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SECURITY OF THE EUROPEAN UNION AND THE WESTERN BALKAN COUNTRIES WITH CORRUPTION AND ILLEGAL MIGRATION

Abstract: *The issues of illegal migration and asylum are extremely important for the countries of the European Union and the Western Balkans. Currently, we are facing new types of migration of people from countries such as Afghanistan, Syria, Iraq, Algeria, Egypt and others who illegally cross the borders of the Western Balkan countries on their way to the European Union. Is this path just a humane resettlement of the people? Or maybe it's part of a tactic that seeks to jeopardize Christian foundations. Demographics and biology are something that can be predicted and calculated. States have the same problems and challenges in the field of migration management and control especially in the fight against illegal migration through their territories. Border control is also linked to the problem of the efficiency of institutions and a single management system in the field of migration and asylum. The fundamental characteristic of countries in transition is the presence of various types of dysfunctional conflicts. The transition burdened with these conflicts leaves consequences for all generations. It is itself a great social change that encompasses all fields of life from the family to all other institutions in society. In such conditions, we also have corruption that develops as an infectious disease that does not stop in societies. The aim of this paper is to point out the problem of migration, especially illegal migration, which flourished a few years ago.*

Keywords: *corruption, migration, transition, illegal migration, Western Balkans and the EU.*

MIGRATION AND BORDER MANAGEMENT

Migration is the movement of people from one place to another, in order to settle in a new place. Migration can be voluntary or forced, and is mainly driven by economic, environmental and social issues.

An important part in adapting the internal legal and institutional system of the Western Balkan countries to the standards of the European Union concerns border management, asylum and migration. Essentially, the problems of deviant behavior in society, which are before the countries today, concern security. All countries face the challenges of combating cross-border trafficking in human beings, drugs and weapons as well as fighting corruption.

Regional cooperation in security issues requires personnel and infrastructural support, the introduction of strategic thinking because all the countries of the Western Balkans aspire to be, at least declaratively, part of the European Union so the border they secure will then be common. Border management implies control of the state border in order to preserve the security of the state and its citizens and to enable the rapid flow of people, goods and capital across state borders. Organized crime and corruption are obstacles to building democratic stability, strong and responsible institutions, and the principles of the rule of law and economic development. When it comes to cooperation on migration and border management, it is essential to establish a strong and effective border management, which contributes to the fight against organised crime and illegal migration, as well as a higher level of internal security, to which citizens of these countries are entitled. This is not the case today because illegal migration is seen in our everyday life.

Vukovic says that it is precisely political instability, economic difficulties and hopelessness that intensified the departure of young talented people disappointed by the lack of change for the better in the societies from which they left. Vukovic points out that the war and aggression in the former Yugoslavia during the 1990s led to a mass migration of the population to ethnicity. It is estimated that in the first years of the crisis there were about 2.5 million refugees and displaced persons, most of whom resided in Croatia (400 000), Austria (200 000), Germany (250 000), France (100 000), Sweden (80 000), the Netherlands (50 000), Switzerland (50 000) and others.¹

The new time brings illegal migration more precisely violent and illegal crossings of the borders of persons from countries such as Pakistan, Afghanistan, Syria, Iraq, Algeria, Morocco and others.

Three types of international labour migration are well known in the literature: permanent migration, temporary migration and outflow of highly skilled labour. According to Grečić in the modern global economic order, the demand for migrant workers as cheap labour, together with restrictive and non-existent immigration policies, creates conditions for the fourth type

¹ a.p.573.

and illegal migration.² Transport of illegal immigrants involves recruiting, transporting, transferring, hiding or receiving persons using force, coercion or other means, with the ultimate goal of exploitation. Every year, tens of thousands of men, women and children become victims of human trafficking, in their own countries and abroad. All countries can be influenced by human trafficking either as a country of origin, transit or as a destination. In light of visa liberalization for western Balkan countries, immigrants tend to leave poorer countries in search of better living conditions in the European Union. Illegal immigrants can also be criminals, terrorists or potential arms dealers as well as drug smugglers. Migration is caused by so-called *push* factors, that is, the reasons why people leave the country and *pull* factors, that is, the reasons why they decide to move to a particular country. There are 5 main reasons why people leave their country and go to live in other places. These are:

