XXXV TECMUN

European Commission

Delegado,

Tengo miedo, tengo tanto miedo cómo podría tener una persona en una situación de riesgo, tanto miedo como el estudiante que ha sido golpeado por sus profesores al tratar de reclamar sus derechos. Yo he sido azotado, mutilado y asesinado; sobre mí nadie ha hablado, me han evidenciado como un criminal; ante las noticias, realizó narcomenudeo. El día de hoy la sociedad me concibe como un vago; mientras en mi mente, no logro concretar por qué estoy encarcelado.

Ayer fui una joven estudiante de prepa nueve, brutalmente abusada dentro de un baño; mi denuncia no pasó y mi agresor sigue impune. Estoy devastada y tengo miedo.

Sin embargo las personas se levantaron por mi, por mi llamaron a la acción y aunque tenga miedo, sé que puedo tratar de defenderme. Hace unas horas, mi facultad y yo nos levantamos, desde entonces; mi teléfono está intervenido, me han lanzado petardos e incendiado mi biblioteca… yo también tengo miedo. Como todos ellos tengo miedo, pero hoy soy un profesor de la misma facultad que yo detuve aquellos días en 1999; puedo tener incluso un doctorado, y como todos ellos… sigo con miedo. A pesar de ello, hoy me encuentro frente a un foro, defendiendo una postura que ni siquiera es mía, defendiendo aquello que no me pertenece, pero por lo que estoy dispuesto a luchar .En este recinto, hay más personas; como todas, tengo miedo.

Hoy soy Finlandia, y un momento después fuí presidente. Hoy me puedo llamar Japón, República Federativa de Brasil o Canadá; el día de mañana puedo ser tú. Tengo miedo, tengo tanto miedo como se puede tener. Sin embargo sigo aquí, tratando de mantener mi postura erguida a la vez que me quebrantan por dentro. Pero tengo algo claro, tal como menciona aquel epitafio de los espartanos caídos en Termópilas, "Extranjero, id a decirle a Esparta que aquí yacemos en el cumplimiento de sus leyes". Yo estoy dispuesto a dar todo de mi, yo solo hice lo que creí justo... y solo por esa razón, me deberían de tener miedo.

Mi nombre es Víctor Daniel Meza Castillo, pero también es el tuyo.

_____

President Víctor Daniel Meza Castillo

President of the European Commission

XXXV TECMUN

Background of the European Commission

The European Commission was formed on January 16, 1958, as the European Union needed an organism to act as a guardian of all its treaties. The Commission resides in Brussels, Belgium, and its current President is Ursula von der Leyen; it counts with 28 Member States, all active participants of the European Union's treaties.

Faculties

The European Commission protects the European Union and its citizens' interests, which involve their participation in the global agenda, by supervising and reinforcing laws that allow solving relevant issues effectively. It also manages European Union policies, as well as allocating its funding; this is achieved by setting priorities together with the Parliament and the Council. The Commission is the only body responsible for preparing proposals for new European legislation and for implementing the decisions of the European Parliament and the Council of the European Union. It is the European Commission's duty to elaborate proposal laws that are both possible and viable, in order to pursue the European Union's interests.

Topic A

The EU Cybersecurity Act and the reinforcement of legislation against cybercrime with focus on the United Kingdom's accusations to Russian military's involvement in cyber attacks, aimed to political processes and economy.

By: Carmina León Ramírez and Brenda Picazo Legorreta.

Introduction

It is a fact that the digital era has become a significant pillar for globalization. Which is why the European Commission has set as a priority to remove all differences between offline and online market, guarantee the fulfillment of the consumer's rights, transparency and, of course, protection of personal data; all this through a harmonised and equal legislative strategy. Legal parameters, supervision and mediation from the Commission have improved Europe's trade competitivity, but there's still much to improve with respect to cross-border operations and prevention of data leakage. Not only is cyber crime aimed to civilians, but it also compromises homeland security and threatens enterprises and local companies' privacy and administrative information.

The National Cyber Security Centre — Great Britain's intelligence — has accused Russia's military intelligence for "indiscriminate and reckless cyber attacks", in "flagrant violation of international law" (NCSC, 2018), which allegedly affects national economies and civilians, including Russia. British Foreign Secretary Jeremy Hunt, condemned Russia's Main Intelligence Directorate (GRU), claiming that "attacks previously attributed to global hackers now bear the hallmarks of Russian military intelligence" (Sandford, 2018). As European societies are becoming more dependent on electronic networks and information systems, it is necessary to create stricter and more effective laws. As of now, the European Commission dedicates its efforts to facilitating national access to electronic evidence for criminal investigations.

