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REVIEW OF THE STATUS OF IMPLEMENTATION OF THE GLOBAL COMPACT FOR SAFE, ORDERLY AND REGULAR MIGRATION (GCM) IN THE REPUBLIC OF NORTH MACEDONIA

In the United Nations in New York, 2018, the member-states agreed on the final draft of the first UN Global Compact for Safe, Orderly and Regular Migration (GCM). The Compact was adopted on 10 and 11 of December 2018 in Morocco by 152 countries. It covers all dimensions of international migration in a comprehensive manner and represents a legally non-binding, cooperative framework based on the commitments agreed by the member-states in the New York Declaration for Refugees and Migrants. The Compact encourages international cooperation between all relevant migration stakeholders, recognizing that no country can manage migrations in an isolated manner, and it supports the sovereignty of the countries and their commitments pursuant with the international law.

GCM is being implemented by the national governments with support provided by the IOM and other UN agencies, by taking into consideration the different national realities, capacities and development levels whilst complying with the national policies and priorities, in a manner consistent with the rights and obligations in accordance with the international law. The Government of the Republic of North Macedonia welcomed the establishment of the UN global-level migration network and has expressed the expectations regarding its effective and coherent support.

The Government of the Republic of North Macedonia has prepared the Review of the GCM implementation status as of its adoption up to October 2020. Regarding the development of the document, IOM's role is of importance, as they have ensured effectiveness with the inclusion of all stakeholders.

1. Development Methodology for the Review Document

The Methodology for development of the GCM Implementation Status Review for the period 2019-2020 of the Republic of North Macedonia is based on the basic Methodology adopted by the GCM (Global Compact for Safe, Orderly, and Regular Migration /GCM).

The Review refers to the activities undertaken in the Republic of North Macedonia as of December 2018 to October 2020, with emphasis being placed on the last period.

The Ministry of Foreign Affairs, Ministry of Interior, Ministry of Labour and Social Policy and the Agency of Emigration are government institutions with higher-level competences in terms of migration flows regulation and their activities mostly correspond to the GCM policies and the implementation of the 23 objectives for safe, orderly and regular migration. The role of other

government institutions is also important, such as of the Ministry of Finance, National Bank of the Republic of North Macedonia, Ministry of Education and Science, Ministry of Economy, Ministry of Justice, State Statistics Office, Employment Agency and others, which have competences regarding the migration processes and, accordingly, regarding the achievement of the GCM objectives in the Republic of North Macedonia.

Engagement of NGOs, the academic community, Red Cross, as well as of the regional and international organizations with mandate to undertake actions in the migration flows, supplements the Review document and the contents of activities, and it also refers to additional activities to be undertaken by the country for the purposes of more effective GCM implementation.

In addition to the contribution from the institutions, for the purposes of developing this Review, IOM has enabled the realization of 19 interviews with representatives of the stakeholders in September 2020. Obtained information have been incorporated in the text and essentially reflects the GCM impact on the migration situation in the Republic of North Macedonia, and notably the policies and GCM involvement in the implementation of government measures by the stakeholders, progress achieved, as well as the challenges faced by the country.

The Review contains information on the GCM implementation progress in the Republic of North Macedonia, in particular regarding the implementation status for the 23 GCM objectives, with illustration of policies or promising practices related to the achievement of the objectives.

The Review also includes the steps undertaken or to be undertaken by the Republic of North Macedonia for the purposes of continuing the comprehensive integration of the GCM vision and principles into national strategies and implementation plans up to the end of 2020 and beyond. Difficulties and lack of resources are presented, which are faced by the institutions in the achievement of GCM objectives, and the measures undertaken by the country so as to improve the mobilization of funds for implementation of activities.

This Review is aimed to present the status of implementation of the GCM objectives in the Republic of North Macedonia.

2. Policies and Environment

The adoption of the Migration policy of the Republic of North Macedonia 2015 – 2020 represents a continuation of the Resolution on Migration Policy of the Republic of Macedonia 2009-2014 and it is an important activity aimed towards the establishment of a legal framework in the field of migrations, duly harmonized with the legal framework of the European Union and the 2000 UN Convention (Palermo Convention) with the three protocols. In accordance with the Stabilization and Association Agreement with the European Union, the country has undertaken the obligation for cooperation in the field of visas, border control, asylum and migrations. Moreover, the Republic of North Macedonia has obliged itself to cooperate in the field of addressing illegal migrations and readmission.

In addition to the Resolution on Migration Policy, the Republic of North Macedonia also has other strategies addressing the objectives, measures and activities in the field of countering trafficking in human beings and illegal migration, integrated border management, cooperation with the diaspora, etc. The timeframe for some of the strategies shall expire during this year and the new multiannual documents are to be adopted by the end of 2020. The timeline provides for additional harmonization of the new strategic documents with the GCM and its integration as an important instrument, in the field of migrations.

The German presidency over the Council of the EU, which commenced on 1 July 2020, in times when Europe is facing one of the biggest health crisis in the latest history and which is carried out with the motto “Together for Europe’s recovery”, includes in the focus the importance of multilateralism and finding answers to global challenges oriented to the future (Nechev, 2020). Safety and migration are positioned high in the presidency’s priorities. Reforms and improvement of the common asylum system in Europe, in this mandate, have commenced moving in the direction of upgrading the existing regulations for responsibility and solidarity, by creating a more functional asylum system in Europe.

The COVID 19-caused pandemics has seriously impacted the situations and the environment in the country, in all areas. Danger from contagion, in times of increased irregular migration, poses a real threat for the migrants. An upward trend has been observed regarding the migrant smuggling, in particular since May 2020. Emerging circumstances increase the risk of contagion for the police officers, social services and volunteers.

GCM was recognized as one of the important documents taken into consideration in the planning and realization of activities in the field of national-level migration management. In the period of development and adoption (2018), the document was analysed by the MFA, Mol, MLSP, and other competent institutions in the country, where it was established that the policies and objectives of the document affirm human rights and freedoms, systematize the needs and care for the migrants as a vulnerable category and represent the basis for further strengthening of the instruments for comprehensive migration flow management by the institutions of the Republic of North Macedonia. In that respect, the support for GCM adoption has been presented, as well as the positive assessments for its integration by the competent authorities in the country.

GCM has a positive impact and can provide more synergy in the process of accession negotiations for EU membership, regarding the amendments and supplementing of the regulation pertaining to migration and border security which provides for more efficient border operations, as well as further harmonization of the national legislation with the European **acquis**. GCM is in concordance with the EU regulations which are being transposed in the national legislation. This setting shall assist the further affirmation of the Global Compact for Migrations objectives.

The comprehensiveness promoted by the GCM assumes that the many answers currently lacking in the countries regarding the more efficient migration management should be sought through scientific research and projects which shall produce practical results of use value. The Horizon Programme, as well as other EU programs, provide for the achievement of good results.

The 2019 EC Annual Report concludes that the Republic of North Macedonia has achieved good progress, including as regards the legal harmonization in the field of migration.

In most strategy types of the competent state institutions, GCM is not recognized since such strategies have been adopted prior to the adoption of GCM. However, national strategies include objectives and activities which are in accordance with the GCM. Future strategic documents in the field of migrations, currently being developed, shall recognize GCM as an important instrument, which shall assist the improved and comprehensive identification of the migration flows management policies.

In the social affairs domain, the Ministry of Labour and Social Policy (MLSP) recognizes GCM as a document which provides the platform for further strengthening of the support for orderly and organized provision of social services such as the admission, humanitarian assistance, and integration. This represents a solid basis for further more thorough integration of the GCM policies in the work methodology of the national institutions.

One of the concerns, and at the same time a challenge, expressed by the civil sector, is the observed progress in terms of how the country is dealing with the migration flows, and that it lacks a comprehensive approach to the migration processes management in the Republic of North Macedonia. This is an opportunity for GCM to be used as a platform which shall assist the more balanced, comprehensive, sustainable approach in terms of the country's treatment of migration challenges.

3. Progress in the Achievement of the GCM Objectives

In 2018, progress has been achieved in the legal framework improvement with the adoption of the amendments and supplementing of the Law on International and Temporary Protection and the Law on Foreigners. Application of new legal solutions in the past two years has been assessed by the civil society and the academic community as an important step towards harmonization of the national regulation with the international instruments and including an improved, more balanced approach regarding the treatment of migrants and asylum seekers.