- social
- political
- demographic
- economic
- environment and climate change.

in 2015 and 2016. Europe has been swept by a significant number of refugees and displaced persons, politically and economically. Europe was not prepared for this situation. The process of migration, triggered by wars and conflicts in the Middle and Middle East, and the countries of Central and North Africa, which hosts tens of millions of people, has moved towards Europe, i.e. Germany and Sweden as the primary goals of people on the move. This process leaves numerous questions open about the real reasons, and thus the consequences, because of which so many people, other customs, habits, traditions, ways of thinking about the regulation of the state and society and religion, move towards the member states of the European Union, and not towards countries of similar cultural / civilizational characteristics. The presence of illegal migrants, especially from African and Asian countries, on the territory of the European Union countries, has raised interest in security challenges in the European Union.

The Union readmission agreement with each of the countries in the Western Balkans is an instrument in the fight against illegal migration. Border management to prevent and control illegal immigration can be a positive factor for the growth and success of developing countries. For the Union, the fight against illegal immigration is a significant priority. The measures taken by the Union concern the strengthening of controls at the external borders, the visa policy and readmission policy³ of illegal migrants and measures in the field of employment. According to Interpol, the Western Balkans are used to smuggle migrants from Asian and eastern countries via Iran, Turkey and Bulgaria.⁴

² Vladimir Grečić, *Visa Policy and the Western Balkans*, Institute for International Politics and Economy, European Movement in Serbia, Belgrade, 2006, p. 13.

³ The readmission agreement regulates the issues of conditions and instruments for the return of persons who do not have a legal basis of residence in another country.

⁴ Vladimir Grečić: *Visa Policy and the Western Balkans*, Institute for International Politics and Economy, European Movement in Serbia, Belgrade, 2006.

We can conclude that it is inevitable and necessary to prevent illegal migration because of the undoubted links with terrorism, but also in order to prevent the transmission of various infectious diseases. On the other hand, security agencies of countries engaged in the prevention and suppression of such criminal activities have serious problems due to lack of financial resources, which need to be invested in state-of-the-art IT systems, lack of personnel, but also problems in compliance with and implementation of appropriate standards of legislation of both the European Union and the legislation of the Western Balkan countries. A particular problem is the lack of cooperation, not only international but also interagency, within one state. An example are the county ministries of interior in the Federation of BiH where the police from one county does not have the authority to cross into the territory of another county, and thus the action necessary in preventing the smuggling of migrants. There is practically no timely or direct communication and process cooperation between the police of different counties in the FBiH. In modern conditions when measures are being stepped up to prevent illegal migration and border controls are being strengthened, the only option that remains for illegal migrants is to reach their desired destination through organized crime channels. At the same time, it is noticeable that illegal migration in 2023 generates greater profits than through drug trafficking, but also that the risk of doing business is much lower than in the traffic of narcotics. Despite the difficulties in overcoming the migrant crisis, the European Union is trying to build a comprehensive approach to migration, especially in cooperation with the countries of origin of illegal migrants, which entails issues of political nature, human rights and development. In countries of origin and transit, such an approach requires the fight against poverty, the improvement of living conditions and employment opportunities, the prevention of conflicts and the consolidation of democratic states, and the ensuring respect for human rights, especially the rights of minorities, women and children.⁵

Police administrations are undertaking activities to combat illegal migration and violations of state borders. A very common offense recorded in 2023 is encouraging illegal migration. Police of Slovenia ([Slovenia: Twice as many illegal migrants in 2023 compared to a year earlier | European Union News | Al Jazeera](#)) recorded 60,587 cases of illegal migration in 2023 alone, almost doubled compared to 2022 when 32,024 illegal migrants were recorded in the European Union country.