Cybercrime and cyber attacks on the European outlook

This criminal activity consists of taking advantage of digital platforms and violating the privacy of thousands of users. For the past decade, criminal networks have been using new technologies to commit cyber attacks against governments, institutions, companies and individuals. Pure cybercrime, which is the most common action used by criminals, consists in collecting information and completely denying access to the person who owns this information, violating the freedom and the right to privacy to the individual in question. These attacks commence as a threat; from planting malware, to stealing and having full control of confidential information. Cyber attacks have an important impact in a society or country, affecting both civilians and infraestructures which are indispensable for order, and even economy. "Cyberattacks know no borders and evolve at a fast pace while the Internet also facilitates a range of more traditional crimes" (Interpol, 2019).

Cyberspaces are extremely complex, accessible to everyone and difficult to pinpoint. Even if they've facilitated countless opportunities and processes, it's impossible to ignore the fact that they've also become the source for disruption, conflict and geopolitical rivalries. An increasing connectivity to the digital world entails greater vulnerability, meaning anyone can become a perpetrator. Important research and progress is being accomplished, but this advance required about €530 billion; therefore, economically, cyber crime is constantly overcoming governments' capacity to deal with its attacks. Authorities have addressed that cyber attacks pose more danger to democracies and economies than guns and tanks, which is noticeably not a statement to take lightly.

The EU Cybersecurity Act, along with the European Cybersecurity Industrial, Technology and Research Competence Centre, is dedicated to the deployment of the most advanced cybersecurity technology, providing financial support and technical assistance, and facilitating the cooperation and organisation between the civil and defence spheres.

When it comes to reminisce cyber attacks records in Europe, a series of notorious patterns that point to the Russian Federation can be found. "Finland, which takes over the EU's rotating presidency on 1 July, believes Russia was responsible for blocking GPS signals last October when Finnish forces took part in Nato military exercises in Norway" (Boffey, 2019). European states also accuse the Kremlin of attempting a cyber attack on the headquarters of the international chemical weapons regulator, in an operation that was frustrated by Dutch military intelligence.

The European Union became an observer organisation to the Council of Europe's on Cybercrime Committee in 2001. After this convention, the EU has used policy, legislation and spending their time strengthening ways to prevent these attacks. The objectives of the European Commission is to increase cyber security cooperation and strengthen the EU as a cyber security player.

> Legislation alone does not guarantee resilience. While the NIS Directive's objective is to achieve a high level of security across the EU, it explicitly focuses on achieving minimum, not maximum, harmonisation. Gaps will continue to emerge as the cyber-landscape evolves (Jakobsen, 2019).

The EU cyber ecosystem is complicated which involves many stakeholders. Gathering all its disparate parts is a considerable challenge. Since 2013, there has been a concerted momentum to give coherence to the EU cybersecurity field.Since the European Union is one of the largest communities in the world, it is an attractive target for cybernetic world attacks. The rates of

cyber attacks in North America are lower than those in Europe, which contributed to more than a quarter of all attacks, with 38%.

The EU and its member states have witnessed a large number of incidents where cyber weapons were deployed for political or strategic purposes.

> According to the Alliance to ensure the democracy of the German Marshall Fund, 17 EU countries have been targeted by electoral interference ranging from cyber attacks to disinformation campaigns: Bulgaria, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Hungary, Italy, Latvia, Lithuania, Poland, Portugal, Spain, Sweden and the United Kingdom (Scheffer, 2018).

The cost of cyber incidents extends well beyond democratic processes and institutions, to the social and economic costs that affect both citizens and businesses.

The affectations on European Union's secrecy and legal stability

Throughout the last decade, news about Russian Intelligence taking part of certain cyber attacks, specifically aimed to major companies and even governments or government organisms, have been spread and accused the Federation. The EU Cybersecurity Act strengthens the EU Agency for cybersecurity (ENISA), as well as establishing legal frameworks directed to digital products, services and processes. Given this, ENISA's task is to maintain and control cybersecurity certification framework, in order to inform the public on certification issues. Likewise, operational cooperation is mandatory, as helping EU Member States handle cybersecurity incidents ensures coordination, so that large-scale cyber attacks are avoided.

Attacks attributed to the GRU mainly affect four sectors inside European societies, such as the media, sports, transportation and political processes. For instance, hospitals can become seriously violated, to the point that it may be impossible for them to respond to emergency situations. Australia and New Zealand issued similar statements complaining that their own intelligence agencies had evidence of Russian involvement in these same attacks. Therefore, the Kremlin has not responded to the claims of the British government; instead, they deny the accusations.

> In particular, the government has pointed the finger of blame at the GRU for four major incidents: an attack between July and August 2015 where the emails of a small UK TV station were stolen; the hack against the Democratic National Committee (DNC) in 2016; leaking of athlete data from the World Anti-Doping Agency, and the BadRabbit ransomware that spread in October 2017" (Burguess, 2018).

