent decrease from 1990 levels in December 2020, which many consider to be a lofty goal.

By a wide margin, the United States has contributed more to historical global GHG emissions than any other country, accounting for 457 billion tonnes of CO₂, or 29% of the total. This is due to the country's geographic area and population density, as well as its wealth and consumer spending, significant fossil-fuel resources, and economic structure. As previously said, the extraction of shale oil and gas in the United States has changed dramatically during the last decade. Between 2010 and 2019, the shale revolution increased yearly oil output from 333 million tonnes of oil equivalent to 747 million tonnes of oil equivalent, while gas production increased from 575 billion cubic metres to 920 billion cubic metres. The international community is aware of the possibly transient character of US climate policy, so the Biden administration will have to go above and beyond to demonstrate a meaningful shift in policy. The administration not only has an opportunity to signal that it will re-enter UNFCCC processes, but it also has an opportunity to set a far-reaching domestic carbon-reduction plan – one that goes beyond that of the Obama administration – that acts as a global catalyst for others to make

similarly ambitious pledges. International climate leaders, on the other hand, will be searching for domestic policies and actions that will help the US overcome its political split and provide long-term stability.

7.0 Summary

It is too early to say whether today's crisis is a stalemate in efforts to bring a safer and more sustainable energy system or a catalyst that is accelerating the pace of change. The pandemic is far more than that, many uncertainties remain and key decisions on energy policy have yet to be made. There is no doubt that the energy sector will look significantly different. The next year may see a change in attempts to address the climate issue. The magnitude of the problem necessitates a never-before-seen reaction. Real-world action necessitates collaboration, competitiveness, and consistency. The result of many high-level events in 2021 will be critical in achieving global climate change goals as well as national climate and energy goals. Even under normal circumstances, this would be a critical time, as China releases its next five-year plan, President Biden is expected to follow through on progressive campaign promises, such as re-joining the Paris Agreement and setting a 2050 net-zero target, and the EU unveils its next infrastructure investments plan.

Nevertheless, 2021 has even more significance when nations submit updated five-year commitments to the UNFCCC and negotiate at the COP26 to get global mitigation plans back on track to achieve the Paris Agreement's goals. The following 12 months are extremely crucial due to two additional considerations. First, the COVID-19 has an influence on energy supply, demand, and emissions, as well as the size of related recovery packages and the speed with which the energy transition is accelerated or slowed. Second, climate diplomacy between China, the EU, and the United States is more fluid than it has ever been, with a growing trend toward competitive climate action mechanisms such as import tariffs on carbon content of commodities (Azzuni & Breyer, 2020). The specific effects of COVID-19 on the rate of decarbonization and the energy transition are still unknown. Emissions slowed in 2020, although the initial significant drop due to lockdowns appears to be easing, and emissions are recovering to levels similar to those before the pandemic. This just emphasizes how critical it is for nations to update their NDC promises to demonstrate considerably enhanced ambition. The EU's announcement of a 55% reduction target by 2030, as well as President Xi's declaration that China's objective is to achieve carbon neutrality by 2060, will help. China, the European Union, and the United States have been the most influential parties to the UNFCCC, not only because of their past and current emissions, but also because of their geopolitical might, which has allowed them to promote or discourage greater mitigation ambition. As a result, a united front from these key parties, as well as proven examples of collaboration, will be critical to fulfilling the Paris Agreement's goals. To speed the transition to a low-carbon society, they may prioritise various measures such as using the market, subsidies, green stimulus packages, and legislation or regulation. Regardless of the incoming US administration, the trend toward less international collaboration and greater competition is certain to continue. The proposal to impose import tariffs on the carbon content of goods entering the EU is the clearest indication of this change. This will put the EU's political backing, as well as resistance from other nations, to the test, as well as the EU's capacity to overcome obstacles to CBAM implementation, particularly those related to WTO regulations. President Biden is looking at imposing comparable carbon import

tariffs in the United States. Innovative approaches that affect global commerce are notoriously difficult to execute and very politically sensitive, thus their prospects of success are likely to be slim. However, just discussing carbon import tariffs might encourage trade partners to increase their international cooperation and local climate action.

As a result, a clear distinction between collaboration and rivalry is oversimplified. Because of the postponement of COP26 due to COVID-19, nations will have more time to consider the new government in the United States before submitting their updated NDCs. Furthermore, in 2021, COP26 will be hosted jointly by Italy and the United Kingdom, the respective leaders of the G20 and G7, raising the visibility of climate efforts. GHG emission reduction policies are often long-term, needing consistency and stability. Across successive European Commissions, the EU has succeeded in achieving this, resulting in increasingly ambitious mitigation objectives and global leadership in the deployment of low-carbon technology. Similarly, China has continuously addressed environmental and climate-change concerns throughout its five-year planning cycle. However, while this has provided policy stability, tackling climate change has frequently been pushed aside by the Chinese government's other social and economic objectives. Climate change remains a political issue in the United States, with Democratic governments pushing forward climate measures only to have them stalled or reversed by Republican administrations. The efficacy of domestic measures is harmed by this stop-start approach to climate reduction and adaptation, as is the US's effectiveness in the global system. Combating the threats posed by pandemics requires awareness, planning and greater expertise, especially in the areas of diversification, decentralization and digitization of energy systems.

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MIGRANTS AND REFUGEES: DIFFERENT APPROACHES IN LOCAL COMMUNITIES AND IMPACTS ON PUBLIC SAFETY IN BOSNIA AND HERZEGOVINA

Professional Paper

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Abstract

A negative impacts on public safety and security caused by the massive presence of different categories of migrants and refugees in Bosnia and Herzegovina is considered a source of instability for the last several years. Current migration management approaches in Bosnia and Herzegovina seem to be ineffective and causing direct impacts on security in local communities. Frequent violations of basic human rights and freedoms of migrants often causing adverse responses against public safety in local communities. Securitization of migrations in Bosnia and Herzegovina becomes a legitimate approach by different organizational levels and further leading to the humanitarian crisis of unprecedented scale. It is necessary to change the current approach in Bosnia and Herzegovina to improve the migration management process in local communities ensuring minimal impacts on public safety and security. The unified, organized, and effective approach in establishing migrant transit centers based on humanitarian principles might bring many benefits to local communities. Overall positive effects of such solution might abolish any financial constraint argued by local authorities in Bosnia and Herzegovina. Comparative analysis of different migrations strategies implemented in Turkey and Greece suggests that the migration crisis approach should be highly coordinated and, to a certain level, centralized to prevent negative implications on public security.

Keywords

migrants, refugees, international migrations, securitization, public safety and security, local communities, Bosnia and Herzegovina, impacts, crimmigration, approach

1. INTRODUCTION

Migrants and refugees in Bosnia Herzegovina today are often seen as one category of "people in the move" without clear differentiation of their status. This leads to equal treatment of these

two categories by state institutions and local populations in transit areas. The treatment is primarily essential for government institutions, local communities, and the people as it may cause significant impacts. Different approaches and treatments of these categories mainly depend on the perception of their status, i.e., refugees are more accepted than migrants. In reality, however, the situation is entirely different; their legal status is different, and their relations with local communities. Although their status is defined by international law and subsequently embedded in the national legal framework, treatments by host communities are often much different.

Member states of the United Nations concluded several agreements, treaties, and conventions regulating international migrations. The legal and normative framework on international migration includes binding international law and non-legally binding best practices and principles. Specific international instruments affecting the management of migration have been widely ratified (for example, 145 States have ratified the 1951 Convention and the 1967 Protocol Relating to the Status of Refugees). Martin (2005) said that other countries have entered into force with relatively few parties (for example, only 27 States, all principal source countries of migration, have ratified the U.N. Convention on the Protection of All Migrant Workers and Members of Their Families)

Different and unequal treatment of migrants in Bosnia and Herzegovina in some local communities might impact public safety and security. Impacts are most visible through the number of reported criminal offenses committed by migrants in Bosnia and Herzegovina and through the number of committed criminal offenses by the local population against migrants. Not only physical assaults against migrants but also harassment, restriction of movements, and in some cases, murders became a worrying trend in many local communities in Bosnia and Herzegovina (Živić, 2019).

Approach to migration as a whole security issue is insufficient and cannot provide desired results in migration management to minimize negative impacts on public safety and local security.

The theory of "securitization of migrations" (Bourbeau, 2011) or even "crimmigration" does not consider the overall impacts of migrations in local communities but instead it selecting effects directly connected with security or crime. This approach will not help minimize negative impacts on public safety and security, but it can lead to far more severe security impacts in the long term. Some negative consequences are a clear violation of basic human rights and freedoms of migrants, inhumane treatments, violation of relevant international conventions and protocols, and negative responses (often violent) of migrants directed to local communities, its population, or law enforcement agencies.

However, some of the broader implications of migrations in local communities might be positive as well. According to a recent report released by the OECD and ILO, immigrants play a positive role in the economies of developing countries, which need to implement policies to maximize the economic impact of immigration (OECD/ILO, 2018). The analysis in this report focuses on three main dimensions of the economic contribution of immigrants in developing countries: labor markets, economic growth, and public finance. The World Bank also considers the positive implications of migrations as the most effective way to reduce poverty and share prosperity, claiming all development experiences and growth episodes in history have involved a reallocation of labor across space and sectors within countries. However, some of the most significant gains come from the movement of people between countries (World Bank,

2018). Skilled workers and educated migrants motivated to ensure better life are often valued members of accepting communities, and they are contributing to that community's wellbeing and supporting their families in countries of their origin. Financial support of migrants abroad to their families often impacts the GDP of countries such as Bosnia and Herzegovina (Zvijerac,2020).

Crimmigration, generally defined, is the increased entanglement of criminal and immigration procedures. This has increased the number of people processed in immigration systems, detained, and deported. The politicization of this topic and a cultural shift in how receiving countries perceive immigrants, immigration, and criminal law have become more intertwined (Kogovšek et al.,2020).

Such an approach in some countries with highly developed capacities and more structured security apparatus than in Bosnia and Herzegovina seems to become official and widely accepted. However, in Bosnia and Herzegovina, such an approach would not be possible because it might cause serious security issues in the country or local communities most exposed to migrations.

The ongoing migrant crisis globally directly reflects in Bosnia and Herzegovina due to negative and antimigrant rhetoric's widely used. Such rhetoric supported and encouraged in many highly developed countries is also being used as justification in Bosnia and Herzegovina for inhumane and, in some cases, criminal treatment of migrants. This approach in Bosnia and Herzegovina might directly lead to a humanitarian crisis which may cause significant security issues in all exposed local communities in Bosnia and Herzegovina.

Critical questions in this paper are why is this important, and is it indispensable to explain these categories from the point of international law and already defined categories of "people in the move" to all key players in Bosnia and Herzegovina?

Most of the population in many local communities in Bosnia and Herzegovina are not aware of these differences. The correct definition is critical for proper treatments of migrants to minimize negative impacts on public safety and security. If treatments are wrong and an approach is wrong, then negative implications in local communities might be significant.

In addition to negative impacts on demography, local culture, and some religious dimensions, the most acute effects of mass migrations are connected with safety and security in local communities. Negative impacts of migrant's presence are causing the greatest concerns and adverse reactions of the local population. These reactions combined with the inadequate approach of local authorities might lead to more frequent and more aggravated security incidents.

Significant violations of basic human rights and freedoms of migrants are often being justified as a reaction to their behavior in local communities. In many cases, migrant's behaviors are illegal and unlawful, violent, and even criminal. However, this can not justify reciprocity and repressive reactions of local authorities or the local population against migrants. Modern civilized society is based on the rule of law, and all efforts should be made to ensure implementation of the highest civilized norms rather than seek revenge. The modern concept of the rule of law is pretty broad and therefore sets up an ideal for any government. Revengeful approach directly leading to treatment of migrants and refugees as an exclusive security problem. The current legal framework in Bosnia and Herzegovina is precise about public safety and public order, criminal offenses against life, crimes against property, etc., regardless of who the perpetrators are. The

main issue in Bosnia and Herzegovina is law enforcement in local communities that will consider migrants as an additional element impacting public safety. This might be a difficult task mainly because of the current internal administrative structure established in Bosnia and Herzegovina.

Constant criminalization and dehumanization of people in the move are happening for years in Europe. Still, it is stronger than ever in countries under the rule of right-wing parties, as those countries are completely closed for any category of migrants today (Ahmetasevic, 2020).

Ibrahim (2005) explained different perceptions of migrations and wrote to provide security for their population; nations develop traditions. Traditions, systems of justice, and rights ensure the safety and stability of a nation. Immigrants, who bring with them different cultures, imbalance the nation through the disruption of existing traditions. The principle, or position, which links immigrants and the nation's demise, is that cultural differences threaten the existing way of life. It is thus seen as rational to preserve one's culture through the exclusion of other cultural groups. This negative attitude toward migrants should be understood as racism (Ibrahim, 2020, p. 166).

As outlined above, the negative belief and a discriminatory action toward somebody based on his or her social membership is **prejudice**. This racial prejudice that migrants face results from reifying race and cultural difference and associating such difference with the threat.

The status of migrants and refugees in Bosnia and Herzegovina is becoming more complicated due to the specific internal administrative structure of Bosnia and Herzegovina. There is no unified approach to migration management on the government level, and this is reflected on lower organizational levels, entities, cantons, and municipalities. Actions taken by lower levels to manage migrants crisis are mainly uncoordinated with government level, and final effects are often counterproductive.

When there is no joint and sound approach to migration management on the local level, the violations of migrant's basic human rights and freedoms are widely spread. This, in return, might cause even stronger negative responses of this population against local communities. Following logical reasoning that violence always produces more violence in response, the reaction of migrants might lead to spontaneous or even planned responses of the local population against migrants (Barisic, 2020).

The significant number of migrants entering Bosnia and Herzegovina illegally and reception at the borders is not always possible. However, with a unified approach to migrants coordinated by all administrative levels in Bosnia and Herzegovina, management of the crisis might be successful, and impacts on public safety can be minimal.

2. TERMINOLOGY AND KEY DEFINITIONS IN MIGRATIONS

It is necessary to explain the key terminology in migrations in order to understand the impacts caused by migrations in Bosnia and Herzegovina. Even though the terms "migrants" and "refugees" are widely used in almost all countries, the full understanding of true meaning is limited to a relatively small number of people, professionals in this field, and scholars researching this phenomenon.

In some countries with departments or directorates established for the sole purpose of dealing with migration management, officials and experts are mainly educated in understanding differences between categories and accurate terminology used.

In other countries and Bosnia and Herzegovina, the situation is not very clear in this field. The number of specialists and experts in migration management is not engaged by the Government or local authorities in this process. International organizations and United Nations engage a significant number of academicians and researchers, but the results of their engagement are not implemented in Bosnia and Herzegovina.