University professor Gordan Akrap from the University Dr. Franjo Tuđman points out that even today the Western Balkans route, after the Mediterranean, is still the one that reaches Europe with the most illegal migrants. The situation in Bosnia and Herzegovina, as far as illegal migrants are concerned, is extremely worrying not only for the European Union and Croatia, but also for Bosnia and Herzegovina because of the different nature of people moving through smuggling channels. It is necessary to distinguish between legal and illegal migration. The European Union placed its trust in Croatia when it included it in the Schengen Agreement. It is in this context that we need to look at the things that are happening right now. Croatia needs and can act actively at the level of EU rules in order to adapt to illegal and legal migration of

⁵ Brankica Grupković, *Illegal Migration and the Fight Against Human Trafficking*, ed. Vladimir Grečić, Visa Policy and the Western Balkans, Institute for International Politics and Economy, European Movement in Serbia, Belgrade, 2006, pp. 42-43.

reality. Also, Akrap stresses that Bosnia and Herzegovina and Serbia have contracts with countries not covered by the visa-free agreement for political reasons. Achieving a visa regime change with Serbia will be difficult, but Bosnia and Herzegovina is expected to change the visa regime towards citizens of those countries with which the EU has a visa system. Repressive systems are there to take care of this and lead all preventive measures that should lead to an increase in the level of security, Akrap emphasized during a guest appearance in the HRT Daily, on the topic of the danger that among illegal migrants are terrorists.⁶

The most common attempts to cross the state border illegally at border crossings are: crossing the border using a forged travel document, a forged visa, using someone else's travel document, not having the necessary visa, not having identification documents, and trying to cross the state border using unreliable documents (expired travel documents, damaged travel document, etc.). The most common reasons for illegal crossing of the state border by bypassing the border crossing are: non-possession of a travel document, lack of a visa when necessary, forged documents relating to temporary stay.

Human trafficking according to Doležal represents a global phenomenon that affects countries in a political and economic transition or post-conflict period in which people find it difficult to live.⁷ Doležal points out that human trafficking is part of the new terminology in presenting the problem of the slavish position of people in which trafficking in human beings, especially women and children, represents trafficking in human misery, and represents one of the greatest crimes of our time.⁸

One of the more widely accepted definitions is the United Nations definition, according to which trafficking in human beings is the recruitment or transport, transfer, concealment and reception of persons by the use of force or threat and other forms of coercion, kidnapping, fraud, deception, abuse of authority or position of superior, fraud or other forms of coercion for the purpose of sexual or economic exploitation with regard to the acquisition of profit and benefit of a third party or group (macro, pimps, merchants, intermediaries).

Human trafficking or migrant smuggling is one of the most serious forms of organized crime. Three fundamental elements determine the state of human trafficking in South East Europe, namely:

- 1) a large influx of illegal migrants from Arab countries,
- 2) within the countries of origin there is a continuous supply of victims of trafficking in human beings, which are available to exploitation,
- 4) organized crime groups undertake control of the "supply and demand" of victims of human trafficking, in order to achieve high unlawful profits through their exploitation. Criminal groups organize their illegal activities in one country, with the aim of expanding the scope of work to other countries. The domicile state represents an environment with less risk, due to good knowledge of the situation in the country, as well as maintaining a connection with

⁶ Akrap: *The situation in BiH regarding illegal migrants is extremely worrying* - HRT

⁷ Dalibor Doležal, *Prevention of Trafficking in Human Beings*, Faculty of Law Rijeka, no. 2, 2007. p.1399.

⁸ Isto: str.1400.

representatives of the authorities, police and criminal groups. The local population of the countries through which migrants pass also participates in the smuggling of immigrants on the entire Western Balkan route, where migrants are moving. People who smuggle migrants are mostly the same ones who smuggle drugs or cigarettes, although there are cases when family people do it, hitherto unknown in crime, more precisely people with clean records. These are all challenges of today both for the Western Balkan countries and for the European Union.