Time after, the UK and US government decided to unite their ideas and lay the blame on Russia for attacking computer systems, switches, firewalls, among others in companies around the world. Correspondingly, the NCSC added that Russia was responsible for the cyber attacks of NotPetya, which completely stopped logistics and transport companies around the world, and consequently expanded to Ukraine. Inside the aircraft industry, for example, there is the case of Asco, a Belgian company who stopped operations at its base in Zaventem, due to a breach of security.

The Commission, along with the High Representative (chief coordinator and representative of the Common Foreign and Security Policy), are proposing a wide set of mediatory measures which are meant to enforce the cybersecurity protocols in the EU. Within these proposals, the EU Cybersecurity Agency is supposed to assist Member States within its possibilities; together with a new European certification scheme, which will ensure products and services in the digital world are safe to use. Building operational and analytical capacity for investigations will increase the probabilities of international cooperation, as well as increasing the digital technologies advantage in the fight against cybercrime.

The Cyber Atlantic exercise on November 3, 2011 served as a test of transatlantic response to cyber attacks, along with an attack on supervisory control and data acquisition (SCADA) systems. This exercise was the first EU-US joint conducted test, and it used simulated cyber-crisis scenarios to assay how each country's cyber security agencies would respond. Supervising, monitoring and performing these kinds of exercises will help both nations in composing for the possible case of a nation-wide cyber threat.

Effects on trade and the national economy

Cybercrime has become a new way to infringe leading companies, whose cyber security protocols were thought to be intraspassables. "According to McAfee and the Center for Strategic and International Studies, when it comes to cybercrime, Europe's economy is truly suffering, as .84% of the region's GDP is affected" (MRC, 2018). The consequences of cybercrime on economy could be attributed to the dependence on digital networks, as well as the technological advances and adaptations of criminal networks to the level and sophistication of high-tech protected companies. Cybercrime is believed to be underreported by, at least, 95% of the times, which increases the costs of assessments and further tracing.

Added to the threats of the digital era, cryptocurrency and its rapid monetization now imply a bigger risk for financial institutions, along of course with fraud. "Although regulators are fighting cybercrime by offering improved standards in threat data and requirements that

improve security, banks are still the main targets of cybercriminals" (MRC, 2018). Member States of the European Commission have been facing enormous trouble regarding cryptocurrency and online fraud from Russia, North Korea and Iran, which are the most active in hacking financial institutions and cyber espionage. "Stolen IP and confidential business information, online fraud, financial manipulation of publicly traded companies, and the cost of securing networks after hacking are some of the most devastating effects to companies right now" (MRC, 2018). It has become imperative to find strategies to catch this criminal networks, as well as promoting international cooperation, since it has become of public knowledge that state sanctuaries protect cybercriminals from authorities.

Jean-Claude Juncker, President of the State of the Union, stated in 2017 that authorities have been working to maintain Europeans safe online; nevertheless, he recognized that Europe still hasn't got the tools or equipment to defend itself from cyber attacks. So, in order to keep improving technologically, the European Union created the European Cybersecurity Agency. As technology and digital platforms represent Europe's economy backbone, it is needed to maintain tracing and control of every single movement made digitally. On the other hand, the increasing threats from non-state and state actors in stealing data, committing fraud or even destabilising data has led to 80% of European companies to face at least one cybersecurity incident per day. "The economic impact of cyber-crime has risen five-fold over the past four years alone" (European Commission, 2017).

Attacks aimed at political processes

"Brussels has seen a sharp rise in "more and more dangerous" cyber attacks on EU servers in the past year, as anxiety increases about potential Russian meddling in European politics" (Beesley, 2017). In the past lustrum, EU faced 110 separate cyber attacks attempted towards the European Commission's servers; these attempts led to the suspicion on the Kremlin's interference in France and Germany's upcoming elections. Precautions were taken after the US intelligence agencies blamed Russia for hacking Democratic national committee emails in the nation's past presidential elections. Throughout three years, the Commission's headquarters located in Brussels have centered their greatest efforts in protecting sensitive data about the 28 Member States and the management of the single currency. Actions such as the use of encrypted emails and cooperation with Nato have been taken, all in response to the "sophistication" in the Russian Federation's cyber attacks.

During election time, citizens can see the possibilities for cyber attacks, making this a threat for future elections. More than 20 members of the European Union including the EC

have made revisions which have become worrying in recent months. “A coordinated cyber attack could be so severe as to hamper the democratic process and obstruct the European Parliament from convening after the elections” (Stolton, 2018). With this said, they highlight what a possible attack can affect an election or how they can end up altering a political debate in a period prior to the elections. If there is a cyber attack during an election campaign, this can have catastrophic results or can even deviate completely from the main objective. “In this case, political officials are required to explain the shortcomings of their security systems rather than their policy proposals” (Stolton, 2018).