Knowledge about correct terminology in migrations is fundamental for the right approach in this field and vital for righteous treatments of migrants. The root problem with migrants in Bosnia and Herzegovina is connected with the correct understanding of local authorities, Government, and population.

The perceived status of migrants is cause for violent actions against them in local communities, while their protection should be the primary task of governmental institutions. Correct status determination and treatments of migrants are directly linked with public safety and security.

2.1 Refugees-status and rights based on the 1951 Refugee Convention and 1967 Protocol

Major international conventions and protocols in the area of refugees and their status, rights, and legal obligation of States to protect them, such as the 1951 Refugee Convention and related 1967 Protocol, are also signed and ratified by Bosnia and Herzegovina.

The 1951 Refugee Convention and its 1967 Protocol are the critical legal documents for 149 State parties to either or both; they define the term 'refugee' and outlines the rights of refugees and the legal obligations of States to protect them.

These documents spell out who is a refugee and the kind of legal protection, other assistance, and social rights a refugee is entitled to receive. It also defines a refugee's obligations to host countries and specifies specific categories of people, such as war criminals, **who do not qualify for refugee status**. Initially, the 1951 Convention was more or less limited to protecting European refugees in the aftermath of World War II, but the 1967 Protocol expanded its scope as the problem of displacement spread around the world (United Nations High Commission for Refugees [UNHCR], 2011).

It is clearly stated that this Convention protects refugees and defines a refugee as a person who is outside his or her country of nationality or habitual residence; has a well-founded fear of being persecuted because of his or her race, religion, nationality, membership of a particular social group or political opinion; and is unable or unwilling to avail him— or herself of the protection of that country, or to return there, for fear of persecution (UNHCR 1951 Refugee Convention, Article 1A/2, p. 14).

People who fulfill this definition are entitled to the rights and bound by the duties contained in the 1951 Convention.

In continuation are clearly defined rights and obligations of people who are fulfilling status of refugees. Even they do not enjoy protection of any government or State (because as a person without the State is not in a position to achieve it or because if he/she possess nationality does not want from political reasons use this protection from the country of origin) refugees are legally protected in line with **international law** if they are present on the territory of State who signed Convention.

The cornerstone of the 1951 Convention is the principle of non-refoulement contained in Article 33. According to this principle, a refugee should not be returned to a country where he or she faces serious threats to his or her life or freedom. This protection may not be claimed by refugees who are reasonably regarded as a **danger to the security of the country**, or having been convicted of a grave crime, are considered a **danger to the community** (UNHCR, 2011).

Refugees are required to abide by the laws and regulations of their country of asylum and respect measures taken to maintain public order in Article 2. Of Convention is highlighted that refugees are obliged to abide by all domestic laws of the country of acceptance without exceptions. Therefore, respecting and abiding by specific laws created for the maintenance of **public safety and security in communities is a condition**.

Bosnia and Herzegovina signed and ratified the 1951 Convention and 1967 Protocol on 01 September 1993 without reservations (UNHCR, 2021). Therefore, Bosnia and Herzegovina is legally obliged to protect and ensure the enjoyment of rights for all refugees on its territory. Different approaches by the Government and by local communities in Bosnia and Herzegovina may not be fully in line with the 1951 Convention.

Existing legislation related to migrations and foreigners in Bosnia and Herzegovina established several institutions responsible in this area. There is an established Ministry for Human Rights and Refugees within the Council of Ministers of Bosnia and Herzegovina responsible for the protection and rights of primary refugees and citizens of Bosnia and Herzegovina in the areas of sustainable return of internally displaced persons (IDPs), immigration issues and protection of human rights. The mandate of this Ministry is to protect and ensure the rights of refugees and persons under subsidiary protection in Bosnia and Herzegovina. Also, the Ministry for Human Rights and Refugees of Bosnia and Herzegovina is the competent Ministry at the level of Bosnia and Herzegovina, which coordinated all activities on putting together the periodic reports on the implementation of the Convention on the Rights of Migrant Workers submitted to U.N. Human Rights Council under the International Convention on the Rights of Migrant Workers and Members of Their Families periodically.

Established Coordination Body for Migration Issues in Bosnia and Herzegovina establishes an inter-ministerial body in charge of coordinating activities between competent institutions dealing with migration and asylum issues in B&H (2017).

The Ministry of Security of Bosnia and Herzegovina has competence over the protection of international borders, inner border crossings, traffic regulation at Bosnian border crossings, prevention and detection of perpetrators of criminal acts of terrorism, narcotics trafficking, falsifying domestic and foreign currency, trafficking in human beings and other criminal acts with international or inter-entity elements. It is also competent for international cooperation in all fields falling within the scope of competence of the Ministry.

Furthermore, the Ministry of Security of Bosnia and Herzegovina, as legally defined and with mandated jurisdiction, oversees issues with movements and residence of aliens in Bosnia and Herzegovina and to creation, monitoring, and implementation of policy on immigration and asylum in Bosnia and Herzegovina. Also, settlement of procedures and means of the organization of service dealing with movement and stay of aliens in Bosnia and Herzegovina (Ministry of Security of Bosnia and Herzegovina, 2021).

As part of the organizational structure of this Ministry is Sector for Asylum responsible for administrative and other expertise matters concerning the implementation of asylum policy and asylum procedure in Bosnia and Herzegovina, coordination of work within competent organizational units, drafting laws and bylaws from this segment, securing reception, accommodation, and assistance to asylum seekers, harmonization of its efforts with European standards, analyzing and reporting, as well as the other issues in competence of this Sector.

Service for Foreigner's Affairs established within the Ministry of Security under competencies describes that Service for Foreigners' Affairs as an administrative organization with operative independence within the B&H Ministry of Security is a holder in solving the immigration issues, has unique technique and operation in solving immigration issues in the whole region of B&H, to it in the first place conducts tasks of surveillance and control of movement and stay of foreigners in B&H, thus provides a significant contribution to the protection of the B&H safety system which is very demanding and complex (Service for Foreigner's Affairs, 2021).

It seems that institutionally, there is a good structure with relevant institutions for migration management established in Bosnia and Herzegovina. The current legal framework in Bosnia and Herzegovina adopted essential conventions in this field and incorporated them into domestic legislation. However, internal policies, procedures, and guidelines about migration management on all administrative levels in Bosnia and Herzegovina are not harmonized. The lack of a standardized "vertical" approach in government bodies responsible for migrations is evident. Local authorities in both entities in Bosnia and Herzegovina are enjoying a high degree of autonomy in the decision-making process related to the migration crisis.

2.2 Migrants-categories defined by International Law

The IOM Glossary on Migration is explaining the basic, most common categories of migrants in Bosnia and Herzegovina today. This Glossary provides the most relevant definitions of migrant categories and aims to define commonly (and on occasion not so commonly) used terms in migration. Some are definitions that are found in legal documents and, as such, very fixed. Others are terms that are found in soft law documents – and as such, equally fixed. Some are working definitions – and may vary slightly from actor to actor who uses them when they work (Touzenis, 2019).

Security terminology in migrations is based on the most relevant academic definitions and theories of security.

Most commonly used terms in this field, officially and unofficially, might be connected with some factors impacting public safety and security in local communities. Authorities are treating different categories of migrants in local communities daily. Those categories of migrants are clearly defined in IOM's Glossary on Migration. It does not mean that other defined categories of migrants and refugees are not exposed to such treatments; quite the opposite, they are often mixed and treated the same.

Major categories of "people in the move" in the context of Bosnia and Herzegovina and the ongoing crisis are:

Alien - an individual who does not have the nationality of the State in whose territory that individual is present (International Law Commission, 2014).

Asylum seeker- an individual who is seeking international protection. In countries with individualized procedures, an asylum seeker is someone whose claim has not yet been finally decided on by the country in which they have submitted it. Not every asylum **seeker will** ultimately be recognized as a refugee, but every recognized refugee is **initially** an asylum seeker (UNHCR, 2006).

International migration- the movement of persons away from their place of usual residence and across an international border to a country of which they are not nationals.

Migrant- An umbrella term, not defined under international law, reflecting the common lay understanding of a person who moves away from his or her place of usual residence, whether within a country or across an international border, temporarily or permanently, and for a variety of reasons. The term includes several well-defined legal categories of people, such as migrant workers, persons whose particular types of movements are legally defined, such as smuggled migrants, and those whose status or means of movement are not explicitly defined under international law, such as international students.¹

Irregular migration - Movement of persons outside the laws, regulations, or international agreements governing the entry into or exit from the State of origin, transit, or destination. Although a universally accepted definition of irregular migration does not exist, the term is generally used to identify persons moving outside regular migration channels. The fact that they migrate irregularly does not relieve States from the obligation to protect their rights. Moreover, categories of migrants who may not have any other choice but to use irregular migration channels can also include refugees, victims of trafficking, or unaccompanied migrant children. The fact that they use irregular migration pathways does not imply that States are not, in some circumstances, obliged to provide them with some forms of protection under international law, including access to international protection for asylum seekers fleeing persecution, conflicts, or generalized violence (Glossary on Migrations, 2019, p. 116).

Illegal migrant - Refer to migrants in an irregular situation and undocumented migrant;

Undocumented migrant - A non-national who enters or stays in a country without the appropriate documentation. Migrants can find themselves undocumented in one of the following two ways.

First, they have documentation that acts as proof of identity. Still, they do not have documentation that proves their right to enter and stay in the country or such documentation is fraudulent or no longer valid. In this meaning, this expression is used as a synonym of "irregular

¹ At the international level, no universally accepted definition for "migrant" exists. IOM developed the current definition for its purposes, and it is not meant to imply or create any new legal category. Two approaches are generally adopted to define the term "migrant": the inclusivist approach, followed among others by IOM, considers the term "migrant" as an umbrella term covering all forms of movements; the residuals approach excludes from the term "migrant" those who flee wars or persecution. To collect data on migration, the United Nations Department of Economic and Social Affairs (UNDESA) defines "international migrant" as "any person who changes his or her country of usual residence" (UNDESA, Recommendations on Statistics of International Migration, Revision 1 (1998) para. 32). The UNDESA definition excludes movements that are due to "recreation, holiday, visits to friends and relatives, business, medical treatment or religious pilgrimages" (Ibid). UNDESA has also developed specific definitions to identify short-term and long-term migrants (see relevant entries).

migrant" (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 2003).

Secondly, they do not hold any form of documentation that proves their identity, nor do they have any other proof of their right to enter and stay in the country.

Migrant in an irregular situation- A person who moves or has moved across an international border and is not authorized to enter or to stay in a state according to the law of that State and to international agreements to which that State is a party (International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, 2003).

It is important to note that, even when in an irregular situation, migrants are **still entitled** to the **respect, protection, and fulfillment of their human rights** (see, for example, Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families, General Comment No. 2 on the Rights of Migrant Workers in an Irregular Situation and Members of their Families (28 August 2013) U.N. Doc. CMW/C/GC/2. Moreover, refugees are to be granted access to international protection and protected against being penalized for unauthorized entry or stay if they have traveled from a place where they were at risk to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954) 189 UNTS 137, Art. 31(1)).

All mentioned categories of migrants are currently present in Bosnia and Herzegovina temporarily while they are transiting to European countries. A relatively high number of registered migrants expressed intention to submit asylum applications in Bosnia and Herzegovina. As per official records of Service for Foreigner's Affairs of Bosnia and Herzegovina, there was a total of 13.683 registered migrants who had expressed intention to submit an application for asylum in the first ten months of 2020. This number is 45% less when compared with 2019, when there were a total of 25.076 migrants who expressed intention for asylum application submission (Service for Foreigner's Affairs, 2020).

In October of 2020, this Service had registered 1.207 migrants who expressed intention to submit asylum applications that are 34% less when compared with September when there were 1.837 registered migrants. This indicates a decreasing trend of newcomers and registered migrants in Bosnia and Herzegovina.

The majority of registered migrants expressed intention to submit asylum applications upon their entry to Bosnia and Herzegovina. However, the number of actually submitted asylum applications in this period does not correspond with expressed intentions. The expressed intent for submitting an asylum application by the majority of migrants is the only excuse they are using. There is clear Instruction about Asylum in Bosnia and Herzegovina (Ministry of Security BiH, 2004), defining who and how can request asylum and which data should be provided.

The essential section of this Instruction is Article 3, **the non-refoulement principle** that prevents return or expels of any foreigner from Bosnian territory under conditions clearly described within.

This principle is serving as an actual guarantee to all migrants who "express intention" for asylum application submission to stay in Bosnia and Herzegovina for the duration of the process that might justify such application. In other words, migrants who enter Bosnia and Herzegovina by expressing an intention to apply for asylum in Bosnia and Herzegovina **will not be forcefully returned** for a decent period until they either apply for asylum or Bosnian authorities determine that their request is unjustified.

Currently, migrants are allowed to use Bosnian territory for transit to European countries, with most of them being concentrated near the Croatian border in Una Sana Canton.

The decision process for expressed intention to asylum application submission is not complicated, and it is a matter of specific procedures that institutions must follow. The major issue is the actual capacity of the Bosnian Government to provide accommodation (and all other support) for those migrants who entered Bosnia and Herzegovina and "expressed intention" for submission of the asylum application.

3. KEY PRINCIPLES OF PUBLIC SAFETY IN LOCAL COMMUNITIES IN BOSNIA AND HERZEGOVINA

While there is no unified and universally accepted definition of public safety, it is free to say that public safety is protecting individuals, communities, and countries from all forms of threats, intentional and unintentional, that may cause a significant impact on lives and property.

Vital elements of public safety are **threats** that may significantly impact the lives of people in the local community. In terms of risk determination, the likelihood (of threats being realized) combined with (negative) impacts of those threats will give a risk level for public safety for each specific threat scenario that might occur.

The risk levels might be different and depending on existing threats in specific communities, specifically for that environment only. Threats are usually evaluated **against intention** (to harm), **capacity**, and **inhibiting context**. Therefore, the risk level of public safety is not universal, and it is different in each community because of the different threat environments and different threat actors. In the traditional determination of public safety, law enforcement agencies and police are using indicators of legal violations and crime rates to determine actual risks in certain areas. This approach is most common for an explanation of public safety in a particular area. For example, some areas of the city or specific neighborhoods are "safe" due to low crime levels, good road infrastructure, or extensive police work in the community.

The presence of a large number of people in some local community, nonresidents, and non-owners of properties, in large groups, might be an indicator of potential direct impact on several elements of public safety. It might be disruption of public order, disturbing local traffic, abuse of private property of residents (by using estates without approval), abuse of alcohol and substances, etc. The presence of migrants is also connected to fights, thefts, property damage, and significant criminal offenses against life, aggravated assaults, armed robberies, and in some cases, murders.

All this might impact public safety in the particular local community because of adverse effects on lives and property in those communities. In addition to law violation, the violation of cultural and costume norms by migrants is frequent. The vast majority of migrants in Bosnia and Herzegovina are originally from different African countries or countries from the Arab peninsula, and cultural, religious, and other diversity impacting the local population in Bosnia and Herzegovina.