COUNTRIES IN TRANSITION AND THE PROBLEM OF CORRUPTION

Corruption is a major problem for most countries in the world. Socio-economic development, institutional and political setting, social and cultural norms constitute elements that shape corruption in different ways. In the Western Balkans, drastic political and demographic changes over the past two decades have left consequences for an institutional system that is not always able to effectively fight corruption. Bribery is a mechanism that is widespread and inevitable and paid for when there is a perception that bribery is necessary to solve certain bureaucratic and other problems thus creating a vicious circle.⁹ According to a survey by the United Nations Office on Drugs and Crime, in contact with public officials in a large number of cases (43%), bribe payments are offered by citizens. The data suggest that offering bribes is often seen as standard practice in the functioning of the bureaucratic system. In this context, bribery is often offered, as it brings direct benefit to the bribe provider by overcoming shortcomings and inefficiencies in the provision of public services. The survey found that not all sectors of state administration in the Western Balkan countries are affected by corruption to the same extent. According to the experience of citizens who paid at least one bribe in a year according to the survey, the majority of bribe recipients are doctors (57%), police officers (35%), nurses (33%) as well as municipal officers (13%).¹⁰ Corruption has always been a companion of crime. Its meaning is even clearer if one considers that the word corruption derives from the Latin word *corruptio*¹¹, which means bribery, blackmail, corruption, depravity. Corruption can destroy economic growth, prevent investment, declare democracy inefficient, produce economic costs by destroying stimulants, political costs by undermining institutions, and social costs by redistributing and directing wealth to the rich and privileged.¹²

The causes of corruption can be different: political, economic, social and moral. The main causes of corruption are lawlessness and the absence of the rule of law, in second place is morality and dishonesty and in the third place is general poverty. Singling out morality and dishonesty before general poverty, according to Transparency International, shows a position

⁹ Pogledati studiju: Corruption in the Western Balkans: Bribery as experienced by the population, Co-financed by the European Commission, UNODC - United Nations Office on Drugs and Crime: 2011. str.11.

¹⁰ This: str. 21-24.

¹¹ <http://oxforddictionaries.com/definition/english/corruption>

¹² Jelena Budak, Edo Rajh, *Corruption as an Obstacle for Doing Business in the Western Balkans: A Business Sector Perspective*, Ekonomski institut Zagreb, 2011. p.8.

on the social values that have emerged in the last twenty-plus years. In this context, corruption is not an expression of dishonesty, but of actions such as bribery.¹³

The causes of corruption should be sought in the special process that countries in transition are going through, which have not adapted to the new changes. Another significant source is the poverty of society "which is conditioned by a low standard of living of citizens, which favors the discrediting of professional ethics and justifies the illegal acquisition of material benefits with regard to improving the material position of participants in the corruption relationship."¹⁴ There are also several points of view when determining the factors that condition corruption: moralist, functionalist, legalistic, institutionalism and interest.

According to the moralistic view, corruption is a pathological phenomenon associated with temptation, so it is believed that only those who are capable of resisting temptation are moral. From a functionalist point of view, corruption depends on several factors such as: the degree of sociocultural development, the political system, the degree of economic development and political culture. The moralistic view believes that the causes of corruption should not be sought in the absence of legal regulation of life relations, but in the inertia or inadequate application of this arrangement. The institutionalist view starts from the fact that the corruption of a particular subject is determined by the norms and structure of the institution to which he belongs, so his actions are primarily determined by the rules of conduct that apply in a given institution. MPs of the interest view believe that any corrupt public servant is a person who subordinates his position in the state hierarchy to the achievement of personal material benefits. In the last twenty years, the Western Balkans have become very susceptible to corruption. The centres of corruption in these countries are customs, police, judiciary and privatisation agencies. The prevalence of corruption in these countries is due to accumulated economic problems, low incomes and a decline in the standard of living of the majority of the population. Political and economic liberalisation and privatisation exposed politicians to additional pressures, many of which were corrupt. All this has led to citizens' distrust of the state, its institutions, that is, in the system as a whole.