The attacks made towards the elections fall into two categories: those that focus on behavior and what is directly affected by the system. The latter mentioning includes the alteration of numbers of voters and votes; and the manipulation of electoral campaigns. Even if some countries already have a secure system to prevent cyber attacks, this does not guarantee that there will still be threats against the elections. Clearly, this presents great concern for both citizens and members of the EU. According to a Eurostat survey in 2017, 86% of European citizens are no longer safe from these attacks. On the other hand, for some this action is normal for them since there have been different electoral frauds that make this normal and not something new.

Estonia was the first country to have an advance system on cybersecurity. It was the first country to introduce online voting in 2005, as well as the cybernetic coffins made resistance in 2017 that temporarily paralyzed the private sector. ”Electronic voting is also a concern for cybersecurity among EU leaders. Currently, Estonia is the only country in Europe that offers online voting. In the 2014 European parliamentary elections, just over 30% of Estonian voters voted online” (Stolton, 2018). The EU must work as a single body and generate ways to prevent these attacks and eradicate social and individual political consequences. There is currently the Cybersecurity Law, which is currently in interinstitutional negotiations, and the proposal for the establishment of a cybersecurity competence center and national coordination centers, which are currently being discussed in Parliament and the Council. The objective in the electoral field is to give citizens the opportunity to have a free decision when voting. These include, improving transparency in online political advertising, establishing national electoral cooperation networks, and combating misinformation in the context of EU elections.

References

1. Berlinger, J. & Santos, N. (2018). *UK blames Russian military for 'reckless' cyber attacks.* Recovered 18 December 2019, from CNN Website: https://edition.cnn.com/2018/10/03/uk/uk-russia-cyber-attacks-intl/index.html
2. Beesley, A. (2017). *EU suffers jump in aggressive cyber attacks*. Recovered 26 December 2019, from Financial Times Website: https://www.ft.com/content/3a0f0640-d585-11e6-944b-e7eb37a6aa8e
3. Boffey, D. (2019). *EU to run war games to prepare for Russian and Chinese cyber-attacks.* Recovered 25 December 2019, from The Guardian Website: https://www.theguardian.com/technology/2019/jun/27/eu-war-games-prepare-russia-china-cyber-attacks
4. Burgess, M. (2018). *The UK just blamed Russia for four major cyberattacks. That's huge*. Recovered 18 December 2019, from WIRED UK Website: https://www.wired.co.uk/article/uk-russia-cyberattack-hack-blame
5. *Cybercrime.* (2019). Recovered 18 December 2019, from INTERPOL Website: https://www.interpol.int/Crimes/Cybercrime
6. Cybercrime Law. (2013). *EU*. Recovered 25 December 2019, from Cybercrime Law Website: https://www.cybercrimelaw.net/EU.html
7. Domina, M. (n.d.). *A Digital Single Market Strategy: European Union in the Digital Era.* Recovered 18 December 2019, from HG.org Website: https://www.hg.org/legal-articles/a-digital-single-market-strategy-european-union-in-the-digital-era-42809
8. ENISA. (2011). *First joint EU-US cyber security exercise conducted today, 3rd Nov. 2011.* Recovered 25 December 2019, from ENISA Website: https://www.enisa.europa.eu/news/enisa-news/first-joint-eu-us-cyber-security-exercise-conducted-today-3rd-nov.-2011
9. European Commission. (n.d.). *The EU Cybersecurity Act*. Recovered 21 December 2019, from European Commission Website: https://ec.europa.eu/digital-single-market/en/eu-cybersecurity-act
10. European Commission. (2017). *State of the Union 2017 - Cybersecurity: Commission scales up EU's response to cyber-attacks.* Recovered 25 December 2019, from European Commission Website: https://ec.europa.eu/commission/presscorner/detail/en/IP_17_3193

11. European Parliament. (2019). *Cyber: How big is the threat?*. European Union: European Parliament.
12. Merchant Risk Council. (2018). *Financial Impacts of Cybercrime.* Recovered 21 December 2019, from MRC Website: https://merchantriskcouncil.org/news-and-press/mrc-blog/2018/financial-impacts-of-cybercrime
13. Stolton, S. (2018). *EU Elections 2019: Critical cyberattacks loom, Estonia warns.* Recovered 26 December 2019, from EURACTIV.com Website: https://www.euractiv.com/section/cybersecurity/news/eu-elections-2019-critical-cyberattacks-loom-estonia-warns/

Topic B

Measures to enforce the legal framework of Bosnia and Herzegovina's politics regarding irregular migration and migrant smuggling in order to facilitate its entrance to the European Union.

