

Human Security for the 21st Century - Collection of students' papers

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FOREWORD

When we established the Svetlana Đurđević Lukić Fund six years ago with the desire to promote the concept of human security and preserve the memory of our associate and founder of the Centre, Svetlana Đurđević Lukić, a small number of authors fostered an interdisciplinary approach to these topics. As time progressed, global and national security trends, viewed from the perspective of human security dimensions, became increasingly dynamic and unpredictable. At the same time, students who applied for our competitions were increasingly more often from “non-traditional” faculties dealing with human security - faculties of political science and security, departments of sociology, psychology or even philology faculties.

A move towards interdisciplinarity happened alongside the increasing complexity of the challenges we were dealing with.

With the exception of the global pandemic, to which we dedicated the last two years of the competition, in the previous collections we have published papers from a wide variety of areas important for human security. Nevertheless, the global crisis and the growing uncertainty, fuelled by circumstances in the international arena, show that we live in an atmosphere of uncertainty and concern. On the one hand, the effects of the global pandemic may have been mitigated, but on the other hand, there are newly emerging modified forms of the virus, which are still a question mark. As soon as the world “ended” the fight against the virus, a war broke out in the territory of Europe, which led to a chain of security challenges, risks and threats. We recognised some of them and offered them to students as topics for this year's competition - small arms and light weapons, climate change, armed conflicts and migration, energy security and personal data protection.

In the selection process, we selected three papers of the highest quality among those received from students. All papers were written by undergraduate students, which makes us very happy, because it shows that interest in research is not reserved only for master's and doctoral students.

Emilija Pantelić, an undergraduate sociology student at the Faculty of Philosophy, University of Belgrade, chose the topic of climate change from the perspective of human security in her paper *The Bee File*. In her paper, the author provides an insight into the (anthropogenic) causes of climate change, looking at them through the

dimension of environmental security. Some of the questions she raises are the consequences of environmental changes and the way they affect the human population. The topic is also looked at from the viewpoint of feminist theoretical approaches that stress the gender role, that is, the role of women in society and the impact of climate change on their well-being and security. The author rounds off the paper by looking at the ecofeminist movement and women's struggle for a better social position.

The topic of armed conflicts and migration was addressed by Kristina Bosilj, an undergraduate student at the School of Social Sciences, University of Manchester, in her paper entitled *European welcome for Ukrainian migrants - double standards or justified favouritism?* The author draws a parallel between the two last major migration movements - the first wave that began in 2015 and the current one that began with the outbreak of the war in Ukraine, noting that the EU treats Ukrainian refugees significantly differently than those from the Middle East. The main aim of this paper is to offer an answer as to why this happens. In the concluding observations, the author states that race is not the only factor that caused such treatment, but that there are a number of other factors, such as geographic location, religion, history and the state's perception of migrants. The author concludes that all the mentioned factors have influenced, to a greater or lesser extent, the EU's benevolence towards refugees from Ukraine.

Stefan Milić, an undergraduate student at the Faculty of Law, University of Niš, chose the topic of small arms and light weapons. Noticing the security challenges of owning firearms, their availability and frequent abuse, the author analyses the mechanisms and procedures for issuing a permit to carry weapons, which is defined by the Law on Weapons and Ammunition. Given that the permit issuance procedure is one of many special administrative procedures in the legal system of the Republic of Serbia, the author explains in his paper how an individual can obtain a permit to carry a weapon and how it differs from the general administrative procedure.

This is the sixth collection of student papers published by the Centre for Public Policy Research within the Svetlana Đurđević Lukić Fund with the support of the Democratization Department at the OSCE Mission to Serbia. We would like to take this opportunity to thank the OSCE Mission to Serbia, which has provided support from the beginning and recognises the importance of encouraging young students to develop academic skills and a critical approach, and reflect on key threats to human security. The Centre also thanks the expert jury consisting of Vladimir Bilandžić, PhD, Vanja Rokvić, PhD and Srđan Korać, PhD.

In Belgrade, December 2022

Secretary of the Svetlana Đurđević Lukić Fund
Filip Stojanović

THE BEE FILE

Emilija Pantelić¹, undergraduate sociology student
University of Belgrade, Faculty of Philosophy

The paper clarifies the concept and phenomenon of climate change and provides an insight into its main causes, with special reference to the impact of the anthropogenic or human factor. Environmental security is a special discipline within security studies, which deals with these issues, focusing on the prevention and remediation of the security risks of climate change. The paper analyses the consequences of this change on the human population and how it can lead to material deprivation, migration and social conflicts. It examines the gender role and the role of women in society, the connection of climate change with the gender issue and its impact on women. Finally, it seeks to present the movement of ecofeminism, the struggle of women for the ecosystem and their social position.