The new Law on Foreigners improves the position of the foreigners regarding the procedure for obtaining a temporary and permanent residence permit, whereas the amendments to the Law on Employment of Foreigners contribute to the facilitated procedure for issuance of a work permit for self-employed foreigners.

GCM provides for more specific implementation of migration policies in the treatment of

migrants and further improvement of the work of government bodies.

The annual EC Progress Report for the Republic of North Macedonia notes progress and division of tasks between institutions dealing with migration. Responsibilities between the Department for Border Affairs and Migration under the Bureau for Public Security of the Ministry of Interior (dealing with the security aspects and border management), Ministry of Labour and Social Policy (managing the access to services and socioeconomic integration of migrants and refugees) and the specialized unit of the Department for Serious and Organized Crime, fighting trafficking in humans and smuggling, have been divided. The objectives contained in the GCM can assist the further specifying of the institutions' capacities, as well as the strengthening of the inter-institutional cooperation.

Policies included in the GCM, as well as the 23 objectives elaborated therein, are mostly new when speaking of the development of migration policies in the Republic of North Macedonia. Measures are being realized by the state institutions, as well as in close cooperation with the national and international organizations, for example in the labour sector, in the domain pertaining to employment of foreigners, trafficking in human beings, integration of refugees, readmission and reintegration of our citizens. However, the GCM-offered approach and the comprehensiveness stemming from the contents of the 23 objectives, raise the horizon for strengthening of the capacities of all stakeholders and improvement of their mutual cooperation. Some of the objectives contained in the GCM have not been fully recognized and the policies for their implementation should be improved. NGOs have pointed to the need for a more balanced approach between the safety and humanitarian aspect, which is currently more in favour of the security aspect. Time distancing from the migrant and refugee crisis (2015) reduces the focus to migrations, which is accompanied by the reduction of the entities in the field. It is indicated that the humanitarian assistance is becoming weaker and the migrants in the field are not being registered in a quality manner. This could be one of the reasons that migrants decide to request favours from the smugglers.

Stakeholders in the Republic of North Macedonia recognize GCM as a comprehensive document for migrations, which is to produce increased impact in the national programs and strategies. For that purpose, increased institutional support is requested in all phases of transposing of the GCM objectives in the national regulation, in the existing strategic documents or the documents being developed so as to maintain continuity, such as: The Resolution on Migration Policy of the Republic of Macedonia 2015-2020; Strategy for demographic development of the Republic of Macedonia 2008-2015; National Strategy of the Republic of North Macedonia for cooperation with the diaspora 2019-2023, with an Action Plan; National strategy for combating trafficking in human beings and illegal migration in the Republic of Macedonia 2017-2020, with National Action Plan; National strategy for development of integrated border management 2015-2019; National strategy for sustainable development in the Republic of Macedonia 2009-2030; Strategy for regional development of the Republic of Macedonia 2009-2019; National Employment Strategy of the Republic of Macedonia 2016-2020; National strategy for reduction of poverty and social exclusion 2010-

2020; Strategy for gender equality 2013-2020 and National strategy for equality and non-discrimination 2016-2020. Having in mind that many institutions are working on the strategies and documents for the forthcoming period, since the current ones are about to expire or have already expired, the new documents shall reflect the GCM in the fields under competence of the institutions.

IT connection is an important pre-requisite for fast, accurate and efficient communication between competent institutions. Progress has been achieved in terms of strengthening of this objective; however, there is a need of a comprehensive connection (networking) of all state institutions and creation of postulates for efficient operations. GCM and the objectives therein indicate precisely this requirement. IT connection shall provide for postulates for creation of a centralized system for statistical data management, which can be used in real time by all stakeholders.

Recognizing these priorities shall be integrated in the forthcoming new strategic documents, and GCM shall be recognized as a source of policies providing for comprehensiveness in the migration operations.

4. Implementation Means

In order to integrate GCM in the national migration policies, the Government of the Republic of North Macedonia has expressed its firm readiness with the active participation in the development and adoption of the UN Global document in Marrakesh in 2018.

Its more thorough implementation in the national migration policy is realized within the annual work programs of the government institutions, in which significant financial means are envisaged for the regular activities of the ministries in reference with certain aspects of migrations, as well as through the implementation means for the measures established in specific sector policies. This postulate emphasizes the importance of an increased and more efficient inter-institutional cooperation and coordination of the migration policy activities with the other sector policies. National migration documents envisage development of projects and research with own means, as well as with means and support of the offices of the international organizations in the country. The implementation of the 23 objectives should be given priority.

Migration, both regular and irregular, was also recognized as priority by the European Commission and the UN bodies. The European Commission, through the IPA, Horizon and other programs, finances project aimed at consolidation of the efforts for capacity strengthening in the field of migrations.

UN bodies are assisting the efforts of the Republic of North Macedonia in terms of strengthening the capacities for sustainable implementation of migration operations with expertise, as well as with institutional and material support, within project activities. This type of cooperation has been confirmed as solid and as one that creates good and sustainable

results.

By studying GCM and its objectives, the institutions of the Republic of North Macedonia recognize the following priorities, which require financial means:

- Expertise for the development and further legislation harmonization,
- Development of a contemporary, comprehensive IT system for documentation of the migration flows in the Republic of North Macedonia,
- Means for building the infrastructure for improvement of the provision of social services (human resources, facilities, IT systems for data collection),
- Additional means for improved exercising of the rights and services for persons with regulated residence, as well as for persons under international protection; allocated national budget means are insufficient,
- Additional means for upgrading of the referral system for the purposes of improving the quality of services for vulnerable persons - migrants, and children in particular.
- Additional means for implementation of measures for dealing with COVID – 19 (including vehicles to enhance the conditions for transport of migrants in a pandemic, systems for disinfection during entry in facilities where migrants are accommodated, a sufficient number of quick COVID – 19 tests, and means for collective and individual protection of migrant residing in the reception centres and all employees that are in direct contact with the migrants.
- Situation analysis and implementation of activities to enable full operative functionality of the Integrated data base for foreigners, including data on asylum, migrations and visas (IBAS).

%1. Next Steps

The Global Compact for Safe, Orderly and Regular Migration of the UN (GCM) is a reference international instrument, whose policies and objectives shall be reflected in the national documents (strategies and action plans) of the Republic of North Macedonia.

The implementation of the established objectives, as part of the country's migration policy instruments, shall be monitored. Ministries responsible for realization of strategic documents shall submit annual reports on the progress of their realization. GCM existence implies intensifying of the cooperation with the Inter-departmental group for creation of the migration policy, for the purposes of transposing the 23 objectives and activities related thereto in the national documents.

Monitoring performed by the institutions competent for migration policies shall be conducted

so as to determine the progress of realization of the adopted measures and activities and to identify the reasons for the delayed dynamics of their implementation, to maximize efficiency, to enable more synchronized inter-institutional actions, as well as to provide more rational use of resources.

It is recommended that the progress of realization of the GCM measures is to be measured through progress measuring indicators, which are to be developed with the partners from the UN agencies.

GCM evaluation shall be an integral part of the evaluation of the Migration Policy of the Republic of North Macedonia and the Action Plan, for the period as of 2021 and in the future.

By the end of 2020, MFA shall prepare an information to the Government of the Republic of North Macedonia for the purposes of obtaining mandate and shall report on the GCM implementation progress every two years. Accordingly, MFA shall inform the Government and the international organizations on the GCM implementation progress in the Republic of North Macedonia. By the end of 2020, IOM shall, in cooperation with MFA, organize a workshop with the stakeholders, for the purposes of providing an introduction to the GCM-related activities, and to propose the information methodology.

Objectives for Safe, Orderly and Regular Migration

(1) Collect and utilize accurate and disaggregated data as a basis for evidence - based policies

Collection of accurate data on the migration flows has always been a challenge, since migration is monitored by different institutions, in accordance with different methodology, with different technical means, by persons with different educational backgrounds. This refers to regular migration, but also to the irregular migration. The migration phenomenon, which is rather dynamic, represents a major challenge. Furthermore, another challenge is the non-uniformity of the migration-related methodologies, which are being used by several state bodies, the lack of centralized (single) methodology to be used for registering data, including the statistical indicators. On the other side, the need for accurate and disaggregated data is a postulate for the realistic measures that the country is making efforts to undertake and to provide accurate recommendations for more efficient migration flows management.

Significant progress has been achieved with the introduction of the new integrated central database for foreigners, which includes data on asylum, visa, and migrations. The base enables efficient searching and insight in the movement history of the foreigner in the Republic of North Macedonia.