The spread of corruption is caused by:

- the absence or inefficiency of internal and external control, the legality of the work of state authorities and economic operators,
- poor business conditions in a large number of economic entities where there is inadequate organization of the work process, poor management, non-compliance with technical and technological norms and work discipline,
- poor organization of state administration bodies, i.e. public services or intertwining competences due to imprecise legal regulations.¹⁵

¹³ See the latest analysis of the United Nations Department of Drugs and Crime on Corruption in the Western Balkans: Business, Corruption and Crime in the Western Balkans: The impact of bribery and other crime on private enterprise, UNODC, United Nations Office on Drugs and Crime, Vienna, 2013.

¹⁴ Golubovic, Zagorka. *Corruption in the absence of the rule of law – views from BiH, Croatia, Serbia and Montenegro*. Srajevo, 2004. p. Twenty-one.

¹⁵ Statement by Erhard Busek, Coordinator of the Stability Pact, in the work Challenges of Security in the Western Balkans region. Vukadinović, Radovan. *International relations*. Proceedings, Zagreb: Faculty of Political Science, 2003, p.67.

In deviant practice when the judiciary and the police become corrupt, the state is only a step ahead of what is called a "captured state", that is, it represents a state in which not only individual services and agencies, but also the very top of government, are in the jaws of corruption. Small corruption is characterized by the abuse of public authority, synonymous with corruption, in order to gain personal gain in daily communication with public and lower-ranking officials. Large-scale corruption is far more dangerous for the general state interest, because it is often realized at the top of the government of a country.¹⁶

Corruption is particularly evident in politically unstable systems, i.e. in turbulence in which there is great poverty and weakening of political, legal and economic control mechanisms of the state and society as a whole. For the most important reasons that lead to corruption, we hold: a government that through contracts, privatization and concessions provides great financial benefits to individuals and companies, while those who are close to the Government gain the greatest benefits, then tax avoidance, especially when the tax system disincentives economic activities, which is the case in most countries of the Western Balkans, low salaries of state and public servants, bribery of politicians in order to have good election results, a judiciary that does not respect the laws, but selectively applies them depending on belonging to the ruling state and political structure, as well as money laundering with the versatile assistance of the state.¹⁷

CONCLUSION

The countries of the Western Balkans are economically devastated, accompanied by a high unemployment rate, poverty takes on enormous proportions. Rapid and effective reform of almost all institutions is needed. Crime and corruption in these areas surround the people who live there. In such an environment, proven human and social values are not appreciated. Values in societies have changed throughout history, and these are social attitudes influenced by culture, tradition and the concrete momentum of the situation in which certain societies find themselves. If we take the current situation around illegal migration, everyone knows that "smuggling migrants" is illegal and contrary to laws, and as such is not acceptable behaviour in society, but there is still a minority that decides to oppose this regulation. Everyone knows that such an activity does not contribute to the safety of society and most participants in social processes behave in accordance with generally accepted norms.

As fundamental priorities in the Western Balkans, long-term work is to build peace, democratize and stabilize all societies and their integration into international and European integration, because these are general prerequisites for eliminating the conditions that give birth to terrorism. The main factor that affects life and value formation in the Western Balkans is the transition process. The specificity of this process in our conditions is how its beginning is characterized by the highest degree of conflict. Ethnic communities have not compromised on each other and various negativities and opposites have turned into sudden and explosive

¹⁶ Isto:p.485

¹⁷ Isto:str.486.

conflicts. The intensity of the conflict ranged to the sharpest forms and in one period until the war conflict when the conflicting parties organized combat operations and possessed the technique for the complete destruction of both. War traumas are reflected in the life of these societies even today. They are, as such, an inevitability that will last deep into the future and mark the growth and development of these societies.