In uncovering how migration has become a security issue, it is instructive to highlight how "cultural difference," as a classification system, is associated with the threat. This use of "cultural difference" as a criterion for exclusion can be understood as a racist discourse (Ibrahim 2005, p. 165).

The presence of large groups of migrants in local communities populated with significant Christian populations in Bosnia and Herzegovina might cause negative reactions of the local population against migrants. This reaction may have impacts on the safety and security of migrants but also can be reflected in the local population.

In some other communities in Bosnia and Herzegovina with a significant Muslim population, a group of migrants has been supported by the local population due to a "sympathetic" approach based on religious perception.

Without confirmation of migrant's identities and based only on perception, some local communities welcomed many migrants allowing them to stay in their homes and offering further support. While this approach can be understood from a humanitarian aspect, it cannot be justified as many of those migrants are not sharing the same values and coming from different backgrounds. The criminal behavior of migrants is a direct threat to public safety regardless of their religious background.

A negative attitude towards migrants in some parts of Bosnia and Herzegovina is often initiated by unobjective and stereotypical media reports about migrants and refugees. According to an analysis of media reporting about migrants in Bosnia and Herzegovina research conducted in 2019, only 32% of all media content was accurate, fair, and created in line with professional and ethical standards of journalism (Adilagic,2019). This research indicates that different media reported about migrants and refugees as dangerous for Bosnian citizens, with a total of 51% of such reports from a total number of sampled reports. This research covered the period from April 2018 to January 2019, and it is stated that media from Republika Srpska created more negative reports about migrants than media from the Federation of Bosnia and Herzegovina (Adilagic, 2019, p. 6).

Anti-migrants rhetoric may quickly turn into actions against migrants in some parts of Bosnia and Herzegovina. The local population might be encouraged to take direct actions against migrants, which might cause massive violations of human rights and other negative impacts. In return, this might cause negative response of migrants in local communities against public safety and security, i.e., massive protests, property destructions, roadblocks, etc.

The approach to public safety in communities should be unified and based on clearly defined standards and the rule of law; it might be possible to eliminate many negative impacts. Some possible solutions might be the establishment of migrant centers that should enable control of movements of migrants. This approach might ensure easy identity verification for each migrant as a critical element of migration management status determination.

The restraining factor for the establishment of migrant centers is often the financial dimension of such an approach.

In January 2021, Sub Regional Coordinator for Balkans and Chief of IOM Mr. Van der Auweraert said the issue is not about the lack of funding but local and federal political fighting and decentralized state governance structures appear to be behind the latest humanitarian incident (euobserver,2021).

The E.U. commission announced an additional €3.5m of humanitarian aid, none of which goes to the State, to help those on the ground. It means the E.U. has doled out close to €14m to Bosnia and Herzegovina in humanitarian aid since 2018.

Management of financial aid provided by different donor countries to Bosnia and Herzegovina is the crucial issue that prevents this approach. Lack of transparency expressed by local and Government authorities recorded in previous years prevents significant projects from being implemented in this field. The establishment of migrant centers in Bosnia and Herzegovina should be considered a major project in this context.

3.1. Different approaches to migrations in Bosnia and Herzegovina with direct impacts on public safety in local communities

In Bosnia and Herzegovina, migrants are currently allowed to move within communities without strict control or mandatory registration. By not establishing appropriate camps that can be used to accommodate large numbers of migrants, local authorities are directly impacting the safety of their population. Migrants use any form of accommodation available, legal or illegal, due to severe weather conditions in Bosnia and Herzegovina.

An inadequate approach in Bihac indicates a lack of competency of local authorities and could be considered even malicious. To dislocate temporary accommodation from downtown Bihac, in 2019, local authorities attempted to establish a temporary camp called Vucjak located well outside of the residential area, on an old dumpsite. The "camp" had no solid buildings or pre-existing infrastructure to provide electricity, heating, clean water, or sanitation. Furthermore, local authorities forcefully removed migrants from Bihac to Camp Vucjak using armed police escorts and arranged transportation, and simply left them there (Janjevic, 2019).

The Council of Europe's Commissioner for Human Rights, Dunja Mijatovic, visited camp Vucjak in November 2019 said it was "inhumane and unacceptable" for people to be "amassed in the mud" without running water or adequate sanitation (Council of Europe, 2019).

The number of security incidents connected with migrants in Bosnia and Herzegovina is increasing each year. At the beginning of the migrant crisis, isolated cases of small thefts or minor disputes with the local population have been reported. Recently, large-scale riots inside and outside of existing migrant centers with massive property destruction endangering lives happening in Bosnia and Herzegovina. Furthermore, conflicts among migrants with lethal outcomes and reports about murders against citizens of Bosnia and Herzegovina committed by migrants became a worrying trend strongly impacting public safety and security (Maksimovic, 2020).

In countries with an organized and systematic approach to migrations today, understanding differences between categories practiced by state institutions and the local population is high. Countries mainly most exposed to mass migrations, such as Turkey and Greece being transit countries followed by Italy and Germany as final destinations and the USA, Canada, and the U.K. as countries with organized resettlement programs for migrants and refugees. Negative impacts on public safety in local communities in these countries are assessed significantly less when compared with effects in Bosnia and Herzegovina. This may be attributed to practical approaches to mass migrations and established migration management systems developed and implemented in these countries.

Procedures used for classification and determination of status for each "foreigner" entering those countries are far more advanced than procedures existing in Bosnia and Herzegovina.

Having established camps might enable correct determination of status for the number of migrants and different categories also establishing a base for further treatment while they are in the country. A perfect example is Turkey, currently hosting more than 3,6 million Syrian migrants (Directorate General of Migration Management of Republic of Turkey, 2021). The migration management approach in Turkey is based on the correct classification of different migrant categories upon their entry to Turkey by the provision of Temporary Protection status (DGMM, 2021). According to international literature, the protection granted to Syrian nationals who have arrived at or crossed our borders in masses is "temporary protection." In the framework of international and customary law, Turkey provides temporary protection to Syrian nationals within the following three factors: clean acceptance to Turkey within the **open border policy**, implement the **non-refoulement** principle without exceptions, and meet **basic needs** of newly-arrived Syrians in Turkey.

Local community Gaziantep located in the southern part of Turkey, consisting of three major cities Hatay, Sanliurfa, and Kilis, including the border with Syria, hosts more than 1,6 million migrants mainly from Syria. The majority of the migrant population in this area lives outside of camps, while only 5-7% is accommodated in migrant camps established and operated by the Turkish Government with the direct assistance of UNHCR and other selected international organizations. Under temporary protection status, all migrants are registered with the Turkish Government and issued a temporary protection identity document. This approach in the management of migrations minimized negative impacts to public safety in the local community mainly because fair treatment and respect of the dignity of migrants are achieved by Turkish authorities preventing potential negative reactions of migrants against the local community.

Another example of a different approach is neighboring country Greece. The population of asylum-seekers and refugees on the Greek Aegean islands has decreased significantly in the past year from almost 40,000 in March 2020 to 15,300 in March 2021 (UNHCR, 2021). In September 2020, a series of fires ravaged the Moria Reception and Identification Centre (RIC), leaving 12,000 people homeless. The authorities have set up the Mavrovouni site to host those affected, and nearly 6,900 asylum-seekers and refugees, the majority of women and children, are currently sheltered in the site. The reaction of migrants in Greece due to treatment by local authorities is different, and impacts on public safety in this local community were significant (Mackenzie, 2020).

In Bosnia and Herzegovina, approaches to the migration crisis are highly divided and largely ineffective. There are several registered cases of violence and criminal offenses committed by migrants and exploited by the media. Official statistics available in different law enforcement agencies indicate that migrants are registered in relatively small security incidents compared with other perpetrators.

The IOM Chief of Mission for Bosnia and Herzegovina Peter Van der Auweraert, clearly said that large scale conflicts of migrants and Bosnian citizens are possible, adding that relatively small number of migrants in Bosnia and Herzegovina (some 8000 currently while Bosnian population is 3,2 million) is not the real problem, lack of political decisions is because it creates a constant crisis. He also adds that when migrants are sleeping everywhere, then there is no control and investment in migrant centers is an investment in the security of the local population (Van der Auweraert, 2020).

Inadequate treatment of migrants by government institutions in Bosnia and Herzegovina provides terrible examples to the local population and local authorities, potentially generating negative responses against migrants and refugees. In return, this might cause negative responses of migrants and refugees mainly directed against public safety (property destructions, assaults, traffic blockades, etc.).

The major issue with official statistics in Bosnia and Herzegovina is that there is no available unified and standardized database, particularly in law enforcement agencies or the Ministry of Security as a top state institution. All available data are fragmented and available in different agencies on state, entity, cantonal, and even municipality levels. Official statistics about committed criminal offenses related to public safety and security are partially available in the Ministry of Interior of Federation of Bosnia and Herzegovina and Republika Srpska. Based on available official statistics, the number of registered crimes committed by migrants, or crimes where migrants are victims, is much different from public perception.

The Ministry of Interior of Una-Sana Canton, the most exposed local community to illegal migrations in Bosnia and Herzegovina, provides limited data about crimes committed by migrants. In an official request sent to BH Ministry of Security dated 12 October 2018, the Chief Inspector is requesting from Service for Foreigner's Affairs immediate action against illegal migrants in other parts of Bosnia and Herzegovina, to place them under custody and stop their movements towards Una-Sana Canton, based on applicable laws. In justification of such request, Chief Inspector clearly states that illegal migrants come to Una-Sana Canton uncontrolled and in growing numbers. Public safety, security of citizens and their property, public order, and public health is compromised because illegal migrants are considered a direct threat. Moreover, this official document indicates a severe increase of recorded criminal acts against the property of citizens committed by illegal migrants.

Additionally, a document stating multiple major crimes of murder and murder attempts, together with assault against police officials during the execution of their security duty, were recorded in the previous two months, August and September 2018 (MUP USK, 2018). Available crime statistics in the area of illegal migrants compared with the situation in 2018 are limited to the official report submitted to Una-Sana Canton Government by Police Department covering the period from January to June 2020. Information about the security situation in Una-Sana Canton contains a section named migrants crisis with narrative statistics of major recorded crimes committed by migrants during this period with comparative analysis with 2019 statistics. It is recorded a total of **107 arrests** of migrants in this period for **23** different criminal offenses, which presents an **84,6% decrease** compared with the **same period in 2019**. A total of **7** recorded crimes were committed by migrants against other migrants, while a total of **19** criminal offenses were committed against migrants (MUP USK, 2020). Recorded offenses against public order committed by migrants classified as a misdemeanor in this period were **decreased by 67%** (50 vs.147) compared with the same period in 2019, and there was one such offense recorded against migrants.

In the same document, overall number of committed crimes of all categories in this period was **713** which presents decrease of **18,8 %** compared to the same period in 2019. Comparing the overall number of recorded criminal offenses in Una-Sana Canton for the period January to June 2020 with overall recorded crimes connected with migrants counting **49**, it can be concluded that migrants were participating in **6,87%** cases of all crimes. Furthermore, records

of public order misdemeanor cases in this period indicate **1261** recorded cases, while **35** cases were recorded with the migrant population (MUP USK, 2020). This counts for only **2,77%** of the participation of migrants in overall misdemeanor statistics in this period.

Available reports about the security situation in Una-Sana Canton for **2015** indicate that the overall number of recorded criminal offenses in this year was **1,619**, while the total number of public order misdemeanors recorded in this year was **2,534** cases (MUP USK, 2016). This period is relevant because it was before the migrant crisis in Bosnia and Herzegovina, and there were no records of migrant presence in Una-Sana Canton during 2015. Comparative analysis of recorded criminal offenses and public order misdemeanors in 2015, 2018 and partially 2020 suggesting that the increase in migrant population in Una-Sana Canton **in this period** did not cause a significant increase in crimes and public order misdemeanors **in this area**.

In official statistics for Canton Sarajevo for the period from January to December 2020 total number of crimes committed by migrants was **99** while number of other incidents connected with migrants was **172** (MUP FBİH, 2021). Total number of all criminal offenses in Canton Sarajevo in this period was **4,126** and recorded number of public order misdemeanor was **12,152**. Participation of migrants in recorded crimes during this period was **2,39%** while percentage of migrants participation in public order misdemeanors was only **1,41%** (MUP FBİH, 2020).

Media reports about several crimes related to migrants are selectively presented to the public and creating the wrong impression. This is the case in local communities with many migrants (Bihac, Sarajevo), where perception about migrants is highly negative. Although migrants are involved in different crimes, including major criminal offenses such as murders, they are not predominantly committing those crimes in local communities.

A thorough analysis of available data from different sources indicates that most incidents or crimes where migrants are involved are committed in public spaces outside of existing migrant centers. This is the critical factor for understanding impacts on public safety in local communities caused by migrants.

In official records provided by the Federal Ministry of Interior and its Cantons for the period from January to December 2020, participation of migrants insignificant crimes classified as "murder" is low compared with the total registered number of these crimes (FMUP, 2021).

Table 1: Statistics for significant crime "murder" between Jan-Dec 2020

Criminal offenses against life and body in Federation of Bosnia and Herzegovina for the period: JANUARY-DECEMBER 2020					
Charter XVI Criminal Code of FBİH	Criminal Offense	2019. Year	2020. Year	Difference	TREND (%)
ARTICLE 166.	MURDER	24	27	3	12.50%

Table 2: Recorded murders committed by migrants for the period Jan-Dec 2020

	Date	CANTON	PLACE	VICTIM	SEX	SUSPECT	SEX of suspect	RELATION WITH VICTIM	MODUS OF EXECUTION	MEAN OF EXECUTION	SOLVED Y/NO
1	8.06.2020	TUZAL CANTON	TUZLA	B.M.(1995) MIGRANT MAROKO	M	C.K.(1991)	M	NE	SHARP OBJECT	UNKNOWN	Y
2	28.5.2020.	UNA SANA CANTON	CAZIN	S.U.A. I SH. M. (MIGRANTS AFGHANISTAN)	2M	UK			PHYSICAL FORCE		N
3	31.08.2020.	SARAJEVO CANTON	ILIDŽA	UNKNOWN(LUK) MIGRANT	M	K.A. (1993) MIGRANT-MAROKO	M	E	COLD WEAPON	KNIFE	Y
4	17.09.2020	SARAJEVO CANTON	ILIDŽA	UK MIGRANT	M	F.L.(1995) ALŽIR I A.A.(2002) ALŽIR	2M	NE	UNKNOWN	UNKNOWN	Y
5	27.09.2020	UNA SANA CANTON	BIHAĆ	B.N. (MIGRANT PAKISTAN)	M	N.N.		E			N
6	5.11.2020	SARAJEVO CANTON	NOVI GRAD SARAJEVO	UK MIGRANT	M	NN MIGRANT AFROAZIJSKOG PORIJEKLA		MIGRANT AFROAZIJSKOG PORIJEKLA	COLD WEAPON	KNIFE	Y
7	17.11.2020	SARAJEVO CANTON	ILIDŽA	B.J. (1984)	M	S.E.D.(1989) H. B.(1995) I NN MIGRANT MAROKO	M	MIGRANT MAROKO	COLD WEAPON	KNIFE	Y

Analysis of records for crimes committed by migrants confirms that out of 27 registered murders in the Federation of Bosnia and Herzegovina, a total of 7 or some **25.9%** of are committed by migrants in the period from January to December 2020. Further analysis of murder victims confirms that **1victim** was a citizen of Bosnia and Herzegovina while **six other victims were migrants**.