The Republic of North Macedonia has no aggregate accurate emigration data. The records of foreigners in our country are kept only at central level (most often in Mol), whereas the local authorities have no information on the foreigners residing on their territories.

In such circumstances, for example, assessments on the emigration scope can be made only through foreign data sources and the countries of admission.

The Ministry of Foreign Affairs – Border Police is included in the regional project CIRAM 2, where in partnership with Frontex, methodology is being developed for collection of statistical data related to border management, in accordance with the methodology used by the Frontex member-states. Under the project, a model is developed with Frontex – EBCGA in the lead, and in cooperation with member states and partner countries including North Macedonia. The goal of the project is to establish a conceptual framework that will assist Frontex and member states to prepare risk analysis under a uniform methodology. The concept is based on the Schengen Border Code and is used in North Macedonia in the same manner as in the member states.

This methodology is based on single standards for Europe and represents a good example for overcoming of the current challenges. National authorities in the Republic of North Macedonia, as well as of the other WB countries, have concluded that progress has been achieved.

The importance of this issue was perceived by the EC, which through the regional project “Regional support to protection sensitive migration management in the Western Balkans and Turkey”, financed through the IPA 2 program, provides technical assistance to the countries of the region for strengthening of the migration statistics systems. This activity is being implemented by IOM, in cooperation with the project partners Frontex, UNHCR and EASO. The objective is recognized at two levels. The first level is the national level, where the activities are to strengthen national capacities for collection, systematization and exchange of statistical data related to regular and irregular migration. The second level is the regional level, whose objective is to harmonize the migration statistics in the region, for the purposes of ensuring higher level of comparability and the possibility for regional analysis. The benefit consists of the use of the EU methodology in reference with the EC Regulation 862/2007, which is to ultimately ensure harmonization (both national and regional) with the EU. Data exchange is to commence in 2021.

Beneficiaries and stakeholders for this activity are the Mol (departments OKRA and the Border Police), as primary collectors of data in the field of migrations, and the State Statistics Office, as the main institution responsible for the country’s statistical data. For the purposes of enabling regional networking and the possibility for data exchange, IOM has also developed the “Regional Platform for Migration Data Exchange in the Western Balkans”, or WB-MIDEX. This Platform shall enable the exchange and issuing of official statistical data between the countries of the region through common forms and methodologies. At the same time, these forms have been duly harmonized with Eurostat’s standards, which means that with the exchange of the migration statistics through the WB-MIDEX Platform, direct analysis shall be enabled as well as direct analysis and comparison with the statistics of the European Union on this topic. This

platform shall be administered by the MARRI Regional Center, as the single inter-governmental regional initiative dealing with migration-related topics. Following the initial data exchange through WB-MIDEX, IOM and MARRI shall prepare the regional analytical report.

Partnership with Frontex is a good model regarding the manner for accelerated overcoming of the challenges for the Republic of North Macedonia and for the creation of sustainable solutions, which shall additionally accelerate the process of creating assumptions for creation of accurate, systematized data, which can be used for conducting more comprehensive analyses with increased use value.

Stakeholders in the Republic of North Macedonia have agreed that progress has been achieved regarding the methodology for data collection. At the same time, they agree that further significant improvement is required regarding data management.

(2) Minimize the adverse drivers and structural factors that compel people to leave their country of origin

Regarding the external migrations of the Republic of North Macedonia, emigration to European and transatlantic countries of admission has been specific for a longer period of time. Hence, the emigration movements have been singled out as one of the socially-economic processes that marked the XX century and which have continued into the XXI century. Contemporary migration movements from the Republic of North Macedonia to foreign countries have experienced a tendency of continuous growth in the last five decades, accompanied with changes in the structural features of the migrants, the movement routes and the length of their stay.

In reference with these migration movements, it is important to indicate the phenomenon of the so-called potential migration which reaches concerning dimensions. There is a growing number of young highly-educated persons, as well as students at the last faculty years, studying not only the technical and natural sciences, who are considering or planning to leave abroad, indicating most often their dissatisfaction from the rule of law, the inability to provide for their subsistence following the completion of their education, the weaknesses of the educational system, poor health services and the unhealthy environment as the reasons for such decisions. The specifics of the migration wave confirm that, with the emigration, the Republic of North Macedonia is directly and indirectly losing a significant part of its young population and human capital. In the situation of increased potential intellectual emigration, the “brain drain” is still a rather concerning issue.

Challenges – The reduction in the scope of permanent emigration of the population and the labor force from the country and the support to the temporary - circular migration represent the biggest challenges of the migration policy for the forthcoming period. Programs of the authorities to secure employment following the completion of the education and to subsidize employment of young people could delay the emigration dynamics. An important challenge

could be the use of development potentials and the establishment of cooperation with the Macedonian citizens abroad, as well as the encouragement of the return flows and reintegration. Lack of data regarding the permanent and temporary emigration from the Republic of North Macedonia to foreign countries from national sources, was and still is one of the problems regarding the perception of the specifics of these migratory movements. Statistics from foreign sources provide certain information on the changes in trends; however, one should still take into account their inconsistency and different methodological basis.

Further capacity strengthening of the state institutions is required for the purposes of minimizing adverse drivers and structural factors that compel people to leave their country.

(3) Provide accurate and timely information at all stages of migration

The Republic of North Macedonia has no evaluation of the situation relating to the provision of accurate and timely information at all stages of the migration process.

In the field of regular migration, the Employment Agency has a Migration Information Center which provides information on the migration procedures established with the IOM support.

The Emigration Agency has developed information materials in Macedonian and Albanian language, which contain useful information on the diaspora from North Macedonia and the returnees, and which pertain to the personal status (citizenship, personal documents, rights and obligations of the emigrants without citizenship for entry in the Republic of North Macedonia, pension and disability insurance, Manual 2018), and on the investments in the country and for financial support from the country (Economic Manual 2019).

The new Law on Foreigners envisages provisions for improvement of the position of foreigners in reference with the procedure for issuance of a permit for temporary and permanent residence, whereas the amendments to the Law on Employment of Foreigners have contributed to the facilitated procedure for obtaining work permits for self-employed foreigners, thus enabling more information for the purposes of residence regulation. However, the representatives of the non-governmental sector, interviewed for the needs of this Review, emphasize that the country is restrictively implementing the provisions of the Law and foreigners are facing numerous difficulties (or the inability to complete the procedures) due to the lengthy, expensive and poorly regulated procedure.

Regarding the irregular migration, it is a general belief that there is no information among the migrants from the Far East, Africa and other countries which could deter the migrants from leaving their countries. They are often unaware of the dangers and challenges which they will face, and are therefore an easy target for the traders and human traffickers.

When irregular migrants arrive in the Republic of North Macedonia, they are provided with initial information in multiple languages in the transit reception centers, most often during the interviews with the social workers. Mobile applications are also available, which can be used by

the migrants for the purposes of obtaining information.

UNICEF emphasizes the importance of maintaining the communication between the countries for the purposes of creating a regular information flow channel.

The non-governmental sector emphasizes that the existing information on the irregular migrants are insufficient and that the change should move in two directions: first, the state should be more actively involved with the migrants, they are to be provided with information which they need and could be obtained in a facilitated manner; and second: they should be approached in a manner in which they would be willing to speak about their identity, not to fear presenting their documents and identity, as they will not achieve their objective.

The non-governmental sector and the partners of the international organizations have emphasized the need for improvement of the provision of information at first contact at the border line, in particular when dealing with detained migrants and asylum seekers in the reception center Gazi Baba.

Challenges: lack of information, at two levels:

- A. between countries of origin, transit and destination,
- B. Between migrants and institutions that migrants deal with.

Lack of information often results into the impossibility of establishing communication.

There is a need for establishing communication between the countries of origin, transit and destination, for the purposes of enabling the flow of information.

(4) Ensure that all migrants have proof of legal identity and adequate documentation

Regarding regular migration, migrants, by rule, possess the appropriate documentation and can prove their identity.

Problems with the inability to prove the identity can be found with the irregular migrants. About 50000 irregular migrants have been stuck in southeast Europe in the summer of 2020. Not being able to continue on their path, they are convinced that only smugglers could help them.