Key words: *climate change, environmental security, gender, women, ecofeminism*

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BEAUTY AND THE BEES

On 20 May 2021, a photo and a video of the famous Hollywood actress Angelina Jolie were posted on the official Instagram account of the National Geographic, a popular scientific magazine. The photo shows the face and torso of the famous actress, i.e. her portrait with bees on her chest, collarbone, shoulders, neck, chin and also her cheek. The portrait is accompanied by a video that shows the actress standing motionless while a swarm of bees is flying around her.² This post announced the project of the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the cosmetic company Guerlain entitled “Women for Bees”. The World Bee Day was chosen to be the date of posting because of the symbolism it carries. The goal of this project is to point out the process of climate change and its impact on the living world, specifically on the bee population, but also on the gender aspects and social polarisation to which climate change contributes. The project plans to build 2,500 beehives and restock 125 million bees by 2025, while training and supporting 50 women beekeepers. The intention is to include women from all over the world, and the first phase of the project is planned to be implemented in the following countries: Cambodia, Bulgaria, Slovenia, China, Russia, Ethiopia, France and Rwanda (National Geographic Serbia, 2021).

Soon after its publication, the portrait of Angelina Jolie covered in bees was broadcast by all the media worldwide, including Serbia, and the post was shared on social media, getting over a million likes and thousands of comments in just a few hours. The fact that a Hollywood star who is also a long-term UNHCR (United Nations High Commissioner for Refugees) Goodwill Ambassador was chosen to be the face of the campaign and the project in general indicates the importance of the project, but also the intention of its implementers to present it to the global public. Public interest in the project went in different directions. One part of the public was mesmerised with the feat of the actress. The public wondered how safe it was to be photographed with a swarm of bees and what risks the actress faced. These questions were answered very quickly. The interview given by Angelina Jolie herself, as well as a „behind the scene“ video of the photo shoot, provided an insight into the entire process of creating the photo, but also her engagement and motivation to join this project (National Geographic, 2021).

2 The photo and video are available at https://www.instagram.com/p/CPF7ucyjet4/?utm_source=ig_embed&ig_rid=1e74460f-1c6a-45a7-8f84-76e8b32f8601, accessed on 21 September 2022

Since a cosmetic company such as Guerlain also participates in the campaign, there were certain doubts about its intentions. Is the company socially responsible or is it just a matter of marketing? Probably both. However, the project was criticised by one part of the professional public, or more precisely, by a number of biologists. The project includes the populations of honeybees, excluding other bees, and some experts believe that it can do more harm than good for this type of insect, but also for the nature in general. I am not a biologist, my knowledge about these insects is very limited. I believe that it is very good to have such a debate, first of all because of the advancement of science and scientific research, but also to point out to serious problems stemming from climate change.¹ But what about women? The project is entitled “Women for Bees”, and the public discourse has rarely dealt with the issue of gender.

The described case is just one of the many examples that unfortunately occur in practice, showing that the issue of environmental consequences caused by climate change is marginalised even though it was originally planned to be in the public spotlight. The same applies to the issue of gender relations, which is largely ignored, among other reasons because it is usually raised by women (male feminists are the exception, of course). It was certainly clever to announce such a project with a woman who is a Hollywood actress and an activist, but I think that the interest of the general public was limited to that. Apart from scientific controversies and conflicting opinions, which did find their way into the media, we did not get anything else with respect to the ecosystem of bees. Perhaps this happened precisely because people fail to realise the importance of climate change, but also its connection with the women's issue, precisely because of the way in which it was presented to them. This is why I will try to present it as simply and comprehensibly as possible in this paper. The paper aims to answer these questions: What is climate change? What is its impact on the human population and human security? How are gender relations connected to climate change and where are women in all this?