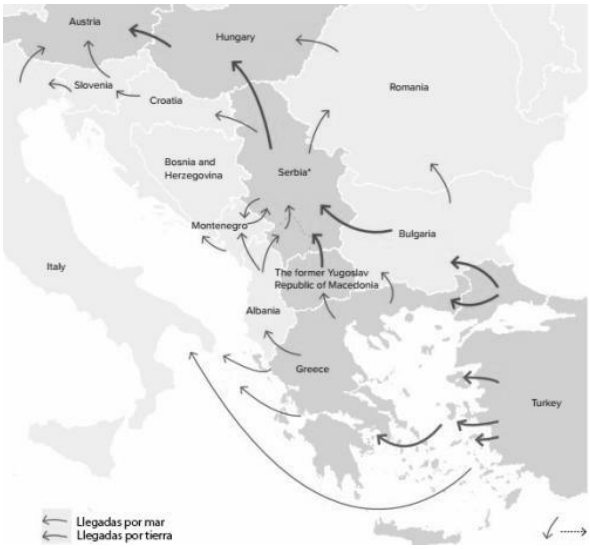
By: Carmina León Ramírez, Víctor Daniel Meza Castillo, Brenda Picazo Legorreta and Valeria Martínez Jaramillo.

Introduction

During the years 2015 and prominently 2016, the European Union (hereinafter EU) received an increasing flow of irregular migrants on its territory, the majority of which entered its borders by the assistance of illegal networks of smuggling in consequence of the lack of legal migration routes. The networks, often exposing migrants to threat and risk situations, provide transit or stay within the EU in exchange for great amounts of payment.

In many cases, the irregular migrants held in the EU are victims of labor exploitation as they depend on various criminal networks in order to continue their residence by falsified documents or supplanting people's identity.

The Balkan Route



The Balkan Route had been one of the main migratory paths into Europe, it usually started in the Republic of Turkey and then entered Europe through the Hellenic Republic or the Republic of Bulgaria, eventually reaching Hungary, Bosnia and Herzegovina or the Republic of Slovenia with destiny countries like the Federal Republic of Germany or the Republic of Austria. The initial part of the route went through the Aegean Sea, where the majority of migrants used the help of criminal networks to aid them arrive to the Hellenic Republic soundly through boat, given that the border in the Republic of Bulgaria - which can be reached by land - is closed. It began to receive a historical high flow in 2015 and again in 2016, with more than a million arrivals.

In 2016, the EU decided to close the borders from Hungary, the Republic of Slovenia, the Republic of North Macedonia and the Republic of Serbia to effectively cut the Balkan Route. This provoked that the number of immigrants staying in the Republic of Serbia, Republic of Croatia and Bosnia and Herzegovina increased considerably as a result of the strict policies that Hungary had adopted for immigrants. On the other side, the Federal Republic of Germany opened its borders in 2015, accepting the majority of refugees and asylum seekers that came from the Balkan Route. Nevertheless, it wasn’t able to accommodate every person

that arrived. After opening its borders, the Federal Republic of Germany became more and more strict on its asylum laws and deported 246,737 asylum seekers (Deutscher Bundestag, 2019) being the Balkan immigrants a big majority.

Bosnia and Herzegovina was generally a bypass country in the Balkan Route, but as the violence in the borders with Hungary and the Republic of Croatia increases, Bosnia and Herzegovina became a destination country for the Balkans Route. At least 200,000 stayed in the Balkans area instead of continuing towards the Federal Republic of Germany in 2015.

> 6,567 persons were pushed back from Croatia to Serbia in 2018 without being able to apply for asylum in Croatia. When the route turned towards Bosnia, this policy of collective expulsions along the Croatian borders was continued. Activists and organizations monitoring border violence in the field view this as a terrifying and systematic practice to discourage people from attempting to go to the EU. Ahmetašević, N. (UNHCR, 2019)

Bosnia and Herzegovina's history

Bosnia and Herzegovina is a muslim territory that was originally occupied by the Ottoman Empire. In 1878, the Austro-Hungarian troops took control over Bosnia and Herzegovina's territory, but after World War I, the distribution led to the Yugoslav kingdom. In World War II, Yugoslavia was taken by the Axis through 1941 to 1945. In 1944, there was an uprising by the Chetniks - a nationalist guerrilla force - and the communist Partisan force, led by Josip Broz Tito. In 1946, the Socialist Federal Republic of Yugoslavia was created with Josip Tito as the leader; it was made up of six republics: Bosnia and Herzegovina, the Republic of Croatia, the Republic of North Macedonia,the Republic of Montenegro, the Republic of Serbia and the Republic of Slovenia. Ethnic conflicts began to resurface, as in Bosnia and Herzegovina there was a muslim majority against the rest of Yugoslavia, where the numbers of Orthodox Christians and Catholics towered over Islam practitioners.