In the Republic of North Macedonia, there is a category of persons who are stranded in the country after the proclamation of independence of the former Yugoslav republic, whose citizenship status is still not solved

The Republic of North Macedonia is making efforts to contribute to the finding of solutions for this challenge. Through the Stability Pact, and later through the Southeast European Cooperation Process, the MARRI initiative is holding the forum for high-level discussions for the purposes of finding sustainable solutions for the refugees and the displaced people from the territory of former Yugoslavia. The initiative, with head office in Skopje, initiates projects of

interest for the countries and closely cooperates with the European bodies which are active in the migration processes.

The challenge for the stakeholders is the further harmonization and improvement of the Personal Records Law (current solutions are limiting) and the Law on persons with unregulated citizenship status. Expertise, which could assist the creation of better solutions, is required for the purposes of strengthening of institutional capacities and the creation of a system solution.

(5) Enhance availability and flexibility of pathways for regular migration

Legal immigration to the Republic of North Macedonia refers to the temporary and permanent residence of foreigners on various bases, inclusive of the employment of foreigners. In addition, it covers the short stay of foreigners up to 90 days on the basis of private visits, business and tourist visits.

The Republic of North Macedonia is a moderately attractive country for the migrants. The number of registered foreigners residing in the Republic of North Macedonia in 2019 is 7014, which is 0.3% of the country's population; for comparison purposes, the percentage of foreigners living in the EU countries is 4.4% of the population.

Challenges – Number of foreigners with temporary and permanent residence in the Republic of North Macedonia is not high. Nevertheless, having in mind their specifics, there is still a need for efficient management of the economic and non-economic immigration in accordance with the demographic and socio-economic development of the country, as well as further facilitation of the integration process for the immigrants. In conditions of persistent unemployment, the Republic of North Macedonia should also, in the future, pursue a flexible and market-oriented policy of admission of foreign workers in accordance with the long-term objectives of the employment policy. According to the established specific needs, there is an ongoing need to conceptualize policies and procedures for admission of highly-educated immigrants and immigrants with financial capital, followed by the seasonal employment of foreigners for specific sectors on the basis of bilateral and multilateral agreements, as well as for various types of temporary flexible employment (short-term stay of contractual workers, inter-company transfer, managers in multinational companies, trainers, etc.).

The efforts of the Government of the Republic of North Macedonia for promotion of the country as a good place for investments are initiating further improvement and acceleration of the procedures regarding employment of foreigners. These efforts of the Government of the Republic of North Macedonia for attracting foreign capital should continue to be developed in a more transparent manner with the Macedonian business diaspora.

Having in mind the different competencies of the institutions, predominantly of the Ministry of Foreign Affairs, the Ministry of Interior and the Employment Agency of the Republic of North Macedonia, further simplification of the administrative procedures remains to be a challenge in this area.

Improvement of the availability and flexibility of the roads for regular migration should be taken into consideration in reference with the economic emigration from our country, which has a history and tradition of emigration from the country.

The Resolution on Migration Policy in the Republic of Macedonia 2015-2020 (page 10) points out the need for improved opportunities for temporary employment abroad through the establishment of an information system for the labor markets of the recipient countries regarding the opportunities for temporary / seasonal employment, as well as information of the citizens of the Republic of North Macedonia on the opportunities for temporary emigration abroad for the purposes of education, training, etc.

The challenge in the sphere of emigration in the forthcoming period shall refer to the reduction in scope of permanent emigration of the population and the labor force from the country and the support to the temporary circular migration. It will be important to further use the development potentials and the establishment of cooperation with the Macedonian citizens abroad, as well as the encouragement of the return flows and reintegration. The Emigration Agency shall continue to maintain the contacts with the immigrants, among which there are successful businessmen, researchers, people who have succeeded abroad. Improved information level and economic measures provided by the Republic of North Macedonia should encourage development projects in the country or abroad, which shall provide for new employment and new investments.

Lack of accurate data on the immigrants from the Republic of North Macedonia shall continue to be a challenge which is critical to be addressed.

(6) Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work

Facilitation of fair and ethical recruitment and safeguard conditions ensuring decent work pertains both to foreigners being employed in our country and to the Macedonian immigrants residing and working abroad.

The Law on Foreigners is the main act prescribing the employment requirements for foreigners in the Republic of North Macedonia. The Resolution for the migration policy promotes consistent integration of international instruments in the national legislation, which notes improvement. Legal provisions pertaining to the employment of foreigners are a strong guarantee for their rights. Measures undertaken by the country, enabling favourable conditions for quality living of the immigrants, as well as the creation of postulates for the immigrants to have fair conditions to become active and responsible participants in the social life and the overall development of the Republic of North Macedonia is one of the objectives of the Migration policy in the country.

According to the data of the Employment Agency, continuous growth can be observed

regarding the employment of foreigners in the country in the last years. The increased number of employed foreigners in the country is due to the increased direct foreign investments in the Republic of North Macedonia and the simplified employment procedure for foreigners in the country. Although the work permit procedure was facilitated compared to the previous years, it is, nevertheless, as in many other countries, rather lengthy and complex.

Challenges – Foreigners with temporary and permanent residence in the Republic of North Macedonia represent a small number of immigrants.

However, having in mind their specifics, there is still a need for efficient management of the economic and non-economic immigration.

In conditions of persistent unemployment, the Republic of North Macedonia should also, in the future, pursue a flexible and market-oriented policy of admission of foreign workers in accordance with the long-term objectives of the employment policy. According to the established specific needs, there is an ongoing need to conceptualize policies and procedures for admission of highly-educated immigrants and immigrants with financial capital, followed by the seasonal employment of foreigners for specific sectors on the basis of bilateral and multilateral agreements, as well as for various types of temporary flexible employment (short-term stay of contractual workers, inter-company transfer, managers in multinational companies, trainers, etc.).

The need for further simplification of the procedures for the purposes of facilitation and creation of fair employment conditions remains to be one of the important challenges in this field.

MLSP proposes the opening of an information office for the manner and procedures for exercising certain rights of the foreigners in the Republic of North Macedonia.

Protection of Macedonian citizens travelling to, or residing in, foreign countries or, of the citizens of the Republic of North Macedonia who need consular services abroad, is under the jurisdiction of the Ministry of Foreign Affairs and its diplomatic consular network. Protection of citizens' interest is implemented in accordance with the Law on Foreign Affairs (Articles 8, 26 and 28), which is duly harmonized with the Vienna conventions on diplomatic and consular relations from 1961 and 1963.

Macedonian embassies and consulates in consular-administrative services are authorized to perform the following: notarial works; legalization of documents; implementation of part of the procedure for acquiring or release of Macedonian citizenship; preparing and verifying powers of attorney, statements and other documents, legal counselling; mediation at entry in vital records; issuing of docketts (certificates to repatriate human remains); implementing the process of issuing or replacement of passports; issuing of passenger waybills in cases of lost or stolen passports; performing family-related activities, alimony, custody of minor children; protection of legally incompetent persons; occupational legal protection; issuance of life certificates, certificates on the validity of national regulations or the authenticity of national

documents and other services of administrative nature necessary for regulation of specific rights in front of the bodies of the country in which they reside.

Diplomatic-consular representation offices also provide consular assistance in the following cases: deprivation of liberty, remand or prison sentence; accident or disease. Upon request of the Macedonian citizen, consular representatives establish contact with the members of his/her family and duly inform them; establish contact with the competent authorities of the foreign country and inform themselves on the specifics of the indictment so as to provide the relevant legal assistance; indicate the potential breach of human rights and humane treatment; request for a legal representative or interpreter. In case of accident or disease, the consular protection is aimed at notifying the family and the competent institutions on the undertaking of necessary measures for hospital treatment, transport or extraction from the endangered areas.

In addition, MFA acts on the requests of Macedonian citizens requiring consular services abroad or requiring legalization of a public document to be used in foreign countries which are not signatories to the Hague Legalization Convention.

Challenge – Improvement of the quality of consular services being offered by the MFA and the diplomatic and consular representation offices of the Republic of North Macedonia in foreign countries is one of the priorities in the Macedonian foreign policies. Activities are being undertaken to improve the information level of Macedonian citizens on specific consular services, as well as to reduce the procedure required for legalization of some of the consular activities. In addition to the protection through consular representation offices, it is particularly important to secure information on the legal migration procedures, the protection through the inter-state agreements for cooperation in the field of labor migration, as well as the regulation of private agencies for employment abroad. It is necessary to pay attention to the protection of vulnerable categories of migrants, low-skilled migrants, as well as women migrants.