Even one victim in the local community is one too many, it can be concluded that migrants were not predominantly perpetrators of significant crimes, murders during the mentioned period in the Federation of Bosnia and Herzegovina.

All seven murders committed by migrants significantly impacted public safety in local communities because murders were committed in public space, in bars, or on the streets, followed by physical fights and property damage.

Official statistics about murders in the Federation of Bosnia and Herzegovina is a strong indicator that if migrants were properly accommodated inside controlled migrant centers, some of those murders might have been prevented, or perpetrators could have been arrested immediately.

Further analysis indicates that the usual murder weapon was either knife or some kind of blade available at the time of the murders. This suggests that no one checked perpetrators, nor were they searched before the attacks, which could have been done if they were accommodated in migrant centers. The negative impacts of committed crimes on public safety in the local community might have been limited to specific locations-migrants centers.

It is much easier to control criminal behavior and prevent significant crimes in controlled environments. As the IOM Chief of Mission said, if migrants are sleeping everywhere, then control is impossible (Van Der Auweraert, 2020).

In official records obtained from the Ministry of Interior of Republika Srpska, there are no available statistics about recorded crimes committed by migrants. The only known is the overall number of registered migrants in its territory for the period from January to December 2019. In official records provided within Information about security in Republika Srpska for 2019 is stated that a total of 4.903 migrants have been evidenced in Republika Srpska, which is an increase of 6,4% when compared with the same period in 2018. Simultaneously, all evidence migrants are marked as "illegally crossed border of Bosnia and Herzegovina" (The Republic of Srpska, Ministry of Interior, 2020).

While there is no record of crimes committed by migrants in Republika Srpska, official statistics about crimes defined as human trafficking committed by others involving migrants are available. All reported crimes of human trafficking in 2019 contained 27 charges against 35 individuals submitted to the Prosecutor's Office of Bosnia and Herzegovina indicates the total number of 245 migrants being victims of these crimes.

The most senior officials from the entity of Republika Srpska, including the Chairman of BH Presidency from this entity, repeatedly and explicitly refusing to accept the establishment of migrant transit camps in its territory. Such an approach was continued in communication with the highest officials of the EU Commission on many occasions, even after a direct request by the High Representative of the EU for Foreign Affairs and Security Policy (EEAS,2021) to BH authorities to distribute migrants centers in the whole Bosnian territory. Furthermore, the Chairman of the BH Presidency is continuously using offensive anti-migrant rhetoric in his public statements (HINA, 2021) and additionally threatening to transfer all present migrants from the territory of Republika Srpska to either Sarajevo or Bihac using police forces (RTVRS, 2020). Similarly, the President of Republika Srpska, following the same pattern in public statements and official press releases about meetings with international counterparts, claims that there will be no camps for the accommodation of migrants on the territory of the Republic of Srpska (President Cabinet,2021). The Government of Republika Srpska also following the same approach and taking operational activities to implement it practically. The Government of RS established a "Coordination body for tracking movements of illegal migrants over the territory of Republika Srpska" on 03 August 2018 with members from the Ministry of Interior (police commissioner, Police Department, Counter-Terrorism and extremism Department, and police precincts), Republic secretary for displaced persons and migrations, Ministry of Health and Social Protection, Ministry of local management, Ministry of Finance, Republic department of civil defense, Red cross of Republika Srpska, Alliance of municipalities and cities of Republika Srpska and local communities. The Chairman of this Body is the police commissioner, and Government defined prime task of this body to implement operational activities in controlled tracking movements and passage of illegal migrants through the territory of Republika Srpska because there are no sufficient capacities in its territory for proper care and accommodation of migrants (NSRS, 2019).

Based on available pieces of evidence, it can be concluded that official authorities of the BH entity Republika Srpska are officially refusing to accept the establishment of migrant transit centers on its territory. The official justification for such an approach is the lack of capacities

for proper accommodation and care of migrants. However, a basic review of existing potential capacities that might be used for the accommodation of migrants on the territory of Republika Srpska, similarly to those in the Federation, indicates the opposite. High Representative of the EU for Foreign Affairs and Security Policy confirmed that European Union provided more than 88 million EUR to Bosnia and Herzegovina since 2018 for strengthening migration management capacities (AJ Balkan, 2021). Those funds should have been used in the whole of Bosnia and Herzegovina, not only in selected areas.

Similar situation is recorded in Federation of Bosnia and Herzegovina and cantons where the biggest Croatian political party in Bosnia and Herzegovina participated in power share. The senior officials of this party unanimously refused an attempt to accommodate migrants in camp Salakovac located in Mostar, back in 2018(HDZ,2018). Similar to arguments used by officials from Republika Srpska, justification for engagement of armed police units to prevent buses from reaching this destination was insufficient capacity for the proper accommodation of migrants.

The approach of local authorities in other parts of Bosnia and Herzegovina about the acceptance of establishing transit migrant camps is not much different. However, the actual causes for such approach are entirely different.

Although assistance to migrants transiting Bosnia and Herzegovina is expected and logical from the perspective of humanitarian principles and applicable international conventions adopted by Bosnia and Herzegovina, it became a first-class political issue today. While the lack of capacity for proper accommodation and care of migrants as the main argument provided by RS and leading Croatian politicians is valid, it is also possible to use this argument for the whole Bosnian territory. Based on available pieces of evidence, it can be concluded that reasons for such approaches are purely political. In the case of officials from Republika Srpska, political reasons for such an approach are in line with the official political discourse of the current establishment emphasizing "weak" state and strong entities, based on irrational interpretation of the Dayton Constitution. The Dayton Peace Accord in its article 3 clearly mandates that immigration, refugee, and asylum policy and regulation is the responsibility of Institutions of Bosnia and Herzegovina (US DoS,1996). It can be argued that such approach has much deeper roots originated during the Bosnian war when military-controlled territories were considered as the exclusive property of one ethnic group and political heritage from that period. The complexity of the Bosnian political scene and the different political interests of key players today are directly reflected in the migration management process and mainly contribute to the ineffective management approach to Bosnia and Herzegovina.

4. POTENTIAL APPROACHES TO MINIMIZE NEGATIVE IMPACTS ON PUBLIC SAFETY IN LOCAL COMMUNITIES

An effective approach to minimize the negative impacts of many migrants in a certain community is to control them. The efficient way of controlling people is to concentrate targeted groups in designated locations systematically and organized. Designated sites, migrant centers should be established to serve multiple purposes; to provide migrants with basic assistance such as shelter, food, clothing, and medical care, and to keep migrants out of streets in communities by controlling their movements in those areas.

Several positive impacts might be achieved by the establishment of migrant centers in the short and long term, and some of them are:

- Implementation of humanitarian principles, related conventions, and protocols mandatory for protection of migrants and refugees;
- Identity confirmation and verification of all individuals through the registration process;
- Movement control of migrants and refugees with established effective procedures in the camps;
- Distribution of humanitarian aid by different international organizations in an organized and efficient manner, etc.

At the same time, impacts on public safety in the local community might be significantly reduced because of the following effects:

- a) Crime commitment would be more difficult for perpetrators in a controlled environment;
- b) If crimes are committed, it would be localized and limited only to those locations and;
- c) Negative impacts of crimes would also be localized, without extended impacts on the community;
- d) Prosecution of perpetrators, including arrest and detention, might be faster.
- e) Prevention of crimes might be effective through different programs etc.

The impending humanitarian crisis might be prevented with this approach, and the local population could be involved in the migration management process providing direct assistance to migrants.

There are some valid arguments against this approach as well. The first argument against this solution might be the financial impact to local communities and to government/s in the situation when the Bosnian economy is suffering due to different reasons.

Fundamental financial analysis indicates that financial limitations should not be used as an excuse against this solution. It is possible to achieve considerable savings in other sectors with minimal investments in migrant centers and their maintenance. At the same time, this would largely contribute to direct life savings. It is not ethical nor possible to estimate human life value, and potential financial constraints connected with this solution should not be seen as limiting factors.

Another limiting factor for this solution is the complex political situation in Bosnia and Herzegovina and the different agendas of political parties participating in power.

The current unstable political situation is considered as the major limiting factor for this approach in Bosnia and Herzegovina. Different administrative levels in Bosnia and Herzegovina with significant autonomy are in a position to block any decision about the establishment of migrant centers. Lower organizational levels in Bosnia and Herzegovina do not hesitate to use local police forces to prevent the entering of migrants into their territory (Lakic, 2018).

The critical factor that should be considered is how well equipped, and educated government institutions are for this task? Limited knowledge and experience in migration management should not be used as a limiting factor. Many international organizations operating in Bosnia

and Herzegovina can provide experts in this field and assistance for the camp establishment, camp management, and camp coordination.

The relatively small number of migrants transiting Bosnia and Herzegovina might justify this approach as an optimal solution. While the number may seem modest compared to the overall flows along the Western Balkan route, especially in 2015 and 2016, IOM estimates that there are around 9,000-10,000 migrants in the country at any given time. Migrants are predominantly concentrated close to the border with E.U. Member State Croatia, Una Sana Canton, or Sarajevo canton, with smaller numbers of migrants located in Tuzla and Mostar canton (IOM, 2021).

The establishment of migrant transit centers might ensure effective management of mass migrations in Bosnia and Herzegovina and minimize negative impacts on public safety in local communities.

Positive impacts of this approach might bring many benefits to local communities in Bosnia and Herzegovina. The question is, WHY is this solution not implemented in Bosnia and Herzegovina?

It is only partially correct to claim that there is no political will for this approach. Officials in local communities in Una Sana Canton, Bihac, Velika Kladusa, and Buzim, the most exposed local communities, have argued that official camps act as a pull factor, attracting asylum seekers and migrants to their region.

For political reasons, local authorities decided to close and forcefully evacuate the fully functional Bira camp for migrants in the town of Bihać in September 2020. The police escorted its residents to a new camp in Lipa, around 25 kilometers from Bihać, which lacks electricity, heating, and running water. The local Government intended to intern all migrants located in Una Sana Canton in this camp.

United Nations and international organizations operating in Bosnia and Herzegovina face many issues in dealing with this crisis, mainly due to the inadequate government institutions managing the migrant crisis. There is sufficient financial aid available for the migrant crisis, but different projects are not possible without cooperation with local authorities. In its Information on the implementation of the tasks related to Emergency Response to the Migrant and Refugee Situation in Bosnia and Herzegovina funded by the European Union, IOM presented funding support provided by E.U. with a review of allocated and spent funds transparently (IOM, 2021).

Allegations relating to the mismanagement of the about €90 million Bosnia has received come from various sides, and the generic overview by the IOM in January does not justify the shortcomings of its reception facilities. Outside the official camps, there are hundreds of migrants scattered across the country, but they prefer to stay close to the border so they can try “the game” frequently.

The current migrant crisis in Bosnia and Herzegovina causing significant security issues and slowly but surely became a regional humanitarian crisis impacting neighboring countries and Bosnia and Herzegovina.

5. CONCLUSION

Different approaches to migration management in Bosnia and Herzegovina directly impacting public safety and security in local communities. The categorization process for “people in the move” entering Bosnia and Herzegovina implemented by authorities on all levels is insufficient

for effective crisis management. The approach to migration management in Bosnia and Herzegovina is based on implementing repressive measures instead of humanitarian principles.

Existing studies in the field of migration management in Bosnia and Herzegovina and other countries indicates the need for clear interpretation and implementation of international norms and standards in field of migrations and refugees.

International migrations are no a problem that governments should solve, but it is a process that they should manage. To effectively manage migrations in Bosnia and Herzegovina and to ensure minimal negative impacts on local communities, migration management standards must be high and fully implemented in all aspects. Standard in migration management in Bosnia and Herzegovina must not be limited to only strong border control and movement restrictions and repression. The standard should extend to assistance for large numbers of people in motion in line with international humanitarian principles, particularly with humanitarian aid, security, human rights, and health care of the migrant population.

Common negative impacts on public safety in local communities are violations of public order, physical assaults, and in some cases, murders committed by migrants or against migrants. All mentioned crimes are impacting directly crucial elements of public safety and causing adverse reactions of the local population in return(Halimovic,2020).

Unequal approach to the solution of the migrant crisis, implemented by different government entities in Bosnia and Herzegovina, causing significant violations of basic human rights of the migrant population. Also, it is causing negative reactions of migrants in local communities directed against the people, infrastructure, and property. Large-scale protests, significant destruction of private and Government property, and major crimes committed by migrants, impacting public safety and security and challenging law enforcement agencies and their capacities.

Single and uncoordinated actions taken by some local authorities in Bosnia and Herzegovina are causing great suffering to the migrant population. A clear example is the closure of temporary camps in Una San Canton in the middle of harsh Bosnian winter, directly endangering the lives of migrants and their children.

The securitization of migrations is enforced in "bordering" European Union countries, such as Bulgaria and Greece countries bordering Turkey. There is also Turkish securitization of its borders with Syria and Iraq.

Bosnia and Herzegovina is considered a transit country for many migrants because of its border with European Union. Bosnian-Croatian border is in the focus of many international organizations such as the United Nations and some agencies of the European Union with efforts directed to capacity increase enabling Bosnia and Herzegovina to deal with the ongoing migrant crisis effectively.

Government migration management strategy in Bosnia and Herzegovina is not implemented countrywide. Different administrative levels in Bosnia and Herzegovina might decide not to enforce it (entities, cantons, municipalities), and there is no available mechanism to ensure their cooperation timely.

If government/s in Bosnia and Herzegovina and local communities adopt and fully implement the right approaches in migration management, then negative impacts on public safety might be minimized. The establishment and maintenance of transit camps for migrants in Bosnian

territory are one of many solutions for the efficient and effective management of a large number of migrants and refugees. Overall positive effects of such a solution might abolish any financial constraint argued by local authorities in Bosnia and Herzegovina.

Effective coordination of government institutions with the international community and international organizations specializing in migration issues is not currently on a desirable level. Bosnian authorities do not fully use different funding mechanisms available at a global level. Simultaneously, the number of donor countries is unwilling to provide funds to an untransparent environment in Bosnia and Herzegovina.

