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INTEGRATION AND PROTECTION OF REFUGEES AND SUPPRESSION OF ILLEGAL MIGRATION

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Sustainable Development Goal 16: Peace, Justice and Strong Institutions

Contents

- Millennium Development goals (MDGs)
- Object 10. Reduce inequalities within and between countries“
- National strategy for integrated migration management
- Cases of reception of refugees in Montenegro
- Judicial practice in cases of illegal migration

Millennium Development Goals (MDGs)

- The millennium development objects are eight goals that all 191 member states of the United Nations have agreed to try to achieve by 2015.
- These Goals differ from previous international efforts because they have a certain time frame and quantitative-objective performance indicators.
- Goals were created in a consultation process between the United Nations Secretariat and representatives of the International Monetary Fund (IMF), the Organisation for Economic Co-operation and development (OECD) and the World Bank.
- Progress towards the Millennium Development Goals has been monitored and measured since its adoption, from time to time, through a set of indicators, developed and agreed by members of the United Nations.



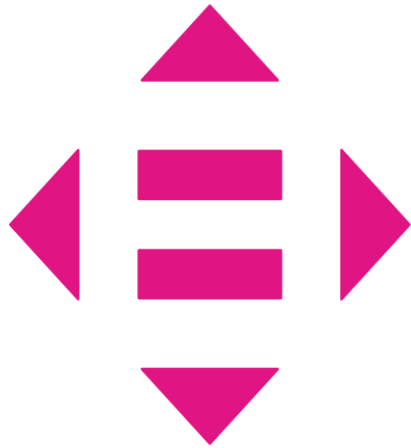
What are the goals of sustainable development!



- The Sustainable Development Goals, also known as global goals, are a universal call to action to eradicate poverty, protect the environment and ensure peace and prosperity for all.
- These 17 objects are based on the success of the Millennium Development Goals but they also include new priority areas such as climate change, economic inequalities, innovation, sustainable consumption, peace and justice. Goals are interrelated, as the key to the success of one goal lies in perceiving the challenges inherent in another goal.

Objective 10: “Reducing Inequality”

10 REDUCED INEQUALITIES



- Income inequality has been shown to grow, where the richest 10% earn about 40% of the world's total income. And where poorest 10% earn only 2-7% of the world's total income. If we take countries in development and their population growth into account, it shows that inequality has increased by 11%.
- Income inequality is a global problem that requires global solutions. This includes improving regulations and monitoring financial markets and institutions, encouraging development aid and foreign direct investment for the most deprived regions.
- Safe migration and human mobility are keys for reducing even bigger differences.

There are more and more Migrations?

- Within object 10 of sustainable development, Article 7 of this goal reads: “Enabling and arranging, safe, regular and responsible migration as well as mobility of people. Including the implementation of planned and well-managed migration policies.”
- Disasters, conflicts and violence increased migrations across the world at a time when global mobility has almost ceased as travel is limited due to the COVID-19 pandemic.
- About 3.6 percent of the world's population, or 281 million people worldwide, are migrants, according to IOM data for last year. Two-thirds are labor migrants. The number of migrants has increased in the last five decades.
- There are three main reasons why migration occurs:
 - Social and political reasons,
 - Demographic and economic reasons,
 - Environmental factors.

National Strategy!

- The main goal of the Strategy is establishing and harmonizing the legal framework, as well as further strengthening of the institutional framework that provides the possibility of effective implementation of the policy control for migration movements in accordance with the rules and standards of the *acquis communautaire*.
- Montenegro is determined to develop and improve the legal framework, institutions and administrative capacities, cooperate with other countries and international organizations, and the ultimate goal of the Strategy is to establish a society with an efficient system and recognizable results in the field of integrated migration management.
- This strategic goal will be realized by implementing specific goals:
 - Full harmonization of the national regulations with international standards in the field of migration;
 - Establishing a system of coordination between institutions dealing with migration issues;
 - Ensuring equal access to the rights of migrants;
 - Effective management of active migration policy.

Illegal crossing of the state borders!?

The most common attempts to cross the state border illegally at border crossings are:

- attempt to cross using forged travel document;
- attempt to cross with valid travel document in which a forged visa has been entered;
- attempt to cross using someone's else's travel document;
- not having the necessary visa;
- hiding in a vehicle;
- lack of identification documents.