Macedonian citizens abroad have observed the difficulty in terms of establishing contacts with the diplomatic-consular representation offices when requiring specific types of services. One of the reasons is the low number of diplomats serving the representation offices.

Strengthening of the regional cooperation between countries of the region, for the purposes of creating a network between employment agencies so as to exchange information on the required profile of workers, is an idea to be tested in practice.

Further harmonization of procedures, by emphasizing ethical and fair procedures for foreigners, remains to be a challenge.

(7) Address and reduce vulnerabilities in migration

The large migrant and refugee crisis initiated numerous activities, as lessons learned, with the goal of reducing the vulnerability of the migrants. The MoI and MLSP made the right approach and prepared Standard Operating Procedures (SOP) for many aspects: SOP for dealing with

vulnerable categories; SOP for police officers on the front line of actions; the National Commission for combatting trafficking in human beings, in cooperation with the MoI and the MLSP prepared and adopted the SOP for dealing with vulnerable categories of persons and the SoP for unaccompanied migrant children.

MLSP, with support from UNHCR prepared and adopted a rulebook for dealing with vulnerable categories and unaccompanied children for the procedures for care and accommodation of unaccompanied minors and vulnerable categories of persons with recognized right to asylum in North Macedonia, Rulebook for the standards for reception of asylum seekers, Rulebook for the criteria and manner of utilization of an appropriate accommodation or monetary support necessary for obtaining premises for accommodation of persons with refugee status according to their needs. Rulebook on best interest of the child determination, as well as other tools to improve the protection of vulnerable categories.

It is very important that the MoI and MLSP continuously conduct trainings that cover police officers, social workers, and employees at the reception centres.

The establishment of regional initiatives and bodies (Regional Cooperation Council, MARRI, SELEC etc.) that are financed by the countries from the region is the confirmation that the states make investments due to their decisiveness to tackle the migration challenges from all aspects.

The impression is that there is progress in the actions of state bodies. Naturally, the challenge remains to profile a good strategy, by delegating greater competences to the MLSP and the Ministry of Health (MH), to further reduce the vulnerability in migration. The most vulnerable categories of migrants have to be within special focus of care, particularly children, for whom adjusted programs for reducing their vulnerability have to be developed.

Further strengthening of the institutional capacities remains the priority. IOM, in close cooperation with the competent institutions, conducts activities to strengthen the capacities in the area of identification and referral of vulnerable categories of migrants, as well as information campaigns for addressing vulnerability in the process of migration.

(8) Save lives and establish coordinated international efforts on missing migrants

The countries are aware that any rise in the smuggling of migrants leads to a proportional rise in the harmful effects on the migrants.

There is belief that progress has been made in multiple areas regarding the actions of the institutions in the protection and saving lives of migrants. UNHCR, together with the MoI, the MLSP and the Red Cross, have been taking part in numerous cases of locating family members and enabling them to reunite with their family, when the family is in another country.

Serious complaints have been heard from the public regarding the absence of a transparent

procedure for the actions of state authorities in cases of death of a migrant and the absence of a protocol that would be followed. When the institutions know the identity of the deceased, usually the consulate of the country of origin of the deceased is informed through the MFA (if it is possible to contact the authorities of the country). However, in the event that the identity of the person is unknown and it is difficult to establish the identity, it is necessary to establish a clear procedure for actions and to delegate clear competences among the institutions.

The challenge that remains is to further strengthen the protection of children. Furthermore, it is necessary to additionally strengthen the institutional capacities and to additionally regulate the procedures.

(9) Strengthen the transnational response to smuggling of migrants

There have been changes to the migration flows, especially following the 2015 refugee crisis, but it is important to note that they quickly adjust to the conditions across the route. The current risks facing the border police are the illegal movements of migrants from countries ruined by war conflicts, countries with unstable democracy and corruption, which migrants are going to Europe, where there are better living conditions.

When crossing the borders becomes difficult, there is an increase in attempts for illegal crossings, as well as a rise in the activities of criminal groups that smuggle migrants.

In March 2018, the National Task Force for combating migrant smuggling and human trafficking (Task Force) was formed, with the purpose of enhancing the coordination and cooperation between the MI and the Public Prosecutor's Office. Since the establishment of the Task Force, four organized criminal groups have been discovered and neutralized. By combating the criminal groups, the smuggling of 1,529 migrants has been prevented, which number also represents an increase in the number of found people of 71.6% compared to the previous year.

In June 2018, after the establishment of the national task force (Task Force), IOM organized a coordination workshop with the representatives of the Task Force, the Ministry of Labor and Social Policy, the centers for social work and the non-governmental sector with the goal of strengthening the interinstitutional cooperation and coordination in the fight against human trafficking and migrant smuggling.

In February 2019, with the support of the IOM, 38 two-day joint trainings were conducted for 889 social workers, representatives of the national unit (Task Force) and the mobile teams for identification, referral and assistance for potential victims of human trafficking, Representatives of the MoI, judges and public prosecutors who work in the area of trafficking and smuggling, 48% of which were women. The goal of the trainings was strengthening the mutual cooperation in the area of human trafficking.

Within the National Committee for combating human trafficking and illegal migration there is a

Secretariat, an executive and operative body composed of representatives of Government institutions, international organizations and civil society organizations. At the initiative of the Commission, the SOP for dealing with victims of trafficking (revised in 2018), the SOP for unaccompanied migrant children and SOP for dealing with vulnerable categories of foreigners (2016) have been adopted

There is progress in providing interpreters in the languages spoken by the migrants, for the purpose of establishing communication with them, and understanding their specifics and needs. Such information is necessary for further referral and activities.

Due to the high number of migrants without documents, it is necessary to have cooperation with their countries of origin in order to identify their identities and the reasons for migration.

Challenge: Further strengthening of the material technical and human resources for managing the increasing migration flows, for efficient combating migrant smuggling, as well as for handling and protecting migrants, especially women and children.

The expectations of the public are for the organizers of criminal groups to be discovered and sanctioned, from the top of the hierarchy.

It is necessary to further strengthen the institutional capacities, as a response in the fight against migrant smuggling.

(10) Prevent, combat and eradicate trafficking in persons in the context of international migration

Human trafficking is a form of organized crime, which is recognized by the authorities in the Republic of North Macedonia who take comprehensible measures for the prevention, prosecution and sentencing thereof. Significant comprehensible progress has been made with the establishment of the National Committee for combating human trafficking and illegal migration (2002), which created the measures and initiatives taken by the country in the area of punitive law, but also in the strengthening of the social and protective measures, when it comes to the victims, vulnerable categories and especially children. The National Commission pays special attention to the prevention and combating human trafficking, identifying the reasons for the phenomenon of human trafficking, strengthening the capacities for implementing the activities, raising awareness and education, reducing the vulnerability, providing support and protection of the victims and migrants, identifying and referring the victims, help for the victims and migrants, as well as improving the punitive legislation to prosecute the criminals more efficiently.

In the preparation of the strategic documents for combating trafficking in human beings recommendations and best practices from the following international documents are taken into consideration: Recommendations from the Council of Europe, the GRETA report for Evaluation and implementation of the Convention of the Council of Europe "Action against trafficking in

human beings”, and the recommendations from the GRETA second evaluation cycle report, the EU strategy for abolishing trafficking in human beings and the Directive 2011/36/EU for prevention and combating trafficking in human beings and protection of victims of trafficking, the OSCE Action plan for combating trafficking in human beings, the decision 557 for supplementing the plan for combating trafficking in human beings, the Decision of the OSEC Ministerial Council for Strengthening the efforts for suppression of all forms of trafficking in children, including sexual exploitation of children, and the relevant reports for trafficking in human beings prepared by the US State Department. In the reports, the comprehensive, organized and effective efforts in dealing with trafficking in human beings in the Republic of North Macedonia is recognized.

The GRETA recommendations for the Republic of North Macedonia have been appropriately implemented in the Operational Action Plan for 2020.

The MLSP initiated and implemented measures and activities for better prevention and protection of victims of human trafficking. The Ministry also undertook activities to strengthen the capacities of the experts in the centers for social work and labor inspection. It coordinates the activities through the social workers in the centers for social work in 30 towns throughout the country, who play a vital role in the process of identification, resocialization and reintegration of the victims of human trafficking.