Political instability caused by frequent internal political conflicts in Bosnia and Herzegovina only contributes to further suffering of the migrant population transiting Bosnia and Herzegovina and impacting public safety and security in local communities.

Collected shreds of evidence strongly suggest that a unified migration management approach is much needed in Bosnia and Herzegovina to prevent a further humanitarian crisis.

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THE BENEFITS AND LIMITATIONS OF USING REMOTE TECHNOLOGY TO CONDUCT INVESTIGATIVE INTERVIEWS

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Abstract

The risk of infection arising from face-to-face contact during the current coronavirus pandemic has contributed to an increasing interest in the use of remote technology by law enforcement organisations for the purpose of conducting investigative interviews. Such technology was used widely to interview suspected offenders who were in custody during the pandemic but law enforcement agencies in the United Kingdom were more cautious about using it with victims, witnesses and non-custodial suspects. This caution stems from concerns about the ability of interviewers to control the interview environment, build rapport and manage trauma throughout the process. This paper will review the limited research on the use of remote technology to conduct investigative interviews and considers relevant literature from other contexts (e.g., therapy) that might be used to inform the debate. While the use of remote technology can certainly offer more flexibility and greater access to justice during investigations, further research is needed into how and when it may be used safely and effectively and into identifying the situations in which using it can be productive and those in which it should only be used with caution.

Keywords

coronavirus, pandemic, technology, witness, interviews

INTRODUCTION

It has long been assumed that the best way to conduct investigative interviews is face-to-face (Milne et al, 2020). This is particularly so in respect of interviews with vulnerable people where the guidance does not present the practitioner with any other alternatives (e.g., Ministry of Justice, 2011). The recent and ongoing COVID-19 pandemic and the associated risks of working in environments in which face to face interaction increases the risk of infection have presented law-enforcement organisations with unprecedented challenges when it comes to interviewing

victims of and witnesses to crime. One solution to this situation is to prioritise which interviews take place and which are delayed, based on factors such as the recency and the seriousness of the alleged offence, until rates of infection have decreased and become manageable. The problem with delaying interviews is that it is only a short-term solution, the investigation of crime cannot be put on hold forever. This is especially the case when the memory of witnesses is likely to be affected either by forgetting or by the contaminating effects of post-event information, when victims are anxious for justice, when forensic opportunities are likely to be missed and when offenders remain at large and likely to commit further offences.

In these circumstances, newer and more innovative solutions are needed as alternatives to working in environments in which face-to-face interaction represents an increased health risk. Given the advances in communications technology that have taken place over the years, it is not surprising that some of these new and innovative solutions focus on the use of remote video links. This paper sets out to consider the evidence-base for the use of remote video-links in investigative interviews with victims of and witnesses to crime, including the strengths and limitations of using the technology for this purpose.

THE LITERATURE: AN OVERVIEW

Though limited, the use of video-link technology to interact with people in legal contexts is nothing new. It has been used for almost twenty years to cross-examine certain ‘vulnerable’ witnesses in England and Wales. The use of technology for this purpose usually means establishing a live television link between a room and a court located in the same building, rather than the witness giving evidence from a more remote location. The idea of an interaction taking place using a video-link between two people in different rooms in the same building is also considered to be the usual scenario in other legal settings, including forensic interviews with children in the United States of America (National Children’s Alliance, 2020).

Research supporting the use of remote video-links certainly pre-dates the Covid-19 pandemic. This is particularly so in respect of certain talking therapies used to treat mental health conditions. For example, Frueh et al. (2007) found that when cognitive-behavioural therapy for post-traumatic stress disorder with male military veterans was conducted using video-conferencing technology from a remote site it was no less effective than face-to-face therapy. This finding was supported some years later by Stewart et al. (2017) in respect of trauma-focused cognitive-behavioural therapy with male and female children and adolescents aged 7 to 16 from different cultural groups in the United States. Taking an overview of the pre-pandemic research, reviews into the use of video-conferencing to facilitate access to therapy by Backhaus et al, (2012) and Berryhill et al, (2019) found similar clinical outcomes for those who had accessed therapy by the use of this kind of technology and those who had done so on a face-to-face basis. The limitations on face-to-face interaction during the Covid-19 pandemic has stimulated more recent literature that comes to similar conclusions about the use of remote video-links in therapeutic contexts. For example, Thompson-de Benoit and Kramer (2020) report favourably on their clinical experience of using remote psychotherapy in Switzerland during the pandemic. Limited research into the use of remote video-links for the purpose of conducting interviews with witnesses began long before the Covid-19 pandemic (notably, Doherty-Sneddon & McAuley, 2000). For example, Nash et. al. (2014) found that the detail and accuracy of the accounts

given by university students and staff when they were interviewed one to two weeks after viewing a film about a crime was not influenced by a video-link. Kuivaniemi-Smith et al. (2014) conducted a similar study in which university students and staff were interviewed by a forensic artist using some of the techniques from the enhanced cognitive interview (e.g., Fisher and Geiselman, 1992) to develop a sketch of the photograph of a person that they had previously been shown. While this study found the facial composites produced in the video-link condition to be less effective than those produced when the participants were interviewed face-to-face, the authors remind the reader that there are sometimes practical motives for favouring the use of video-link technology. More recently, Brown et al. (2021) have published a useful review of the literature into the use of remote video-link technology for investigative interviews with child witnesses and conclude that, while the limited research that is currently available certainly suggests that the memory reports from the interviews that are conducted using this technology are as good and sometimes better than those from face-to-face interviews, more studies are needed.

The most recent research readily available on interviewing witnesses via a video-link has been published by Dickinson et al. (2021). This study looked at the potential effects of using a remote video-link on the accounts given by children aged between 4 and 8 years. Each child experienced an event in which a researcher who had been introduced to them as “Mr Science” directed them through a series of germ education activities. During this process and in contravention of a previously stated instruction to the effect that touching was prohibited to prevent the spread of germs, he briefly touched each child by brushing their cheek with his fingers, ostensibly to remove water from an activity that was intended to simulate sneezing. After the event, the parents of each child read them a story about Mr Science. This story was not presented as something that had actually taken place but it did have the potential to introduce misleading post-event information into the children’s memories. Each child was interviewed about the event with Mr Science approximately two weeks later, some were interviewed face-to-face and others over a live video-link. Most of the children in the video-link condition were interviewed outside their homes, in buildings such as police stations, medical centres and Children’s Rape Advocacy Centres, to ensure access to more reliable technology and to reduce the possibility of distractions and the influence of family. The children in the video-link condition were accompanied by adult assistants who sat in the room on the periphery of their vision during the interviews.

Taking a broad overview of the data from this study, Dickinson et al conclude that interviewing via a video-link can be a “reasonable” alternative to face-to-face interviewing. That said, children in the video-link condition were less talkative than their peers in the face-to-face condition during the practice narrative phase and the younger children in the face-to-face condition were more forthcoming in their responses to open-ended questions than those in the video-link condition. In addition, while similar numbers of children eventually reported the touch event in both conditions, children under 7 did so more readily in the face-to-face condition and 8-year-olds did so more readily in the video-link condition. Dickinson et al make it clear that they do not know why the younger children generally said less in the video-link condition, but they point out that it could be to do with the age of the children and/or an artifact of the interview process that they adopted.

THE LITERATURE: LIMITATIONS

The current research into the use of remote video-link technology is promising in that it suggests that memory reports can, in some situations, be just as good, and sometimes even better, than in face-to-face interviews but it is limited in at least three ways. It is sparse, particularly in terms of its application to investigative interviews, it takes little account of the trauma often experienced in everyday interviews with vulnerable people and it focuses mainly on interviews that take place at remote locations outside the family home.

That the research on investigative interviews conducted with witnesses via a remote video-link is limited is evident from the literature review by Brown et al. (2021). While the research into the use of remote video-links for therapy is certainly informative, there are inevitably limitations on the extent to which its findings can be generalised to the interviewing of witnesses to crime. This is so because the purpose and, thus, the context of therapy is quite different to that of an investigative interview. The few research studies that have been published into the use of remote video-link technology in investigative settings have largely taken an experimental approach that has its limitations when it is applied to many of the interviews with victims and witnesses that are conducted by law enforcement officers and the social care agencies in live investigations.

Many of the accounts given by victims of and witnesses to crime during investigative interviews relate to traumatic events (e.g., murder, rape, the abuse and exploitation of children and vulnerable adults, terrorist incidents). While the extent to which traumatic events affect individuals varies (e.g., Kamphuis & Emmelkamp, 1998; Deffenbacher et al., 2004; Salmon & O’Kearney, 2014) some, perhaps most, of these victims and witnesses will be traumatised (e.g., Campbell et al, 2009; Jakobsen et al., 2016; Lui et al., 2017). While the contribution of rapport to the process and product of an investigative interview has been recognised in the research and guidance for some time (e.g., Milne & Bull, 1999; Collins et al., 2002; St-Yves, 2006; Fisher & Geiselman, 2010; Kim et al., 2020), its importance in the management of trauma has recently been emphasised (e.g., Smith & Milne, 2018; Risan et al, 2020; Jakobsen, 2021).

Even though several definitions of the concept have been advanced, there is no universally agreed definition of ‘rapport’ in the context of an investigative interview (Bull, 2010; Bull & Baker, 2020). In a general sense, rapport may be thought of as “a relational context that facilitates communication and the provision of an account” (Risan et al. 2020, p1) and some authors have commented on the important contributions made by empathy and emotional intelligence to building and maintaining it (e.g., Jakobsen, 2021; Risan et al., 2016). While the research on the use of remote-video links in therapy shows some promise when it comes to the development and maintenance of rapport, it is more limited in its application to investigative interviews with victims of and witnesses to crime. The experimental study focusing on investigative interviews with children by Dickinson et al takes various measures of verbalisation as an indicator of rapport. Even though this approach has its limitations when it is compared to research using more sophisticated measures such as that reported by Kim et al., 2020, Dickinson et al acknowledge that their findings largely validate the concerns of interviewers about the difficulties of building rapport with children over a remote video-link. This finding is more significant when one considers the more ecologically valid literature that emphasises the importance of rapport in the management of trauma and the ethical limitations on replicating the kind of trauma experienced by many vulnerable victims and witnesses in an experimental research design.

While a few of the interviews reported in the literature took place in family homes, notably in the research reported by Dickinson et al (2021), most participants interviewed from a remote location were either in a different room in the same building as the interviewer (e.g., Nash et al, 2013) or in buildings such as police stations, medical centres and Children's Rape Advocacy Centres. This was necessary to ensure access to more reliable technology and to reduce the possibility of distractions, including the influence of relatives, in family homes. Concerns about the use remote video-links from family homes increase when victims and witnesses are asked to talk about traumatic events. There can be serious implications when someone recounts a traumatic experience in a place that they would usually regard as a safe haven (e.g., their home). People who get upset and distressed while recounting a traumatic experience can come to associate the trauma with the place in which it was recalled (e.g., Kleim et al., 2013; Brewin, 2018; Milne et al, 2020). If that happens to be a room in their home (e.g., a living room or a bedroom) they may no longer feel safe there and that could have profound and long-term consequences for their psychological wellbeing (Milne et al, 2020). In addition, traumatised witnesses might need the kind of support that is only available in a face-to-face interaction. This may be so, for example, if they become very distressed, they experience any form of dissociation, including intrusive memories such as 'flashbacks', that are usually managed by using grounding techniques (Kennerley, 1996) or they behave erratically and unpredictably because of an undiagnosed mental health condition (Milne et al, 2020). The use of remote video-links surely has limitations in these situations.

CURRENT AND FUTURE DIRECTIONS

Given the paucity of research, particularly ecologically valid research, into the use of remote video-link technology to conduct investigative interviews, more work is needed to establish how and when it may be used safely and effectively and into identifying the situations in which using it can be productive and those in which it should only be used with caution. In the meantime, encouraging law enforcement officers to obtain good quality initial accounts and the development of effective guidelines to manage the use of video-link technology at times of a pandemic may go some way towards mitigating the concerns surrounding its use.

Initial Accounts

The role of initial accounts in the maintenance of memory and in inoculating it from the contaminating effects post-event information is important in any situation, perhaps more so when there is a delay due to an inability to conduct a face-to-face interview immediately after an incident. To be effective, it is important that open-ended questions are used to maximise the quality of the initial account. Research suggests that a good quality initial account can help to preserve memory and to inoculate it from contamination by post-event-information such as media reports and conversations with other witnesses (e.g., Dando et al., 2020; Gabbert et al., 2012). Alternatively, at best, a poor-quality initial account is unlikely to have a beneficial effect on the amount of information obtained, at worst poor questioning can contaminate memory and could potentially have an adverse impact on the victim's or witness's health and well-being (e.g., Masden & Holmberg, 2015; Langballe & Schultz, 2017).

The quality of initial accounts may be improved with the use of guidance such as the Structured Interview Protocol (SIP; Gabbert et al, 2017). The SIP has been developed to help front-line re-

sponders to question appropriately. It emphasises the need for planning as far as the circumstances permit, engaging witnesses appropriately and the use of open-ended breadth and depth questions (Powell & Snow, 2007). Alternatively, in some situations, it may be appropriate to consider the use of the Self-Administered Interview (SAI©) (Gabbert et al, 2009). The SAI© takes the form of a booklet that encourages “witnesses to play active roles through the use of open-ended questions and guides witnesses through techniques that will facilitate recall” (Hope et al, 2011 p. 216). Both the SIP and the SAI© are firmly grounded in psychological research.

Guidelines

Unpublished guidance was circulated in England and Wales at the height of the pandemic (Milne et al., 2020), while the countries were in ‘lockdown’. This guidance generally discouraged face-to-face investigative interviews from taking place in cases that did not require some form of immediate action (e.g., to keep victims and witnesses safe, to secure evidence that might otherwise be lost). Where face-to-face interviews were arranged to take place, it emphasised the need to take precautions such as social distancing and the use of personal protective equipment (PPE) such as face masks. The guidance urged caution about the use of remote video-link technology because of limitations in the ability of investigators to control the environment in which interviewees were located, the management of their safety in the event of them behaving erratically and unpredictably, and the limited scope for building the rapport necessary to manage trauma effectively.

The guidance circulated in England and Wales is consistent with the comprehensive guidance that was published in the United States of America by the National Children’s Alliance (2020) (also reported in Vieth et al., 2020). The guidance makes it clear that the use of remote video-link technology (referred to as ‘tele-forensic interviews’) is an option that should only be exercised in cases of emergency in which face-to-face interviews are considered unsafe, such as the coronavirus pandemic. Where a remote video-link is used, the National Children’s Alliance considers the most likely scenarios to be those in which the child is either at a Children’s Advocacy Centre or at a police station, hospital or at a Child Protective Services’ office to ensure that the child is safe and because of the need to protect the evidence against external influences. It considers scenarios in which children are at home when they are interviewed to be very rare. On those rare occasions in which a child is interviewed at home, the National Children’s Alliance recognises the value of having someone from the interview team or law enforcement present in or, if necessary, outside their address. In summary, the guidance from the National Children’s Alliance considers that that remote video-links are a sub-optimal alternative to face-to-face interviewing that should only be used when in person interviews are unsafe. Where remote video-links are used, decisions about the location of the child should be guided by the safety and health of the child and the integrity of the evidence. These decisions can only be based on a full risk-assessment (Milne et al., 2020).