In previous years, the Western Balkans region has been hit by a wave of illegal migrants originating mainly from Afghanistan, North and West Africa and Somalia. Despite the fact that a record number of detected illegal migrants was recorded in the Western Balkans in that period, it can be stated that the situation of illegal migration in Montenegro was stable. The stable character in the territory of Montenegro is caused by the fact that Montenegro was not on the main route of movement of the migrants, as well as the adequate action of the competent authorities in relation to the current situation.

Godina	Broj spriječenih migranata u pokušaju nezakonitog prelaska državne granice
2005	366
2006	360
2007	342
2008	450
2009.	507
2010.	489
2011.	529
2012.	608
2013.	753
2014.	280
2015.	255
Ukupno	4939

Prosecutorial Council Report!

- In the report of the Prosecutorial Council on the work in 2020 due to the commission of a criminal offense – illegal crossing of the state border and smuggling the people under article 405 of the Criminal code of Montenegro.
 - In 2020. 11 people were reported
 - In 2019. 32 people were reported
 - In 2018. 9 people were reported
 - In 2017, 17 people were reported
- Article 405 of the Criminal Code of Montenegro:
 - (1) Whoever crosses or attempts to cross the border of Montenegro without the prescribed permit, armed or using violence, shall be punished by imprisonment for a term not exceeding one year.
 - (2) Whoever engages in the illicit transfer of other people across the border of Montenegro or who, for the purpose of gaining financial or other benefits agrees to let someone enter the border of Montenegro or transit illegally shall be punished by imprisonment for three months to five years.
 - (3) If the act referred to in paragraph 2 of this Article is committed by several persons in an organized manner, or there is abuse of official position or if there is a way to endanger the life or health of person who passed border unauthorized, or if someone smuggles a large number of people, that perpetrator will be sentenced from one to ten years in prison.

Cases of reception of refugees in Montenegro

- A total of 36 refugees arrived in Bijelo Polje mostly women and children from war-torn Ukraine. That is total of 14 families who are accommodated in the hotel of “Bijela Rada”. The unhappy families expressed their gratitude to the owners and management of the hotel “Bijela Rada”. The impression is that although small and modest Montenegro is Montenegro always remains open hearted and finds way to help those in bad situations as well as to provide refuge for refugees.
- Montenegro is exposed to the influx of refugees from Ukraine, so far five to six thousand people, according to the Ministry of Internal Affairs, have gained access to Montenegro.



- It should be noted that a large number of refugees were not received in Montenegro in the previous period. Because illegal migrations in Montenegro have a transit character through the territory of Montenegro, towards EU countries and they are mostly economic migrants.

Judicial practice in cases of illegal migration!

- Article 67 of the Law on Border Control stipulates that a fine of 100 to 1100 euros will be imposed on a person if he crosses the state border outside the border crossing or crosses or attempts to cross the border without a valid travel document or other document prescribed for crossing the state border outside the time determined for the flow of traffic or contrary to the manner in accordance with the purpose of the border crossing.
- **Case of the Grand Chamber – Saadi The United Kingdom.** The plaintiff in this case fled Iraq and arrived in the United Kingdom where he was arrested while awaiting a decision on his asylum application. The court established following standards in this case:
 - **Authorities must avoid arbitrariness.** In the Saadi case, the court pointed out that [in order to avoid being labeled as arbitrary, such detention must be carried out in good faith; it must be closely linked to the purpose of preventing unauthorized entry into the country;
 - **Automatic detention must be avoided;**
 - **Detention facilities should be adequate.** For example children should not be kept in an adult facility.

Conclusion!:

- The Millennium Development Goals have largely met United Nations expectations in the past.
- Due to new circumstances, and encouraging progress in achieving certain goals and the expiration of the deadline, the member states of the United Nations have adopted a set of new goals “UN sustainable Development Goals”.
- Through this set of new goals, we have a more innovative and efficient approach to the global problems.
- Object 10 explicitly talks about the status of refugees and illegal migration, and it remains to be seen how the global factor will be able to respond to this challenge at the moment.
- In the previous period, Montenegro has shown great commitment for integration of refugee policy and migration.
- In the upcoming period, a new wave of migrants from the war-torn Ukraine will hit Montenegro, but also the whole Europe. We hope that our country, as well as Europe, will open its doors to these unfortunate people.

Thank you for your attention.