From December 2017 until the end of 2019, the IOM—in cooperation with the Ministry of Interior, Ministry of Labor and Social Policy and the Ministry of Justice—implemented the project “Strengthening the national capacities in the area of asylum, migrations and human trafficking”, which project was financed by the European Union. Within the project, 5 mobile teams were formed to identify the vulnerable categories, including victims of human trafficking in Skopje, Bitola, Kumanovo, Gevgelija and Tetovo. The mobile teams are comprised of a social worker, a police officer and a representative of a citizens’ association and they work according to the methodology and the developed indicators, contribute for deepening the cooperation between the affected institutions in identifying the vulnerable categories of people for asylum, migrations and human trafficking, especially children. With the support from the teams, in 2018 – 2019, there were 14 victims of human trafficking identified (all women), 190 potential victims of human trafficking and 593 people from vulnerable categories. The number of identified victims is almost twice as high as in 2016 – 2017 (total 8 victims of human trafficking – VHT). For 89 victims and potential victims, direct assistance was provided through the Direct Assistance Fund in the form of medical aid, legal aid, food and hygiene products, clothing, support for strengthening professional skills and other.

Moreover, 42 two-day trainings were organized for 992 representatives of the police, social workers, judges and prosecutors (52% women) on the topic of human trafficking and migrant smuggling. Support was provided for the preparation of three bylaws pursuant to the new Law on Foreigners (*Official Gazette* no. 97/2018), as well as analysis of the protection of

unaccompanied minors and the national legislation in the part of employing foreigners. An informational video was produced regarding the risks of activities of human trafficking for sexual and labor exploitation and underage marriages that, through digital channels and social media, affected over 70,000 people in the country and beyond.

OSCE provided support in the form of IT equipment for the mobile teams.

UNHCR has been providing continuous support to the MoI and MLSP in the enhancing of the international protection system. In that context, as per the annual program, UNHCR has supported the preparation of the SOP for dealing with unaccompanied children – foreigners and the SOP for handling vulnerable categories of people – foreigners, and has provided support in their implementation.

UNHCR, in cooperation with their partners provides access to legal protection to persons who request recognition of the right to asylum, by providing access to free legal aid in all instances of the procedure, including court proceedings, on the territory of North Macedonia, including the transit reception centres Vinojug and Tabanovce.

In order to enhance the mutual cooperation of the local committees, and their cooperation with the National commission for combatting trafficking in human beings, the UNHCR Office in North Macedonia, in the framework of its annual program, continuously supports the local committees and National Commission process of coordination.

Additionally, UNHCR, in cooperation with its partners, provides urgent humanitarian support in life threatening situations and limited humanitarian support to refugees and persons in need of international protection. UNHCR continuously supports the MLSP in the process of strengthening the systems for protection of vulnerable persons, including alternative forms of care for vulnerable persons and unaccompanied children.

UNICEF is also active in supporting and harmonizing the legislation that needs to provide strengthening of the system, providing protection and ensuring that all decisions are made in the best interest of the children that come in contact with the law, the refugee and migrant children, as well as in regard to the protection of children from violence, including trafficking in children.

Additional strengthening of the institutional capacities in the prevention and fight against human trafficking remains to be a challenge.

(11) Manage borders in an integrated, secure and coordinated manner

The Ministry of Interior and the other agencies in the Republic of North Macedonia with competences in border operations have many years of experience in successfully transforming and improving the capacities for work. The European Commission provides significant support and assistance for investment policies and development of the capacities of the institutions.

The Strategy for integrated border management pays special attention to the strengthening of the partnership, stability, economic growth, but also to the reduction of security risks,

particularly from the aspect of combating illegal migration and cross-border crime. With the goal of further strengthening the operational capacities of the Border Police, in partnership with representatives from Slovakia and Slovenia, since 2018 the MI has been implementing the twinning project “Harmonization of the national systems with the requirements for border management of the EU and Schengen”, supported by the EC. The project is based on two components: 1. Preparation of a Roadmap for adoption of Schengen-related legislation, upgrading the legislation in the part related to integrated border management and the preparation of Schengen Plan, and 2. Strengthening the administrative and technical capacities in the area of integrated border management. This project builds upon the previous projects from the EC programs – CARDS I Twinning and provides continuity in the creation of sustainability in managing the borders in an integrated and safe manner.

The project needs to produce a new strategy for integrated border management, valid from 2021.

Frontex has a significant presence in the operation of the border police in the Republic of North Macedonia. Its institutional capacities and expertise have a significant effect in strengthening of the capacities of the domestic institutions and in supporting regional projects related to more efficient integrated border management. As a challenge remains to complete the agreement on cooperation between the Republic of North Macedonia and the EU, thereby providing even better support and partnership between the MoI and Frontex. The signing and entering into force of the Status Agreement between the EU and North Macedonia for activities conducted by Frontex in North Macedonia, will enable deployment of Frontex personnel with executive jurisdiction in the territory of North Macedonia, which is a unique, but very important area of cooperation for which there is no legal basis at the moment.

The regional dimension is important for enhanced cooperation of the border police in the countries of Southeast Europe. The regional conferences on border security (2019) of the WB countries, organized by MARRI have a positive effect and contribute to the strengthening of the cooperation and establishing network connections in the centers for integrated border management by the countries from the region.

In this domain, the state plans to further strengthen the integrated border management in line with the standards of the European Union.

(12) Strengthen certainty and predictability in migration procedures for appropriate screening, assessment and referral

Based on the experiences from the migrant and refugee crisis in 2015, the authorities in the Republic of North Macedonia recognized that they need to improve the procedures for registration, screening and referral during first contact with the migrants and persons in need of international protection on the border line. Furthermore, the police officers had training with domestic and foreign experiences, which proved to be successful.

The methodology of work of the border police is based on continuous contacts with the police from the neighbouring countries and the countries along the route. It is usually implemented

through joint border centres. Information and data is commonly shared through the Joint centres for police cooperation (with the competent departments for the neighbouring countries), and through the use of common platforms for data exchange, meetings, participation in regional events, forums and initiatives, as well as regular video – conferencing meetings with EU agencies and competent departments from third countries, including the neighbouring countries.

Essential progress in the operation can be seen from the developed SOP for identification of migrants, SOP for dealing with unaccompanied and separated children, SOP for dealing with vulnerable categories of foreigners, SOP for identification of victims of trafficking in human beings. The challenge facing the officers is the screening to find a vulnerable migrant, especially if it is a child, so that the child could be referred to the appropriate institution.

The web application for screening and identification of vulnerable categories of foreigners, prepared by IOM, enables to conduct screening, identification and referral of the vulnerable categories of foreigners to the institutions that can timely respond to fulfil the special needs who have been identified as part of a vulnerable group. The application provides the basis for referring the person to a specific institution or officer.

The emergence of Covid - 19 has brought new experiences, but new challenges too. It is necessary to further strengthen the capacities for more efficient screening, evaluation and referral, especially in cases of minors.

We need to additionally strengthen the institutional capacities in the implementation of screening, evaluation and referral.

(13) Use migration detention only as a measure of last resort and work towards alternatives

The new Law on Foreigners further regulates the issue of detaining foreigners on the territory of the Republic of North Macedonia, by simplifying the definitions on when a foreigner cannot leave the country and when they will stay in the country.

Article 158 applies to the reasons and the time period for temporary detaining a foreigner. The reasons are as follows:

(1) For security reasons in the procedure for deportation, the foreigner can be held by the Ministry of Interior for a maximum of 24 hours.

(2) The foreigner from paragraph (1) of this Article shall be immediately informed of the reasons for the detaining and for the possibility, at their request, to inform the diplomatic – consular office of the country of their citizenship, to establish contact with a legal representative and with members of their family.

(3) The Center for social work and the diplomatic – consular office of the country of their

citizenship are immediately informed about the detention of an unaccompanied underage child.

(4) The detention of a foreigner shall stop immediately after the reasons no longer exist for their detention, and no later than the expiry of the time period specified in paragraph (1) of this Article.

Article 159 prescribes the bases for accommodating a foreigner in the Reception center for foreigners of the MI:

(1) For accommodating foreigners who cannot be removed from the territory of the Republic of North Macedonia for whatever reason within the deadline stipulated in Article 158 paragraph (1) of this Law, the Reception center for foreigners of the Ministry of Interior shall be established.

(2) In the Reception Center, a foreigner may be temporarily held if they are staying illegally on the territory of the Republic of North Macedonia, for whom a decision has not been made to be returned due to risk of escape or when the foreigner is avoiding or obstructing the return procedure.