CONCLUSION

This paper has considered the advantages and limitations of the use of remote live-link technology for conducting investigative interviews. While the experimental research that focuses on the quality of a witness’s evidence is certainly promising it is very limited and may lack

ecological validity, particularly in its application to real-world situations in which trauma is a feature. It is, thus, clear that far more research is necessary into the use of remote live-link technology before it is used widely to conduct investigative interviews. In the meantime, the importance of obtaining good quality initial accounts should be emphasised to first-responders to allegations of crime and the use of remote live-link technology should be managed by the development of guidance.

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SECURITY CHALLENGES IN ORGANIZING AND CONDUCTING LOCAL ELECTIONS 2020 IN THE CONDITION OF THE PANDEMIC VIRUS COVID-19

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Abstract

In democracy-oriented countries, organizing and conducting elections is a complex process that involves the active participation of a huge number of stakeholders. It is very important to realize an active and passive suffrage of every citizen in B&H. In order to organize this process in accordance with legal regulations, it is necessary to ensure the participation of as many citizens as possible. A lot of stakeholders are involved in this process: voters, election observers, election administration, media and other stakeholders. In November 2020, local elections were organized in B&H. Citizens had the opportunity to elect mayors and members of municipality/city councils. The complex election process itself is further complicated by the fact that it was organized and conducted when B&H faced a pandemic caused by the virus COVID-19. The Central Election Commission of B&H as the main institution when it comes to prescribing recommendations, but also conducting elections, as well as before local election administrations there are a lot of security questions and challenges. It was necessary to answer how to organize and conduct local elections in accordance with law regulations, but not to endanger the health and lives of B&H citizens.

Keywords

Local Elections 2020, election administration, virus COVID-19, organization and work of polling committee, COVID mobile teams, protection of health and life of B&H citizens, legality and integrity of the election process

1. INTRODUCTION

Organizing and conducting elections in Bosnia and Herzegovina (hereinafter BiH) is a long and complex process that has always aroused significant interest of citizens, political entities, the media, academia and other stakeholders. The process itself is complicated, especially if we take into account the specific political system in BiH, the will of the citizenship to establish a

democratic government, therefore change, which further puts the entire process under public scrutiny. Legal regulations that regulate the subject matter guarantee the right of BiH citizens to be elected and to vote, and that this right must not be endangered in any way. 2020 Local elections, initially scheduled for 4 October, were postponed to 15 November 2020, because competent institutions did not provide financial resources on time. At the same time, the whole world is facing a challenge – a pandemic caused by the COVID-19 virus, which has greatly affected the daily lives and activities of BiH citizens. Expert reports and analyzes are monitored, a high amount of infections among the population of BiH is being reported, the mortality rate is extremely high, the health care system is oversaturated and threatens to collapse... Facing the security challenges caused by the coronavirus pandemic, which threatens to disrupt the smooth functioning of the country, and the BiH society as a whole (especially if the significant consequences on public health, but also the death rate due to infections is taken into account), it is time to organize and administer the local elections. The Central Election Commission of BiH (hereinafter: CEC), and local administrations, face questions on how to organize the elections, especially making sure that every citizen realizes the right guaranteed by law, while respecting the recommendations of competent institutions. Participants in the election process encounter numerous challenges in these new, so far unknown circumstances. How to implement the election process, making sure not to violate its integrity and that all the work is carried out in accordance with legal regulations and democratic principles?

2. ORGANIZATION AND IMPLEMENTATION OF 2020 LOCAL ELECTIONS IN BIH

The Election Law of BiH¹ prescribes those elections at all governmental levels in Bosnia and Herzegovina are held on the first Sunday in October, unless the date coincides with a religious holiday of one of the constituent peoples. If the day planned for the elections coincides with a religious holiday and it is not possible to hold them on the first Sunday in October, CEC BiH schedules the elections for the Sunday after the first Sunday in October which does not coincide with a religious holiday. In addition to the basic principles of the election process, the Law guarantees the right of every citizen of BiH to acquire active and passive suffrage from the age of 18. Additionally, the Law constitutes the bodies that will be responsible for administering the elections in accordance with the instructions submitted by the CEC as the central institution that coordinates the election process in BiH. These authorities are local, i.e. municipal and city election commissions and polling station committees. Without the synergistic activity of all participants, it is hard to imagine a successful end to the election process in BiH.

At a time when the crisis caused by the COVID-19 pandemic is affecting every aspect of our lives, a special challenge for the election administration is to organize legitimate, fair and honest elections, without endangering their own or the lives of all other participants in the election process. (Arnautović, dr. Suad; Bjelica-Prutina, Vanja, (2020).

The Decision on Calling and Administering Local Elections in BiH² set the initial date for the elections on 4 October 2020, but since the funds for the elections were not provided on

¹ Election Law of BiH, „Official Gazette of BiH“, no. 23/01, 7/02, 9/02, 20/02, 25/02, 4/04, 20/4, 25/05, 52/05, 65/05, 77/05, 11/06, 24/06, 32/07, 33/08, 37/08, 32/10, 18/10, 18/13, 7/14, 31/16

² Decision on Calling and Administering Local Elections, „Official Gazette of BiH“, no. 46/20

time, there was a need to postpone the day of the elections. At the same time, in the fall of 2020, the epidemiological situation deteriorates abruptly. Due to unforeseen circumstances, it is impossible to carry out the elections in the way prescribed by the Election Law of BiH. Hoping that the epidemiological situation in BiH will improve, the CEC decides to reschedule the activities for 15 November 2020.

In the meantime, local election commissions are working at full capacity, preparing the conditions for administering the elections. After postponing the date, the CEC is preparing different instructions and guidelines on how to adapt the work of municipal/city election commissions to the new circumstances. Numerous instructions and suggestions were given on how the direct executors of election activities should act, adapting their activities to the specific conditions. Local commissions faced a significant challenge, given the fact that the election process itself is a complex and responsible job, which requires continuous and dedicated work and long-term preparations, and that involves a significant number of people who need to be trained to work in polling stations, to organize the election administration, to accredit observers, etc. These activities need to be organized in accordance with the recommendations of the World Health Organization, which relate to the protection of human life and health, as well as the local crisis relief staff and health institutions. Local administrations often operate with a small number of people, compared to the volume of work, but also with limited budgets. They often encounter problems with limited resources but also a lack of understanding by local authorities. In addition to these challenges, it was necessary to reorganize the work in order to carry out the activities prescribed by law in a timely manner, making sure not to endanger the lives and health of citizens who will, in any way (whether as members of polling station committees, observers or as voters) participate in the election process.

One of the most important preparatory activities, from the aspect of local election administrations, is training potential members of polling station committees through mandatory education. Polling station committees are election administration bodies appointed by city/municipal election commissions for every election, based on proposals from certified political entities or the work records of polling station committees from previous elections. The polling station committee is independent and impartial in its work. (Šantić, dr. Ahmed, Kalaba, Jovan, (2020). Due to the significant number of polling stations in municipalities/cities, but also the number of members in polling station committees (and the obligation to train their deputies in addition to members of polling station committees), training is held through a large number of meetings³. Based on the proposals given by the political entities in BiH that took part in the local elections, the municipal/city election commissions made the Education Plan⁴.

³ Pursuant to the decision of the City Election Commission in Visoko on the appointment of polling boards for the local elections, which will be held on 15 November 2020, number: 01/1-05-18/20-1 dated 14 November 2020, the plan is to work at 52 regular polling stations and one polling station for absentee voting and a polling station for voting with unconfirmed ballots, as well as a polling station for voting via a mobile team. In addition, four special mobile teams were formed for COVID voters.

⁴ For instance, in Visoko, in accordance with the mentioned Education Plan, a maximum of twenty people will be present in the hall where compulsory education is held (i.e. five polling stations in one appointment), with mandatory breaks in order to disinfect and aerate. A significantly higher number of dates for training has been determined in order to comply with the prescribed measures relating to the mandatory distance between those present, as well as the number of persons who may be indoors.

The Central Election Commission sent instructions and guidelines daily on how to proceed to both City/Municipal Election Commissions and members of polling station committees. In this regard, the CEC drafted and published the Instruction on operations of the election management bodies on election day in the conditions of the COVID-19 pandemic.⁵ The main goal of the Instruction is that the commissions or polling boards get acquainted with the activities and obligations on the election day in the conditions of the pandemic. Besides the general rules concerning the arrangement of the polling station, polling boards are obliged to ensure that a minimum physical distance between those present is maintained on the election day in accordance with the guidelines issued by the World Health Organization. Members of polling station committees were obliged to regularly maintain hand hygiene, wear protective masks while at the polling station, wear protective gloves, avoid touching their eyes, mouth and nose. The members of polling station committees were also obliged to wear identification cards containing their name and surname in a visible place with a clearly indicated function (duty) that they perform in the polling station committee. In order to further comply with the recommendations, and also to improve the health conditions for the elections, the City/Municipal Election Commission continuously organized a series of meetings with representatives of local authorities, hygiene and epidemiological departments of health centers, sanitary inspectors, representatives of Civil Protection and police administrations. The day before the local elections, disinfection and thorough cleaning of polling station premises was carried out.

A certain number of rooms so far used for the purpose of carrying out the election process were replaced by new rooms because their size could not meet the criteria of maintaining the required distance between the present. Efforts were made to have all polling stations in schools, as they have a sufficient number of classrooms, to separate the entrance and exit, reducing congestion and physical contact between voters, also making it easier to maintain hygiene and regularly ventilate the premises. It was determined that polling stations must be regularly cleaned and ventilated, including the cleaning of voting booths and desks used for exchanging documents and issuing ballots, given the significant fluctuation of people during the election day. It was necessary to ensure the distance between tables, chairs, mark the direction of movement, with the obligatory note that within the polling station there can be as many voters as there are polling booths (within one polling station there are usually two or three voting booths), as well as make sure that the distance between the observers is at least 1.5 meters. Instructions were issued to mark the line with yellow self-adhesive tape every 1.5 meters to ensure sufficient distance between voters waiting in line and to make disinfectants, which are used when entering and leaving the polling station, available to them in a visible place. Protective masks used by those present at the polling station must not contain any features of political entities.

In accordance with the Instruction, the members of the polling station committee were obliged to act as follows after arriving at the polling station at 06:00 in the morning on the day of the election:

- Ventilate the room, place mats for disinfection of footwear and perform additional disinfection of the polling station, as well as ensure a sufficient amount of cleaning products when using public toilets;

⁵ Instruction on operations of the election management bodies on election day in the conditions of the COVID-19 pandemic, "Official Gazette of BiH", No. 41/20

- Set the tables and chairs of the polling station committee members and observers so that the distance between them is at least 1.5 meters;
- Put up signs for the movement of voters noting that at one polling station there can be only as many voters as there are voting booths;
- Put up other warnings on obligatory adherence to general healthcare measures (posters, leaflets, etc.);
- Mark the access to the polling station, i.e. the corridor in front of the entrance to the polling station, with yellow self-adhesive tape at a distance of at least 1.5 meters; and
- Preferably direct voters to enter through one door and exit through another.

(Arnautović, dr. Suad; Bjelica-Prutina, Vanja, (2020).

Image 1 – Poster showing all measures to be undertaken in the Covid-19 pandemic⁶



(Šantić, dr. Ahmed, Kalaba, Jovan, (2020)

⁶ Image 1- The poster shows all the measures that needed to be undertaken during the 2020 Local Elections in the Covid-19 pandemic. This includes maintaining a distance of at least 1.5 meters between persons, regularly disinfecting hands, wearing a mask, coughing into the elbow, as well as avoiding handshaking.

Entering the polling station without a protective mask was not allowed, with emphasis that voters may not wear a protective mask with the logo of any political entity or the image of any of the candidates for any position. The members of the polling station committee were in charge of ensuring regular ventilation of the premises (every two hours), without interrupting the voting process. The election commissions were responsible for providing a sufficient number of hygienic necessities at the polling stations (disinfectants, protective masks, gloves, liquid soap, among others). Upon arrival at the polling station, voters' temperature was measured with non-contact thermometers. In basic constituencies where several polling stations are located in one building (school, college, sports hall, cultural center, or similar), non-contact measurement of voters' temperature was performed in one place or at the main entrance to the building⁷.

2.1. COVID mobile teams

Local elections were organized and held in specific circumstances caused by the COVID-19 pandemic, and in an effort to preserve the legality and integrity of the election process, the CEC BiH in June 2020 issued the Instruction on operations of the election management bodies on election day in the conditions of the COVID-19 pandemic. The instruction defines the required procedures on the election day in order to protect the lives and health of representatives of the election administration and voters. In addition, the CEC BiH in September adopted amendments to the Rulebook on Conducting Elections in BiH, specifying the manner of organizing and exercising the right to vote for persons infected with the COVID-19 virus, isolated or hospitalized, which created conditions to ensure their right to vote. However, with the amendments dated 10 November 2020, the CEC BiH amended the Rulebook again so that this category of voters is enabled to exercise the right to vote through a special mobile team if they submit an appropriate report of the competent institution or body, i.e. medical report that they are positive or need to be in isolation, in addition to the request submitted to the competent local election commission.

Since at the time of the local elections, a significant number of citizens were infected or in direct contact with infected persons, and had moving restrictions/had to be in isolation, it was necessary to create certain preconditions for such voters to exercise their democratic right. In this regard, it was prescribed that a voter whose name is on the excerpt from the Central Voters' Register for voting at a regular polling station and is positive for COVID-19 and/or who has a confirmation from a competent authority on mandatory isolation or is on hospital treatment, due to which he is not able to come to the polling station where he is registered in to vote in person, at his own request⁸ was allowed to vote through special mobile teams formed by city/municipal election commissions.

In order for the election commissions to make records on the number of such voters and schedule field visits, voters were required to register to vote 72 hours before election day,

⁷ Decision on Amendments to the Instruction on operations of the election management bodies on election day in the conditions of the COVID-19 pandemic, no. 05-1-02-2-573-14/20 dated 3 November 2020.