Tito was an authoritarian dictator who fomented unity between all Yugoslavs and prohibited nationalism within the republics. Nonetheless, after his death in 1980 the country entered a political and economic crisis, giving way to militant nationalism and the subsequent independence of each republic. Bosnia and Herzegovina's independence started in 1992 as a three sided war between Bosnian Croats, Bosnian Serbs and Bosnian Muslims. The upper hand was taken by the Bosnian Serbs, as they had the support of the Republic of Serbia with an overwhelming military superiority. The Bosnian Serbs began an ethnic cleansing, that concluded with the Bosnian Muslim genocide. According to the International Criminal

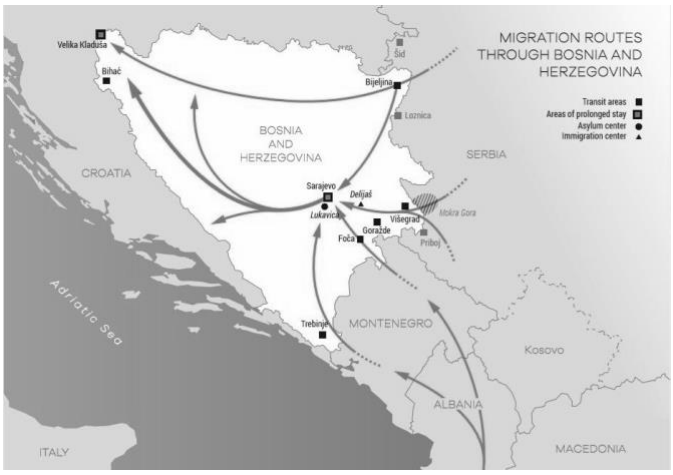
Tribunal for the former Yugoslavia, at least 8,000 Bosnian muslim men and boys were executed.

Following its independence, Bosnia and Herzegovina has been sank in an economic and political crisis. During the first years, many criminal networks, including smuggling systems, held their activities in the newly and still weak delegations. With the protection of politicians and government officials, the smuggling networks established routes which facilitated the passage of goods and people between the recently formed borders, developing as a high profit and low risk activity; this activity succeeded in years to come, especially in Bosnia and Herzegovina, where according to EUROPOL, approximately half of migrant smuggling cases are reported; this due to the lack of infrastructure needed to deal with this issue.

> The borders between Serbia and Bosnia's Republika Srpska are practically uncontrolled, and migrants who do not enter Bosnia can always cross from there.7 The border guards are local entity police officers who are underpaid and easily bribed. They often turn a blind eye toward the smuggling process or are themselves sometimes part of it. (UN Refugee Agency, 2002)

Bosnia and Herzegovina's relation with the EU

According to the United Nations Refugee Agency (hereinafter UNHCR), there are 400 passing points between Bosnia and Herzegovina, the Republic of Croatia and the Federal Republic of Yugoslavia, of which only 52 of them are registered entering points. During the year 2000 and according to the UNHCR, around 50,000 persons entered the EU by the former Yugoslav Kingdom territories through three main routes.



The Bihac Pocket is a route which takes the migrant from the Sarajevo International Airport to a location near the Slovenian Republic border, from there, the person will either pass walking seventy kilometers until the Slovenian Republic border, or pay a smuggler in order to pass hidden in a container placed at the back of a truck.

The second route takes migrants to the Sava river, where they can cross it swimming of been smuggled to the Republic of Croatia via small boats with inhuman conditions. A similar and

faster, but more dangerous route smuggles immigrants over the adriatic sea in large numbers in order to get to the Italian Republic; Migrants are cramped upon an inflatable boat and are often pulled to the sea in order to protect the smugglers life, leaning to most of them drowning.

In order to find this routes and networks which provide them, most migrants, in their majority unaccompanied children, end up being in situations of extortion, manipulation, exploitation and other abuses; often other alone men which are trying to pass into the EU will serve as the father of the child in order to enter the family refugees, later the child would be lived without food and helpless, in a desperate attempt, the children often enter to jobs within the black market.

When the migrants achieve to cross the border they often suffer abuses from border authorities, mostly croatian. The migrans are beaten, stripped and humiliated by the border police before they get deported back to Bosnia and Herzegovina.

> We walked for seven days to Slovenia. We had to cross the river on the border and I almost drowned. Croatian policemen did not try and help; they just kept shouting and making fun of me. A Slovenian policeman helped me and covered me with a blanket. When we were sent back to Croatia [the following day], the same policemen who were laughing at me started beating us. My tooth was broken and my friend was beaten on his back. (Abraham, 2018)

Despite this, in February 15th, 2016, Bosnia and Herzegovina presented its membership application to the EU. Entering the EU is a relatively long process, after a candidate country - determined by the Copenhagen criteria - presents its official membership application to enter the EU, the negotiations between the European council and the candidate country begin. The negotiations consist in the candidate country adopting the EU law in a way the European Council deems acceptable enough to let the candidate country in. Afterwards, if the country's progress is enough for every country in the EU, an accession treaty will be made and signed by the members of the EU, and the candidate country. The country in question will become an acceding country, which means that it has a certain time period to fully accommodate to the EU's policies.