(3) In the Reception Center it is possible to temporarily hold a foreigner for whom a decision has been made to be returned, but the person does not possess a valid passport, thus they cannot leave the Republic of North Macedonia.

(4) In the Reception Center it is possible to accommodate an asylum seeker, for whom a decision was made to limit their freedom of movement in accordance with the law.

Paragraphs 5 – 7 of the same Article contain provisions for minors, when they stay in the Reception Center.

(5) In a special room for minors within the Reception Center an accompanied minor shall be accommodated, which minor due to objective reasons cannot be handed over to the authority of their country of citizenship and the Center for social work is informed thereof so that they can appoint a guardian in accordance with the Law on Family.

(6) In the cases stipulated in paragraph (5) of this Article, the principle of the best interest of the child shall be followed.

(7) The unaccompanied underage persons and families with underage children shall be kept in the Reception Center only as final resort and for as brief period of time as possible.

(8) During the time when the foreigners are accommodated in the Reception Center, they shall be enabled to participate in free and recreational activities appropriate for their age, and they shall be provided with legal, social, medical and psychological assistance, as well as the right to education in the educational institutions in the Republic of North Macedonia.

Article 161 specifies the maximum period of time of detention with the provision from paragraph 1: The foreigner shall be temporarily held in the Reception Center until the reasons that prevent their removal from the territory of the Republic of North Macedonia no longer exist, but not longer than six months.

As an exception from paragraph (2), the detention may be extended for additional maximum 12 months if the foreigner:

- Refuses to provide personal or other data and documents necessary for their deportation or has provided false data,
- In another manner prevents or prolongs the deportation or
- If it is reasonably expected to receive travel or other documents required for the deportation, which have been requested from authorities of other countries.

On the other hand, the Law on Foreigners introduces an alternative solution for detaining a foreigner, other than the Reception Center (Article 162), which is in line with the goal no. 13 of the GCM. The alternative solutions should especially be used in the event of detaining a child, as the final resort.

The Mol points out that they consistently act in accordance with the Law on Foreigners and that any detention, upon the request of the public prosecutor, is used only as final resort in securing the migrant.

The non-governmental sector points out that the police, who play a vital role in detaining the migrants, do not use the alternative measures often.

Challenge: The reasons stipulated by law, which apply to the detention of a foreigner, include high standards for their accommodation, security and protection. Even greater are the obligations of the country to act professionally and to guarantee the exercising of the rights of detained persons – foreigners. It is necessary to additionally improve the capacities in this domain.

With the adoption of the new Law on international and temporary protection in 2018, restriction of movement of asylum seekers has been introduced. In order to additionally regulate this matter, Mol has prepared and adopted a Rulebook on the manner of restricting freedom of movement of persons who have requested the right to international and temporary protection.

Challenge: The Law on international and temporary protection insufficiently regulated the restriction of movement in regards to the procedure for adopting a decision for restriction of movement, as well as in regards to the alternatives to detention of asylum seekers, in

particularly children. UNHCR has in that regard shared its view on the current legal regulative that regulated the restriction of movement.

(14) Enhance consular protection, assistance and cooperation throughout the migration cycle

Improving the consular services provided by the Ministry of Foreign Affairs and strengthening the diplomatic and consular offices of the Republic of North Macedonia abroad is one of the priorities in Macedonian foreign policy. To that end, in the upcoming period activities will be taken to improve the informing of Macedonian citizens about certain consular services, as well as to shorten the time for the procedure required to implement the consular activities, with focus on issuing birth, marriage and death certificates, passports and property documents.

The Macedonian DCOs play an important role in collecting information and acting within the N-VIS system. The progress is evident, but it needs to be developed and to provide services to numerous citizens in many countries.

MFA play a key role in informing foreign DCOs of countries of origin of migrants who have died passing through our country. Additional expansion of the communication network and providing regular communication channels remains to be priority in managing the migration flows.

The stakeholders have identified the progress in the operation of consular protection, assistance and cooperation in this area. However, the need remains for further strengthening and investing in the capacities of the staff in the diplomatic and consular offices abroad, as well as in the institutions in the country who cooperate with them.

(15) Provide access to basic services for migrants

The migrants have the right to access to the basic services that are guaranteed with the international documents and the domestic regulations. To that end, it is in the interest of the Republic of North Macedonia to show integrity in the implementation of the laws, which take care to ensure the compliance with the international standards for migrants and especially for the vulnerable categories and children.

The expertise and support from the international organizations is highly valuable and accelerates the efforts to improve the services for the migrants.

IOM prepared a web application for screening and identification of vulnerable categories of foreigners. The application enables screening, evaluation and referral of vulnerable categories of foreigners through the process and the institutions thereby providing appropriate individual fulfilment of the special needs of the person who is identified as belonging to a vulnerable group. The application specifies the reasons why the person has been referred to that specific institution or the specific officer responsible for a certain specific area.

The access to social services for persons that have been registered by the MoI in the two reception transit centers in Vinojug and Tabanovce is provided within the reception center by persons engaged through a project – social workers, educators, cultural mediators.

The persons who have acquired status and have regulated their stay have full access to the rights and services that are guaranteed by law, specifically – social security, healthcare, education, employment, housing, integration, etc.

The Red Cross of the Republic of North Macedonia provides first aid to migrants who need such care.

UNICEF supports strengthening of the approach for inclusion of migrant and refugee children in educational programs. The Law on Primary Education, with the amendments from July 2019, has an inclusive approach. During the Covid 19 - related crisis the children asylum seekers in the reception centre for asylum seekers in Vizbegovo were enrolled in regular education, including online classes as per the remote learning module.

Challenge: According to the Law on primary education, children who have previously not been enrolled in classes such as asylum seeker children, refugees and migrants, an assessment needs to be made for the degree of knowledge and their enrolment in an appropriate class, custom learning programs and instruments for checking their knowledge are necessary

IOM, in close cooperation with the Ministry of Health, provides healthcare services for the vulnerable categories of migrants, including their referral to secondary and tertiary medical care.

Additional investments in the institutions that provide services to the migrants are going to contribute to the improvement of the institutional capacities and the services provided.

(16) Empower migrants and societies to realize full inclusion and social cohesion

In the past period, significant progress has been made in creating better conditions for greater inclusion of the migrants. Amendments in the regulations mean continuous integration of UN and EU policies, adjusted to the conditions in the Republic of North Macedonia and creating conditions for better social cohesion.

The Resolution on migration policy in the Republic of Macedonia 2015 – 2020 puts high priority on integration and enabling migrants and societies to implement full inclusion and to have the opportunity for greater social cohesion. The first phase of the integration process has been partially regulated with the provisions of the Law on Social Security, Law on Healthcare, Law on Voluntary Health Insurance, Law on Primary Education, Law on international and temporary protection and the bilateral agreements for social security insurance that North Macedonia has signed with some countries.

Although the rights to social security of foreigners are guaranteed by law, there are certain

difficulties in their implementation. Therefore, there is an evident lack of information services for the foreigners – migrants that would enable the foreigners to get the necessary useful information upon arriving in the country.

The Ministry of Labor and Social Policy prepared a draft version of the new integration strategy for refugees and foreigners and a proposal for an Action Plan 2017 to 2027, which is yet to be adopted.

This strategy, which should be adopted, is going to contribute to further sustainable integration of refugees and foreigners, by providing sustainable institutional solutions for the holders of the measures for integration, optimization of the resources in the implementation of the measures, formalizing the implementation system, informing, monitoring and evaluation of the measures for integration and introduction of policies and models that are going to enable the units of self-government to take ownership of the process of local integration.

Proactive policies are suggested; programs for integration, including early integration to contain activities with the local community.

The MoI and other stakeholders are putting efforts into a comprehensible analysis that would be used to improve the priorities for full inclusion and creating better social cohesion.

(17) Eliminate all forms of discrimination and promote evidence-based public discourse to shape perceptions of migration

High-quality legal solutions and an effective punitive legal system have an effect on strengthening the general prevention, but also efficient actions in the event of discrimination related to a case of migration.

Encouraging dialogue between the immigrants and the local population is the desirable concept for overcoming the problems of xenophobia and discrimination. The MLSP has an important initiative that cooperates with domestic and foreign organizations, including UN organizations for developing campaigns and strategies in mitigating the negative perceptions of migrant issues and participations in events whose goals include the prevention of discrimination. UNICEF puts emphasis on the fact that every child is important and that all children, regardless of their origin, have their rights.