⁸ Rulebook on Amendments to the Rulebook on Conducting Elections in Bosnia and Herzegovina, "Official Gazette of BiH", no. 63/20

with the submission of appropriate evidence that the person is ill or has to be in isolation. Election commissions cooperated with health care institutions and bodies that had records of voters who were supposed to vote under a special regime⁹ to meet such requirements. These lists were updated daily so that the commissions had an insight into the number of such persons and that it could not happen that one of such voters came to the regular polling station to vote, endangering their own health and the health of those present. The voting of persons positive on the virus, as well as persons with movement restrictions/obligated to be in isolation, was conducted through special mobile teams formed by commissions and which, according to a specially prescribed procedure, came to the regular polling station, took out ballots and carried them to the voters. Voters voted via enveloped ballots which, in accordance to a specially prescribed procedure, were excluded from the regular polling station. In that case, the president of the regular polling station committee removes the ballot, puts it in an envelope and hands it to the president of the special mobile team, with obligatory records (of the polling station), stating the name of the voter who votes via that special mobile team. Election commissions had the right to form more special mobile teams due to the significant number of persons being positive, as well as those who are in isolation at the time due to movement restrictions¹⁰. Special mobile teams received work plans (plans for visiting voters) with basic information (names, surnames, addresses and contact telephone numbers), indicating from which polling stations they will withdraw ballots in order to deliver them to the voters. To ensure transparency of the election process in the specific conditions caused by the COVID-19 pandemic, observers were allowed to follow special mobile teams and observe their work, in accordance with the general rules applicable to observers.

During the preparation of the election process, the Election Commission in Visoko established good cooperation with the Hygiene and Epidemiological Service (HES) of the Health Center in Visoko, which issued special instructions about the work of special mobile teams the day before the elections. The instructions included how the special mobile teams need to act when visiting voters positive on the COVID-19 virus, voters in isolation, and persons examined in COVID-19 dispensaries, suspected of being infected. Some of the most important instructions include:

- COVID mobile teams should have at least one health worker in the team who will be in protective equipment (disposable suit, mask, overshoes, two pairs of gloves and a visor);
- After taking it from the voter, the envelope is put in boxes that are physically separated from other members of the mobile team;
- The person in the protective suit should not be in the same vehicle with other people from the mobile team;
- The gloves must be disinfected after taking each envelope;
- All envelopes are handed over at special checkpoints that are separated from other ballot boxes;

⁹ For example, the City Election Commission in Visoko communicated on a daily basis with the sanitary inspector, who had records of persons who died from the COVID-19 virus, hospitalized persons and persons that were obliged to stay in isolation or had movement restrictions.

¹⁰ The City Election Commission in Visoko formed a total of four such special teams and provided them with protective suits, visors, masks, gloves and disinfectants.

- It is obligatory to disinfect the vehicle in which the voting envelopes and the person in the protective equipment were.

After handing over the envelope, the member of the mobile team takes off the protective suit (in accordance with all health regulations) and puts it in special bags intended for medical waste disposal which are transported to a medical institution where there is a sinton device for medical waste disposal¹¹.

Special mobile teams do not enter the homes of voters, but in that case apply the "voting with the help of another person" procedure¹² (Šantić, dr. Ahmed, Kalaba, Jovan, (2020).

After completing the tasks, special mobile teams are obliged to pack the voting material, excerpts and records, and on all bags write the text: "COVID-19 voters", in addition to the name and number of the basic constituency, and to deliver it to the election commissions. Voting material collected in this way is packed and stored in a special separate place in the warehouse of the election commission, where it is disinfected, and then in accordance with the plan of transport of election material delivered to the Main center for counting (MCC) (Šantić, dr. Ahmed, Kalaba, Jovan, (2020).

3. CONCLUSION

The COVID-19 pandemic affected all life aspects of the population in BiH, which required certain changes and adapting to the new circumstances. The fight against the COVID-19 virus brings important security issues, especially because many problems that have been

¹¹ Mail of the Hygienic-Epidemiological Service of the Health Center in Visoko with instructions on how special mobile teams need to act, dated 10 November 2020.

¹² When a voter is blind, illiterate or physically incapable, the president authorizes another person, chosen by the voter, to assist with the voting. That person cannot be a member of the polling station committee or an accredited observer. The person assisting the voter shall sign and write his/her name in block letters in an excerpt from the Central Voters' List next to the name of the voter he/she assisted. A member of the polling station committee writes "XX" in the part provided for the signature, the number of the voter's ID and the ID of the person assisting him, in addition to his signature. The person assisting another voter does not have to be registered in the Central Voters' Register. One person can help only one voter. Physically incapable voters, i.e. voters who come to the polling station but cannot enter, also use assistance. Another person elected by that voter shall bring a valid identification document of the physically incapable voter to the polling station and state that the voter cannot enter the polling station. The member of the polling station committee in charge of the identification procedure shall check whether the name of the physically incapable voter is found in the excerpt from the Central Voters' Register. If the name of the voter is found in the excerpt from the Central Voters' List, the member of the polling station committee, after notifying the president, goes to the physically incapable voter with Form Z6, ballots, pen and an envelope. The member of the polling station committee enters the name and personal data of the physically incapable voter with the number of the identification document. The physically incapable voter signs next to this information and fills in the ballots which he puts in the provided envelope. The person chosen by the physically incompetent voter takes the envelope with the ballots to the ballot box, opens the envelope and inserts the ballots into the box. The member of the polling station committee writes, in addition to the name of the physically incapable voter, the number of the voter's ID in the part provided for the signature. The person assisting the physically incapable voter writes his/her name in block letters next to the name of the physically incapable voter in the excerpt from the Central Voters' List and signs it.

put aside for years come to the fore, such as the danger of the health system collapsing, as well as the risks to human health and lives. In such circumstances and challenges where freedom of movement is restricted by the curfew, employees worked from home when it was possible, the teaching system went *online*, entering closed spaces was restricted, using masks and gloves was mandatory, as well as disinfecting footwear, traveling was restricted, and so on, it was time to organize the 2020 Local elections. The election process itself brings certain characteristics and responsibilities, but also requires significant budgetary resources. In conditions when the pandemic affects every segment of the functioning of BiH society as a whole, but also every individual, how to organize fair and correct elections is a question that arises. How to provide the opportunity for BiH citizens to exercise the right to vote guaranteed by the constitution and the law? The CEC, as the umbrella institution, faces many issues in regards to organizing and making recommendations related to the election process. The public is focused on the CEC, but also on local election administrations, primarily municipal/city election commissions, which need to adapt fieldwork to new circumstances, provide conditional facilities for implementing the elections, and train a significant number of election administrations (polling station committees and their replacements), to organize the distribution of election material, coordinate the work of polling stations, special COVID mobile teams, observers, representatives of political entities on election day, all with limited budget funds, infrastructure and equipment. An aggravating circumstance for local election administrations is often the lack of support from the governing local structures. As election day approaches, there are big changes in the membership of polling station committees due to a significant increase in the number of patients or persons in isolation, and the records with persons voting through special COVID mobile teams are increasing. The successful organization of work implies proactive action and coordination of all participants of the election process, and the need for this is even more emphasized in the context of the COVID-19 pandemic. The CEC is continuously working on different types of instructions, rulebooks and guidelines to make the process easier for election administrations. Municipal/city elections continuously cooperate with representatives of law enforcement agencies, sanitary inspectors, hygienic and epidemiological services in local health centers, representatives of Civil Protection, all in order to improve the entire process of administering the elections while protecting people's health and life. This paper focuses on showing the importance of supporting the work of local election administrations and the importance of joint action of all participants in the election process in changed circumstances. It has been shown that, through cooperation, despite the dangers of the COVID-19 virus for the life and health of citizens, it is still possible to organize and conduct a complex election process while adapting to the new circumstances. It shows that even when there is a danger of restriction and suspension of basic human rights and freedoms, it is still possible to fulfill one of the more challenging tasks, which is to conduct elections and exercise guaranteed rights (active and passive suffrage).

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THE ROLE OF THE POLICE IN THE PROTECTION OF CRITICAL INFRASTRUCTURE IN COVID PANDEMIC CONDITIONS IN THE REPUBLIC NORTH MACEDONIA

Special review of the Covid pandemic

Professional Paper

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Abstract

The main feature of the modern world is the technical-technological expansion in all spheres of social life, including the institutions of the system. Along with the technical-technological development, the sources of risks and threats, i.e. the way they act, are also changing.

Conventional weapons are no longer the primary threat to the Republic of North Macedonia, but sophisticated malicious attacks on critical infrastructure, COVID 19 pandemic pose a real challenge to the security sector and are the highest national priority of the Government.

In the Republic of North Macedonia, the police is a basic pillar that guarantees the safety of citizens, their property and the property of the state. Having in mind the security function of the police, it is included and guarantees the security of many state facilities that are of national interest and is also facing the challenge of providing the necessary level of security for the normal functioning of the state or citizens in conditions of COVID 19 pandemic.

Keywords

critical infrastructure, police, security sector, covid pandemic, risks and threats

INTRODUCTION

The Corona virus COVID 19 is a virus infection that first appeared and it was registered as an epidemic in the city of Wuhan in the People's Republic of China, and then spread to many countries around the world, which is why the World Health Organization declared it a pandemic. Corona virus is an infectious disease caused by a new virus that has not been previously identified in humans and is an absolute enigma for the medicine.

The occurrence of this pandemic, has found almost all the countries in the world unprepared and entered a high level of confusion in the undertaking of operational procedures and the performance of basic security tasks by the competent institutions.

In this kind of circumstances, a global problem arose in taking the necessary measurements and activities by the police because for the basic police work and taking measures and activities to prevent the spread of the virus was a real challenge. In addition to this, there was a need to restrict and suspend the basic human rights, which in experience means closure of entire cities, districts, countries around the world, imposition of strict rules for the movement of citizens in public places, or in other words, change the conventional way and life of the population around the world.

The police globally, as additional task was to be support of the healthcare workers and implementation of the Legal measurements and decisions taken by the Governments in order to reduce the spread of the disease. In many countries around the world, there have been protests and disturbances of public order and peace, initiated by the dissatisfaction of the population caused by the suspension of fundamental rights and freedoms. The problems that faced the states around the world, in terms of health, gained a psychological-social and security dimension.

1. CONCEPTUAL DETERMINATION

The legal framework in the Republic of North Macedonia regulates the crisis situation within the Law on Crisis Management, which conceptually defines the following aspects (Law on Crisis Management, Official Gazette of RM no. 29/05):

- Endangering the security of the state is endangering from risks and danger to the goods and the environment, the health and the life of people and animals and plants, the property and other material goods of greater scope, the stability, the functioning of the state and its order established by the Constitution, for which there are no conditions for declaring martial law or a state of emergency;
- A pandemic is a condition of spreading a contagious disease over a wide area, multiple countries or continents, and especially when there is a spread of a new unknown disease over a larger area;
- Risks and dangers are possible manifestations of nationalism and religious intolerance and hate; forms and activities related to international terrorism, organized crime, illegitimate trafficking in drugs, weapons and people, consequences of the means of mass destruction; possession of large quantities of illegal weapons; corruption; urban terrorism; serious crimes, including blackmail, murder and assault on citizens and their property. Also there were the activities of foreign special services aimed at deteriorating the security situation; consequences of conflict of interests for the use of sources and roads of strategic energy, as well as obstruction and blocking of their import into the country; natural and other disasters, technical-technological disasters, epidemics of quarantine and other infectious diseases in humans and animals, as well as large-scale degradation and destruction of the environment;
- Resources are the citizens, the facilities, the motor vehicles, the material and technical means, the equipment and the financial means available to the state.;

- Crisis is a phenomenon that endangers the basic values, permanent and vital interests and goals of the state, ie the constitutional order and security of the state are endangered;
- A crisis situation is a situation caused by risks and dangers that may endanger the goods, health and the life of people and animals and the security of the state, the prevention and / or management of which requires the use of a larger volume of resources and
- Prevention is a set of planned, organized and institutionally guided activities aimed at reducing or completely avoiding the adverse effects of risks and dangers and the related accidents, disasters, crises and crisis situations.

2. THE ROLE OF THE MINISTRY OF INTERNAL AFFAIRS OF THE REPUBLIC OF NORTH MACEDONIA IN PANDEMIC CONDITIONS

The Law of internal affairs in article 2 gives the following operational competencies to the Ministry of Internal Affairs (Official Gazette of RM no. 42/14):

- Realization of the system of public and state security;
- Prevention of violent overthrow of the democratic institutions determined by the Constitution of the Republic of North Macedonia;
- protection of the life, personal security and property of the citizens;
- preventing the inducement of national, racial or religious hate and intolerance;
- prevention of committing criminal acts and violations, detection and apprehension of their perpetrators and taking other measures determined by law to prosecute the perpetrators of those acts;
- Civil works and – other works determined with this special Law.

The Ministry, within its competence, provides professional assistance to citizens, legal entities and state bodies in exercising the prescriptive rights and obligations, protection of life and personal safety of citizens and property.

The security function is generally performed by the Ministry of Internal Affairs through its operational segment, the Public Security Bureau, i.e. the Police.

The Ministry of Internal Affairs, especially the members of the police as the holder of police powers and duties for the protection of citizens and the state, were faced again with serious temptations that required an increased level of preparedness and prompt action. Adapting to the new situation and respecting the national decisions, the Ministry intensively cooperated with the competent institutions and continuously undertook all the necessary activities for preservation of public safety in emergency conditions. The compliance with the health regulations and the implementation of national decisions related to the protection and prevention of the Covid-19 virus were a top priority of the Ministry of Internal Affairs, but at the same time, the overall security situation was continuously monitored and analyzed, including crime trends. The mobilization and directing of resources has given positive results, ie adequate support is provided to the health system, and the general security situation in conditions of declared state of emergency is stable with declining trends of registered crime (Department of Criminal Intelligence and Analysis, 2020).



Figure no.1.

Retrieved from: Archive of the Ministry of Internal Affairs, Department for Criminal Intelligence and Analysis, Tendencies and Challenges for Dealing with Crime and Maintaining Public Security in the Republic of North Macedonia in the Period 13 April-12 May 2020.

2. COMPETENCE OF THE POLICE IN THE REPUBLIC OF NORTH MACEDONIA

The police, as an integral part of the security system, base their competencies on the legal framework that practically constitutes the police forces. Article 5 of the Law on Police clearly states the actions of the police officers that refer to (Official Gazette of RM, no. 114/06):

- Life protection, personal safety and property of the citizens;
- Protection of freedom and human rights guaranteed by the Constitution of The Republic of North Macedonia the laws and the ratified international agreements;
- Prevention of committing criminal acts and violations, detection and apprehension of their perpetrators and taking other measures determined by law to prosecute the perpetrators of those acts;
- Identification and search for direct and indirect property gain obtained by committing a criminal act;
- Maintenance of public order and peace;
- Regulation and control of road traffic;
- Control of movement and stay of foreigners;
- border checks and border surveillance;
- providing assistance and protection to the citizens in case of necessary need;
- provision of certain persons and objects and
- Other works determined by Law.