Today, illegal migration appears as a major problem of these countries that stand in the way of illegal migrants who seek their "happiness" in the countries of the European Union. The Western Balkan migrant route contributes to the development of corruption and crime in the Western Balkan countries. Whether some illegal migrants will remain in the Western Balkan countries is difficult to predict, but as time passes, we see that these illegal migrations will contribute to a new character of the Western Balkans, which will probably in the next 50 years hardly remain mostly Christian, which has always been the fact, since the seventh century.

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BIOGRAPHY SECTION

Assoc. Prof. GORDAN RADIĆ was born on May 31, 1976. in Mostar, BiH. Graduated in law, and then a master's degree of legal sciences at the Faculty of Law of the University of Mostar. He received his doctorate in the field of management from topics of the Greek debt crisis at the University of Herzegovina. From 2013 to 2021, in two mandates, he served the position of dean of the Faculty of International Relations and Diplomacy at the University of Herzegovina. At the University of Modern Sciences - CKM, Mostar, he held the position of acting professor rector of that higher education institution. The author is a co-author and reviewer of several books, scientific papers, articles and participant in many international round tables and forums nature.

Assist. Prof. DRAGAN MIŠETIĆ was born on November 15, 1969. in Breisach-am Rheine, Germany. Graduated from the Faculty of Economics in Mostar under the mentorship of academic Frano Ljubić. Further education in the field of economics of science continues under the mentorship of Full Prof. Marin Buble in obtaining his master's degree, and with the mentorship of academic Vinko Kandžija when obtaining his doctorate. In his career so far, he has connected theoretical and practical principles of economics and management through engagement at the Faculty of Economics of the University of Mostar and the University of Vitez. In addition to his scientific work, he works in the public sector (Ministry of Defense, Ministry of Foreign Affairs) and in several economic companies entities in Bosnia and Herzegovina and the Republic of Croatia. He published more papers in the field of economic sciences in domestic and foreign scientific and professional journals. Participant in various conferences and expert consultations of an international nature.

SIGURNOST EUROPSKE UNIJE I ZEMALJA ZAPADNOG BALKANA UZ KORUPCIJU I ILEGALNE MIGRACIJE

Sažetak: *Pitanja ilegalnih migracija i azila su za države Europske unije i Zapadnog Balkana izuzetno značajna. Trenutačno se svakodnevno susrećemo s novim vrstama migracija osoba iz zemalja poput Afganistana, Sirije, Iraka, Alžira, Egipta i drugih koje ilegalno prelaze granice zemalja Zapadnog Balkana na svome putu ka Europskoj uniji. Je li taj put samo humano preseljenje naroda? Ili je možda to dio taktike koja želi ugroziti kršćanske temelje. Demografija i biologija su nešto što se može predvidjeti i izračunati. Države imaju iste probleme i izazove u polju upravljanja i kontrole migracija posebno u borbi protiv ilegalnih migracija preko svojih teritorija. Kontrola granica je povezana i s problemom učinkovitosti institucija i jedinstvenog sustava upravljanja u polju migracija i azila. Temeljna karakteristika zemalja u tranziciji je naglašena prisutnost raznih vrsta disfunkcionalnih konflikata. Tranzicija opterećena s ovim konfliktima ostavlja posljedice na sve generacije. Ona je sama po sebi velika društvena promjena koja zahvaća sva polja života od obitelji do svih drugih institucija u društvu. U takovim uvjetima imamo i korupciju koja se razvija kao zarazna bolest koja ne prestaje u društvima. Cilj ovog rada je ukazati na problem migracija osobito ilegalnih migracija koje su svoj procvat doživjele prije nekoliko godina.*

Ključne riječi: *korupcija, migracije, tranzicija, ilegalne migracije, Zapadni Balkan i EU.*