Some media, when discussing migration do not use the terminology as stipulated with the regulations, and whether aware or unaware thereof, mislead to the wrong conclusions.

An important role in Macedonian society is played by the Committee for protection of discrimination. Migration and migrants are not a threat to the domestic population. Education is necessary, in order to learn to recognize xenophobia, with the goal of preventing its spreading, and the advantages of migration will be utilized, which may ensure faster development.

The MoI has positive experience from taking part campaigns organized by the National Committee for combating human trafficking and migrant smuggling, annual report for 2019.

Priorities: The stakeholders suggest that research and analyses of the perception of the migrants should be conducted in environments where migrants are present. Furthermore, campaigns are necessary to be implemented with the local community.

(18) Invest in skills development and facilitate mutual recognition of skills, qualifications and competences

It is necessary to produce a clearer and more focused policy for stimulating and developing skills and their recognition for employment. Progress has been made in the process of certification of diplomas from foreign universities in the Republic of North Macedonia.

The MLSP, based on own experiences, but also based on good practices from the implementation of GCM in other countries, in partnership with the MES, is planning to conduct an analysis and program with activities for implementing the measures and more successful integration and reintegration. The economic section of the diaspora from the Republic of North Macedonia may help with their experience, knowledge and expertise. The analysis could be appropriately transposed into the domestic legislation.

(19) Create conditions for migrants and diasporas to fully contribute to sustainable development in all countries

The rise in emigration of highly educated staff, which according to all parameters, can be treated as brain drain, has an effect on the further reduction in highly educated staff in the country, but also on the scope and profile of the available workforce with higher level of education, reduction in the level of human capital, which implies adverse effects in the area of social – economic development in the country, in numerous fields.

The returning migration flows basically carry with them a higher inflow of foreign currencies, growth of investments, transfer of technology and knowhow. Modern-day emigration from North Macedonia has a development potential among the Macedonian diaspora and, if they are motivated, and market preconditions are created, it could have a positive effect on the development in the country. The successful Macedonian businessmen and well-established highly educated staff may give significant contribution for the implementation of projects with sustainable development in their fatherland.

In 2019, the Republic of North Macedonia adopted the Strategy for cooperation with the diaspora, which contains specific measures for the country's better connection and engagement. The specific goals of the Strategy are: mapping the diaspora; systematic determination of the priorities of the diaspora; providing a mechanism for cooperation that

would be of mutual benefit for the country and the diaspora; determining the rights and obligations in the political context of the diaspora; establishment of a business cooperation between the Republic of North Macedonia and the diaspora; establishing cooperation regarding educational measures and youth policies between the Republic of North Macedonia and the diaspora.

The challenge for the Republic of North Macedonia is to reduce the level of permanent emigration of the population and the workforce, on one hand, and support of the temporary – circular migration in the upcoming period, on the other. The opportunities for utilizing the development potential and the establishment of cooperation with Macedonian citizens abroad, but also encouraging return flows and reintegration, if promoted based on a plan and in coordinated manner, may bring progress in the development of exchange of expertise and investments in the local communities.

(20) Promote faster, safer, and cheaper transfer of remittances and foster financial inclusion of migrants

Regarding the issue of the effects of emigration, according to their importance, foreign-currency remittances and foreign-currency inflows have a special place, based on transfers from Macedonian citizens abroad. The foreign-currency remittances and foreign-currency inflow are transferred through the banking system, but there are indicators that the majority of the foreign-currency funds are transferred through informal channels. The most common reasons why the citizens transfer the remittances informally, thus knowingly accepting the risk of violating the law, are mistrust in the financial institutions, high prices for services charged by the service providers, sustaining from leaking information to state authorities and the local community regarding the funds available to the owner, and other reasons.

“The development effects of the foreign-currency remittances are determined by the manner of their utilization. All researches conducted in the last decade in relation to the use of foreign-currency remittances and foreign-currency inflows from Macedonian citizens from abroad show that most of these funds are used for personal consumption, building/purchasing and renovating houses/apartments and their furnishing, organizing family ceremonies etc. This was also confirmed by the research from 2013 according to which 61% of these funds are used for consumption, 16% for investments in real estate, 6% for education, 5% for repayment of debts, etc. The cases where these funds were used for investments in current or new business were rare. Therefore, the foreign-currency remittances have a positive effect on consumption and the standard of living of the households of the migrants, but do not have long-term development effects at the macroeconomic level, especially in conditions of increased consumption of imported goods.

(21) Cooperate in facilitating safe and dignified return and readmission, as well as sustainable reintegration

The Republic of North Macedonia has an agreement with the European Community for taking over persons with unregulated stay. The agreement is implemented smoothly, and the statistics data from the MoI show that in 2019, 1,300 persons were returned, and in 2016 – 3,500, and in 2015 – 9,000. Most of these persons are Roma people. The authorities in the Republic of North Macedonia, in accordance with the standards of international organizations, are making efforts for the persons who are returned to the country, to be immediately or quickly given rights that had been lost when they left, so that they could more quickly get integrated in the system and have access to social security, healthcare services, education, to have benefits for employment or registering in the Employment Agency.

The institutions are dedicated in their work, but there is lack of a systematic approach.

The Republic of North Macedonia has agreements for readmission with nearly all countries from Europe. The challenge remains for the future conclusion of agreements for readmission with the countries of origin of the migrants. This is difficult to achieve, especially with countries affected with war or countries with unstable democracies.

The stakeholders agree that there is progress in the implementation of the mechanisms for readmission and return of irregular migrants. The MLSP is part of the readmission mechanism, especially active in the part of returning vulnerable persons and minors. The MLSP is also implementing the program for reintegration of readmitted returnees.

It is also useful to refer to the IOM regional analysis regarding the capacities of the countries and what are the obstacles to voluntary return and readmission, which should be presented in 2021.

IOM, in close cooperation with the competent authorities, is implementing programs for assisted voluntary return of those migrants who have no need for international protection to their countries of origin.

The readmission and the accompanying activities are complex route, which requires further strengthening of the institutional capacities and cooperation with the civil society.

(22) Establish mechanisms for the portability of social security entitlements and earned benefits

Until now, the Republic of North Macedonia has concluded bilateral agreements for social security with 21 countries, and in the process of seceding from the former SFRY, the country also took over and applied the Conventions for social security concluded with the SFRY, until the conclusion of a new bilateral agreement for social security, with 5 countries.

This topic needs to be thoroughly and interinstitutionally addressed by GCM, and including the MLSP. The inclusion of relevant state institutions, the civil society and the international organizations could bring progress.

The recognition of the child and ensuring its safety should be in the focus of the solutions of this goal by GCM.

(23) Strengthen international cooperation and global partnerships for safe, orderly and regular migration

The Republic of North Macedonia has established significant international cooperation in the area of integrated border management, combating trafficking in human beings and irregular migration with a number of partner countries, UN Agencies, EU Agencies and other international organizations.

The key activity in the fight against the security challenges is the international cooperation, which is based on trust, higher exchange of information and efficient neutralization of criminal threats. The exchange of information is conducted through the already established channels of Europol, Interpol, Frontex and liaison officers, and it has been enabled through the membership in international and regional organizations, initiatives, agreements and conventions.

With Frontex, a cooperation agreement has been prepared, which should improve the cooperation, which is highly valued even now. The signing and entering into force of the Status agreement between the EU and North Macedonia for activities conducted by Frontex in the Republic of North Macedonia will enable novel, direct means of cooperation, which will in turn enhance international cooperation and partnership.

The Republic of North Macedonia has established partnerships with the United Nations and other regional and international organizations in the implementation of the goals of GCM. The United Nations, led by IOM, provide support to the country through joint implementation of the GCM, by enhancing the international and regional support for the purpose of accelerating the implementation of the Agenda for sustainable development 2030, by involving and supporting the local authorities in identifying the needs and the efficient implementation of the GCM and its integration into the local strategies and through mobilizing technical, financial and human resources for the fulfilment of the goals of the GCM.

Through the project “Regional support to protection sensitive migration management in the Western Balkans and Turkey”, financed through the IPA 2 program, and implemented in partnership between IOM, Frontex, EASO and UNHCR, accent has been placed on regional cooperation for the purpose of achieving safe, orderly and regular migration. The project, through the planned activities contributes to the achievement of multiple goals of the GCM, primarily 1, 3, 5, 11, 13, 21 and 23, and it constitutes a sustainable initiative for networking the efforts of the governments from the region in order to strengthen migration management.