3. THE ROLE OF THE POLICE IN THE REPUBLIC OF NORTH MACEDONIA IN CONDITIONS OF COVID 19 PANDEMICS

The police is a complex organization with wide range of competences in order to maintain normal public peace and order and internal order. The very fact of maintaining a stable public order, goes in favor of the safe functioning of the critical infrastructure. In the conditions of the COVID 19 pandemic, the police is the main bearer of the measures and recommendations of the health institutions for prevention of the spread of the disease.

The COVID 19 pandemic imposed the need for a state of emergency and crisis to be declared in the Republic of North Macedonia, where part of the Army was involved in supporting the police by performing police work and provided the necessary support to the police.

The police, in accordance with their scope of competencies, implements preventive, investigative and repressive measures and they refer to citizens who do not respect the measures and recommendations of the Ministry of Health and the Government of the Republic of North Macedonia.

Preventive measures refer to the presence of police officers at certain points or checkpoints to control compliance with the ban on movement or movement at certain times of the day or by launching prevention campaigns through the national media services. In the Republic of North Macedonia, through prepared Operational Action Plans, the police implements the stated measures and restrictions, but also provides certain facilities designated as facilities of special interest for the security of the state or the Ministry of Health.

The police, in accordance with their scope of responsibilities, undertakes special investigative measures against certain individuals, groups and formations that with their behavior can endanger the critical infrastructure of the state. The police in such cases is in close correlation with the competent state prosecutor's office.

In case the legal conditions are met, the police carry out their repressive function by legally suspending certain human rights and freedoms, ie depriving persons for whom there is relevant evidence that they are perpetrators of crimes against human life and health, but also the critical infrastructure and files criminal charges against them.

Namely, analyzing the data in a period of two months during 2020, according to the type of acts, the most common are the criminal acts related to the respectation of the health regulations and the prohibitions related to the prevention of Covid-19, which are decreasing from 8%, followed by aggravated theft, theft and attempted aggravated theft, which compared to the previous period also decreased and acts with elements of violence that increased by 7.5% (Department of Criminal Intelligence and Analysis, 2020).

	13.04.-12.05.2020	12.03.-12.04.2020
Total crimes	2035	2194
More characteristic crimes		
Theft	138	164
Severe theft	448	515
Domestic violence crimes	85	79
Severe attempted theft	70	73
Failure to comply with health regulations during an epidemic	952	1034
Crime rate per 100,000 inhabitants	94,2	105,6

Table no.1.

Retrieved from: Archive of the Ministry of Internal Affairs, Department for Criminal Intelligence and Analysis, Tendencies and Challenges for Dealing with Crime and Maintaining Public Security in the Republic of North Macedonia in the Period 13 April-12 May 2020

In the reporting period, a total of 1,610 criminal charges were filed by the Departments of Internal Affairs, most of which were filed in connection with compliance with the health recommendations for the prevention of the COVID 19 epidemic, followed by the area of classic crime, for which a total of 463 (642) criminal charges. Analogous to the decreasing trends that are noted in the normally present crime which is represented in the territory of the Republic of North Macedonia, in the reporting period, a decrease in the number of criminal charges was registered in the areas of classic crime, as well as in the areas of illicit trade. and other types of organized crime (Department of Criminal Intelligence and Analysis, 2020).

In the part of complaints, filed by persons against members of their family, we note an increase of 44.6%, ie, a total of 373 (258) complaints were filed, for which 388 (268) perpetrators were reported, which is an increasing trend. An increase is also evident in relation to the attacks on police officers where in the analyzed period 10 attacks were carried out on officials while performing security duties (Department of Criminal Intelligence and Analysis, 2020).

CONCLUSIONS:

Taking into consideration the main police task, the general conclusion is that the COVID pandemic has defocused the police in the Republic of North Macedonia from its basic function and that is the security function. In such conditions, the police made themselves fully available to the health system, but still the focus remained on the safety of vital facilities and other state interests. In this context, the role of the police in a pandemic can be viewed through the prism of the following facts:

1. The police have the legal competence to provide all vital facilities or other facilities defined by the Ministry of Health as facilities where infected persons are accommo-

dated or treated, or facilities that are essential in dealing with the pandemic and are related to the health system.

2. The police are just a segment of the security system that has the power to prevent the spread of the pandemic.
3. The effective response of the police in support of the health workers and implementation of the health measures and decisions made by the Government of the Republic of North Macedonia has positive results in the fight to prevent the spread of the infection.
4. The police have a legal obligation to provide the necessary level of internal security in the Republic of North Macedonia in conditions of COVID 19 pandemics; and,
5. The police in the Republic of North Macedonia is ready to deal with all direct or indirect security challenges in conditions of Covid 19 pandemics.

Variation is determined in relation to the indicators and there is an increase / decrease of the crimes committed in the period of the introduced ban on the movement of the population.

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Review of the publications about the special investigative actions: Practicum “Special investigative actions”, Zlatko M. Knežević, Ermina Dumanjić, the AIRE centre, Sarajevo, 2019. page 174. and the Manual about the special investigative actions, group of authors, editor professor Hajrija Sijerčić Čolić, Ph.D., Public Institution Centre for judicial and prosecutorial training of Federation Bosnia and Herzegovina, supported by DCAF, 2020; page 112.

Book Review

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Arben MURTEZIĆ
Davor TRLIN

For readers of *Criminal Justice Issues*, it will be shown two publications which share the same title – “Special investigative actions”. A lot of things at those two are different – nature, authors, methodology, publishers, and focal point. However, the authors are of the opinion that these two publications should be presented together because one doesn’t exclude the other one and together, they create one whole that helps legal and police professionals in mastering normative solutions, instruments, methods, and technics of the special investigative actions. The following lines will be comparatively presented both.

The first publication on this topic was published by the AIRE center, 2019. It is about the practicum which was made by the president of the Constitutional Court of Bosnia and Herzegovina, Zlatko M. Knežević and Ermina Dumanjić, Department chief for constitutional court practice in the Constitutional Court of Bosnia and Herzegovina. That Practicum contains 174 pages and it is shared in two chapters which consist of several thematic units. The first chapter is a review of the Constitutional Court of Bosnia and Herzegovina practice regarding special investigative actions, while the second chapter is a review of European Court of Human Rights practice regarding special investigative actions.

The first chapter contains an introduction, relevant legal frames (four criminal proceeding laws in Bosnia and Herzegovina, Constitution of Bosnia and Herzegovina as well as the European Convention for Human Rights protection and basic freedoms), and practice of the Constitutional Court of Bosnia and Herzegovina. In the Constitutional Court of Bosnia and Herzegovina practice is given a review of cases which are related to surveillance and technical recording of telecommunications (AP 2400/11, AP 1274/13, AP 2079/13, AP 2980/16, AP

4935/16, AP 4393/11), surveillance and technical recording of rooms (AP 3236/18), secretly tracing and technical recording of persons, vehicles and objects "which are related to them" (AP 1758/15, AP 3459/16), using of undercover investigators and using of informers (AP 1158/10, AP 1655/11, AP 5746/10), simulated buying of objects and simulated bribing (AP 3225/07), observed transportation and deliverance of objects of the criminal act (AP 3224/11). A particular place is a review of the Constitutional Court decision in case U 5/16 dated June 01th 2017. (constitutional compliance among the other stipulated articles of criminal proceeding law of Bosnia and Herzegovina which are related to special investigative acts (article 117. d) and 118. paragraph 3)

By the review of European Court for Human Rights practice regarding special investigative actions are allocated cases connected to search warrant and permanent tracing (like *Dragojević vs. Croatia*, *Lisica vs. Croatia*, *Li Davis vs. Belgium*, *Amann vs. Switzerland*, *Jordachi and others vs. Moldova*, *Peck vs. the UK*, *Matanović vs. Croatia...*), undercover investigators and using of illegally collected proofs in cases (i.a. *Gefgen vs. Germany*, *Othman (Al Qatada) vs. the UK*, *Saunders vs. the UK*, *Jalloh vs. Germany*, *Bikov vs. Russia*, *Grba vs. Croatia...*), law quality (*Roman Zaharov vs. Russia*). Especially, the judgment in the case *Kruslin vs. France* (judgment from April 24th, 1990.), is presented. In that case, European Court for Human Rights has unanimously decided: it is violated Article 8; this judgment by itself represents enough fair compensation regarding alleged damage; responsible State should pay to appellant 20.000 French francs for different costs and expenses. The rest of the request judge dismissed according to Article 15.

This Practicum is made as a result of the second annual conference of judiciary forum held on November 14th and 15th 2018. which title was "special investigative actions". Taking into consideration that the topic of that conference is still accurate and actual among professionals, publishers have decided to make and publish this thematic publication about this important mechanism for the fight against organized crime and corruption. The final product is a huge review of practice in the application of "special investigative actions", which is missing on the level of Bosnia and Herzegovina. Also, it can be used as an excellent Manuel on graduate and doctoral studies of law and criminalistic universities. It is expected that the publication will be used by professionals in understanding of standards and possibilities of the mechanism of special investigative actions, as the earlier publications of AIRE center have done.

At the end of the last year, the Manuel about special investigative actions was published and the publisher was the Public institution Centre for judicial and prosecutorial training of Federation Bosnia and Herzegovina, supported by DCAF.

The Judiciary system of Bosnia and Herzegovina is complex, so the need for the analyses of differences in law existed. Also, it was necessary to close court practice, as well as inside the State as well with the standards of judiciary practice European Court of Human Rights and recognized good European practices. These important and complex questions are recognized by DCAF, with which initiative, as well as the initiative of the Sarajevo center of security studies, is approached of creating the new publication. Detailed and dedicated work judges and prosecutors from all levels of Bosnia and Herzegovina judiciary, esteemed representatives of the academic community, as well as numerous different institutions, legal experts, specialized

in the criminal law area, is resulted with the creation of a comprehensive Manual about special investigative actions. The Manual is translated into the English language. Financial aid for the Manual realization is given by the project partner.

The idea about this publication was the priority of the project aimed at strengthening judiciary capacities for independence supervision on using of special investigative actions. A Working group of 20 judges, prosecutors, and legal experts has been gathered. Through meetings and discussions is achieved structure and contents of this publication as well as discussion about the local legal solutions, procedures and practices, analyses of judge practice of European Court of Human Rights and Constitutional Court practice of Bosnia and Herzegovina. Members of the working group defined the structure and wrote the contents of the practicum. An editor of the practicum is Hajrija Sijerčić-Čolić, dean and professor of the Law Faculty at the University of Sarajevo. Practicum is structured by five themes of authors of which one was headed by five coordinators. Team coordinators and head reviewers were: Šejla Drpljanin, Ljiljana Filipović, Diana Kajmaković, Mirza Hukeljić, Minka Kreho, Slavko Marić, Srđan Nedić and Hajrija Sijerčić-Čolić. Reviewers of the Manuel were Aleš Zalar from Slovenia, who wrote from the aspects of contemporary trends of criminal law and human rights law and Damijan Kaurinović from the Court of Appeal of Brčko District of Bosnia and Herzegovina, who created the review from the perspective of the legal system of Bosnia and Herzegovina.

Practicum is structured in five Chapters.

The first Chapter named "Special investigative actions in the national and international context" is given a general review of principles and standards that arise from significant decisions of the Constitutional Court of Bosnia and Herzegovina, the general review of principles and standards that arise from significant decisions of European Court of Human Rights, types of special investigative actions in criminal proceedings legal frames in Bosnia and Herzegovina and criminal acts for which can determine special investigative actions in positive criminal proceedings legal frames in Bosnia and Herzegovina.

"Argued proposal of the prosecutor for proceedings of special investigative actions" is the title of the second chapter. There were presented legal conditions necessary for submitting an argued proposal for determining special investigative actions, contents of an argued proposal for determining special investigative actions as well as the examples of the prosecution practice.

In the third chapter named "Court decision about special investigative actions", the authors wrote about the judge warrant for a preliminary ruling, length of special investigative actions, judge practice with the special overview on Court of Bosnia and Herzegovina practice.

"Obtaining evidence collected by the use of special investigative actions" is the following chapter in which authors processed the principle of the immediacy of the presentation of evidence. The chapter contains part of the judgment of the Court of Bosnia and Herzegovina number X-KŽ-07/436 from December 16th, 2010. which is about the legality assessment of the report by the undercover investigators connected with the fact that the undercover investigators were not examined at the main trial.

"International legal cooperation and help in criminal Mathers" is the final chapter of the Manual. In that chapter parallel, investigations and joint investigation teams were processed, planning and conducting of the special investigative actions on the international level, as well as legality assessment of conducting of special investigative actions which are done abroad.

Also, there are given exemplary type examples of the letters rogatory (request for international legal help and agreement about joint investigation team).

Both of these publications are important material – a helpful tool to judges, prosecutors, and authorized official persons, while they conduct special investigative actions. It would be ideal if both publications could be used simultaneously because they complement and supplement each other. It is very important to mention that both publications are not published in a relatively short period, thus judge nor prosecution practice is not developed well nor grows between issuing first comparing the other one. The first publication contains the practice of jurisdictional protection of human rights by the European Court for Human Rights as well Constitutional Court of Bosnia and Herzegovina (that follows the practice of the European Court of Human Rights), while the second one beside that (in what is presented in condensate form) contains an exemplary example of prosecution decisions and the practice of regular courts in Bosnia and Herzegovina. The practice of the State Court and prosecution office is dominating, but the intention was to be shown exemplary examples which can be used by judges/prosecutors/police in entities and Brčko District of Bosnia and Herzegovina while they conduct investigations and joint investigation teams as well as international legal aid in criminal matters (agreement about the establishment of the joint investigation team, letter rogatory, order for determining of special investigative actions...).

The contribution of books to legal and police practitioners is undoubtful. In both books, authors tried to enlighten questions regarding use of special investigative actions as well as dilemmas that appear in practice. Acts, besides they can be used as educational material, might be a guideline for judges, prosecutors, and police on the way how to approach the use of special investigative actions. Established judiciary practice can be used for preparing science materials and studies for state authorities.

By the quality work of author teams who were aware of an emptiness in the publicity of special investigative actions with which judiciary and police-community have got two valuable publications. They can be used too as textbook material for education in higher school institutions of Bosnia and Herzegovina.

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1. The contributions must be hitherto unpublished scientific and professional articles, reviews and translations. Articles should not exceed a total of 10,000 words, including sources and footnotes. Each article should have an abstract of 150-200 words and keywords. Reviews and translations published in the Journal must comply with the above rules and must not exceed 3000 words.
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Books: Burgess, R. (2019). Rethinking global health: Frameworks of power. Routledge.

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Legislation: Criminal Procedure Code of the Federation of Bosnia and Herzegovina, Official Gazette of the Federation of Bosnia and Herzegovina, 35/03, 37/03, 56/03, 78/04, 28/05, 55/06, 27/07, 53 / 07, 09/09, 12/10, 08/13, 59/14 (2014).
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