However, the European Commission arrived to a conclusion on September 20th, 2016. According to the 2016 report, Bosnia and Herzegovina must keep up the Reform Agenda, which includes solving various economic and social challenges like terrorism, as well as improving areas such as the rule of law and public administration. In 2019, the European Commission arrived at the conclusion that Bosnia and Herzegovina must improve its financial control and laws, public health, its treatment of environmental issues including transport,

energy and waste disposal, its working and industrial laws. In addition to these improvements, the recent treatment of migrants from the Baskan Route has put into question the eligibility of Bosnia and Herzegovina, as it failed to keep up with the maintenance of human rights.

Migrant crisis in Bosnia and Herzegovina

Vučjak is a migrant camp located in the northwestern canton of Una-Sana, near the Croatian Republic border; it was opened in June 2019. On its foundation it was arranged to be a temporary shelter. Six months later there were according to Jelena Prtoric (journalist covering human rights, migration and social movements), more than 800 people living there without electricity, heating, water or proper equipment. When the first snowfall fell in December, the consequences for the camp were prejudicial. The water in the tanks that fed the showers froze, the tents were falling because of the weight of the snow and there was no longer the necessary resources to keep the migrants warm. To the point that for them, having a full night of sleep and basic hygiene became luxuries. Many of the people who got sick were because of the situation in which the camp was, nevertheless extreme cases of illness were not that common. On the other side when The New Humanitarian visited this camp, they treated around 60 patients per day, treating diseases such as food infections, allergies, scabies among other skin wounds.

The International Red Cross has warned about a humanitarian catastrophe at an improvised migrant camp near the border of the Republic of Croatia, asking for new relocation of its occupants to a safer area. In a statement, the Red Cross mentioned that the Vučjak camp is called "The Jungle" because of the place where it is located, due to the lack of resources. This camp lacked volunteers, counting with only five of them to serve those in need, in addition to the fact that people in the camp suffer from problems not only physical such as scabies and mostly skin and respiratory diseases but also psychological; and others are just trying to survive. Vučjak camp it is located in an area littered with landmines, who soil is full of methane, this means that it is a very flammable gas. Thus, it has become dangerous for all migrants and even those nearby but regardless of this, the camp remained still over winter.

> As migrants continue to enter, the impact of Bosnia's decisions will grow, as will the potential for catastrophe. A humanitarian crisis in Bosnia would not only damage the state's EU aspirations by exacerbating its weaknesses but could also further entrench regional instability (Zafonte, 2019).

After all that happened in Vučjak, the Bosnia-Herzegovina Minister of Security Dragan Mektić announced that the camp should be dismantled. On December 10, it took 12 hours to move more than 700 people to two facilities outside the capital of Sarajevo, Bosnia and Herzegovina. “Another 330 asylum seekers and migrants from Vučjak were sent to Blažuj, a camp set up in a former military barracks”(Prtoric, 2019).

If the Bosnia-Herzegovina government continues with a constant hesitation to create suitable new camps, creating an increase in the chances of more immigrants crossing into the Republic of Croatia, possibly affecting the relations between the two states. However, this can cause tension, affecting their bilateral trade relations and Bosnia and Herzegovina’s ultimate goal of being a member of the EU.

Following this crisis, Bosnia and Herzegovina has had several agreements and conversations about the topic with the EU and especially with its neighbor, the Republic of Croatia. It has been accorded that the Republic of Croatia is to help with the overflow of migrants that Bosnia and Herzegovina, this by opening new migrant camps and mobilizing the people that was in Vučjak. There is not an integration policy for migrants or a deportation policy established yet, nonetheless, Bosnia and Herzegovina has been called out by the EU for the mistreatment of migrants and violations of human rights as previously stated. As in 2019, the Bosnia-Herzegovina government has been unable to manage the migrants that arrived in 2015 via the Balkan Route, as seen in the Vučjak camp.

How has it affected the EU?

In the year 2015, the profit generated by the network of migrant smuggling was estimated between 3-6 billion EUR, according to data from the EUROPOL. The networks often provide jobs for the passing migrants, via the black market, or irregular jobs which will fund their travel into the EU. “Migrant smuggling networks in source or transit countries exploit ethnic and national ties to diaspora communities across the EU.” (EUROPOL, 2016)

The smugglers often below 25 years of age, generally citizens of the UE or from Balkan countries, serve as drivers or pilots to the networks, being in some cases migrants on its own, trying to facilitate the services for fellow nationals.

References

1. Ahmetašević, N. (2019). *Bosnia: The End of the Balkan Route.* Retrieved January 12th, 2020, from https://www.rosalux.de/en/news/id/41090/bosnia-the-end-of-the-balkan-route/
2. Deutscher Bundestag. (2019). *Antwort der Bundesregierung auf die Kleine Anfrage der Abgeordneten Ulla Jelpke, Dr. André Hahn, Gökay Akbulut, weiterer Abgeordneter und der Fraktion DIE LINKE. – Drucksache 19/11873 –.* (19/12240). Retrieved January 9th, 2020, from http://dip21.bundestag.de/dip21/btd/19/122/1912240.pdf
3. Dockery, W. (2017/03/29). The Balkan Route - explained. *Info Migrants.* Retrieved January 9th, 2020, from https://www.infomigrants.net/en/post/2546/the-balkan-route-explained
4. Emric, E. (2019). *Red Cross warns of humanitarian crisis in Bosnian camp*. Retrieved January 12, 2020, from https://apnews.com/1bc6c504cc5042bb9d170c8317d2f2d3
5. Frontex. (2017). *Migratory Routes.* (No number). Retrieved January 9th, 2020, from https://frontex.europa.eu/along-eu-borders/migratory-routes/western-balkan-route/
6. European Commission (n.d.) *Irregular Migration & Return.* Retrieved January 9th 2020, from https://ec.europa.eu/home-affairs/what-we-do/policies/irregular-migration-return-policy_en
7. European Council. (2016). *COUNCIL CONCLUSIONS ON BOSNIA AND HERZEGOVINA* (13217/16). Retrieved January 10th, 2020, from http://data.consilium.europa.eu/doc/document/ST-13217-2016-INIT/en/pdf
8. European Council. (2019). *Analytical Report* (222). Retrieved January 10th, 2020, from https://ec.europa.eu/neighbourhood-enlargement/sites/near/files/20190529-bosnia-and-herzegovina-analytical-report.pdf
9. European Union. (n.d.). *Steps towards joining.* Retrieved January 10th, 2020, from https://ec.europa.eu/neighbourhood-enlargement/policy/steps-towards-joining_en
10. EUROPOL (2019). *HUMAN SMUGGLING NETWORK BUSTED: EUROPOL SUPPORTS ACTION DAYS IN CROATIA, SLOVENIA AND BOSNIA AND HERZEGOVINA.* Retrieved January 11th, 2020, from https://www.europol.europa.eu/newsroom/news/human-smuggling-network-busted-europol-supports-action-days-in-croatia-slovenia-and-bosnia-and-herzegovina

11. EUROPOL (2016) *Migrant smuggling in the EU.* Retrieved January 12th, 2020, from https://www.europol.europa.eu/sites/default/files/documents/migrant_smuggling__europol_report_2016.pdf

12. González, F. (2019). *End of visit statement of the UN Special Rapporteur on the human rights of migrants.* Retrieved January 11th, 2020, from https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25088&LangID=E

13. International Criminal Trial for the former Yugoslavia. (n.d.) The Conflicts. *IRMCT.* Retrieved January 10th, 2020, from https://www.icty.org/en/about/what-former-yugoslavia/conflicts.

14. Lampe, J. (2019) Bosnia and Herzegovina. *Encyclopaedia Britannica.* [electronic version]. USA: Encyclopædia Britannica, inc, https://www.britannica.com/place/Bosnia-and-Herzegovina on January 10th, 2020.

15. Marvis, L. (2002). *Human smugglers and social networks: transit migration through the states of former Yugoslavia.* Retrieved January 11th, 2020, from https://www.unhcr.org/3e19aa494.pdf

16. Newey, S. (2019) Frozen Christmas: The teenage migrants trapped in Bosnia's bleak forests. Retrieved January 9th, 2020, from The Telegraph Website: https://www.telegraph.co.uk/news/bosnia-migration-crisis/

17. Prtoric, J. (2019) *Bosnia: A harsh winter stopover on Europe's migrant road.* Retrieved January 9th, 2020, from https://www.thenewhumanitarian.org/news-feature/2019/12/24/migrants-refugees-Bosnia-Croatia-Vucjak-camp

18. RFE/RL's Balkan Service. (2019). *Bosnia Begins Moving Migrants From Makeshift Vucjak Camp.* Retrieved January 12th, 2020, from https://www.rferl.org/a/bosnia-begins-moving-migrants-from-vucjak-makeshift-migrant-camp/30318056.html

19. Zafonte, A. (2019). *Bosnia: Humanitarian crisis and EU aspirations.* Retrieved January 12, 2020, from https://globalriskinsights.com/2019/12/bosnia-humanitarian-crisis-and-eu-aspirations/

20. Cáritas Europa (2019) *Migrant Emergency in Bosnia and Herzegovina*. Retrieved January 22, 2020, from https://www.caritas.eu/migrant-emergency-in-bosnia-and-herzegovina/

21. UNHCR (2017) *Refugiados en Europa: del Mediterráneo Oriental a fronteras terrestres.* Retrieved January 22, 2020, from

https://eacnur.org/es/actualidad/noticias/emergencias/refugiados-en-europa-italia-y-espana-dos-vias-de-entrada-en-aumento

22. Amnesty International (2019) *PUSHED TO THE EDGE.* Retrieved January 23, 2020, from https://www.amnesty.org/download/Documents/EUR0599642019ENGLISH.PDF