The parts of the paper “Green, how I (don’t) want you green” and “But now I am no longer I, nor is my house any longer my house”, the titles inspired by the lyrics of the poem “Sleepwalking Ballad” by Federico García Lorca, present various aspects of the origin and causes of climate change and its consequences. More precisely, they show how the human factor is involved and responsible for this process and how the process itself influences the human population. “Women in the hive of the world” is here to give an insight into gender relations, the roles in these relations, and the position of women in society. You, as readers, will have the opportunity to learn, through

1 <https://www.univerzitetskiodjek.com/drustvo/zene-i-pcele-u-kosnici-svetskog-projekta>, accessed on 21 September 2022

examples, how women are doubly burdened and threatened by the effects of climate change. The final, concluding consideration shows that there is a path to progress and a positive outcome in both mitigating and preventing the negative effects of climate change and gender constraints. And it is precisely women, eco-feminists, activists and leaders who play the roles in this.

Green, how I (don't) want you green

The Weather app on my phone shows the current temperature of twenty-three degrees Celsius.² The subjective feeling is twenty-two degrees Celsius, the maximum daily temperature is twenty-five degrees Celsius and the minimum temperature is sixteen. The air humidity is twenty percent and the UV radiation index is low. In accordance with the weather forecast, I leave my apartment wearing a T-shirt and sneakers. About a third of the way to the reading room, sunlight is covered by dark clouds, and when I am close to my destination, it starts to rain and I get wet, since I do not have an umbrella, before entering the reading room. I check the forecast first on my installed Weather application and then in other sources to make sure I did not misread something. And I see that I have not. Are you familiar with this situation? A familiar feeling? These are the consequences of climate change in a nutshell, in the mildest possible form.

Climate change? Let's get acquainted with it first. Climate change is the change of climate that is directly or indirectly attributed to human activities and that changes the composition of the atmosphere and is recorded over a long period of time. The process of climate change is a pervasive historical and biological process. Climate change happens every day even without the influence of the human factor. Some changes are visible to us, such as the tectonic movement of the Earth's plates, which causes earthquakes and volcanic eruptions, while others are not, such as the position of the planets and the circulation of water in nature (Dimović, 2012:13). These are natural phenomena. However, the aforementioned definition of climate change stresses the changes caused by human activities. Therefore, the question arises as of how a human being can influence a process in nature on a global scale?

In the last few centuries, human activities have led to extreme environmental pollution, significantly depleted the supply of non-renewable resources and threatened the global ecosystem (Bruckmeier, quoted according to Vukelić, 2022:15). The above sentences indicate that human activity has a negative impact on nature. The begin-

2 The described situation happened in the end of July, when it is not expected to rain in Serbia.

ning of the sentence stresses that this negative impact dates back centuries. In fact, the beginning of that negative impact was caused by the Industrial Revolution in the second half of the eighteenth century. It saw the emergence of machines and tools that would help people do their work more productively and efficiently, and those machines (steam engines) required the use of non-renewable energy resources. Non-renewable energy resources include coal, gas, oil and all oil derivatives, and non-renewable means that once they are used up, they cannot be made again. We cannot get them back, like time. Indeed, nowadays the industry, together with everything it brings with it, has advanced both technologically and energetically, using renewable energy sources such as solar and water energy. But it still relies mainly on non-renewable energy sources, which have been significantly depleted as a result of their consumption for centuries. However, renewable energy sources - solar energy, water, forests, flora and fauna can also be significantly depleted, if not completely. They are compromised not only by the process of climate change, but also by their irrational and excessive use (Kovačević, Kovačević, 2018: 44).

The aforementioned circumstances have caused negative effects on the ecosystem, both locally and globally. The ecosystem includes all living things and the space in which they live, and the global ecosystem includes all living things on the planet Earth and their habitats. The use of non-renewable energy sources leads to the greenhouse effect, which is considered a key cause of climate change (IPCC, 2018, quoted according to Vukelić, 2022:108). The greenhouse effect occurs as a result of an increased concentration of gases in the atmosphere. Human activities, using non-renewable energy sources, increase carbon dioxide emissions, which results in global warming (Giddens, 2009; Rahman, 2013, quoted according to Vukelić, 2022:108).

Gases in the atmosphere regulate the Earth's temperature, by limiting the amount of sunlight and heat that reaches the Earth's surface and is then reflected into the universe. Life on the planet Earth depends precisely on that mixture of atmospheric gases (Ponting, 2009; Giddens, 2009, quoted according to Vukelić, 2022:109). The report of the Intergovernmental Panel on Climate Change warns that if there is no overall reduction in greenhouse gas emissions, it will not be possible to keep warming at a level below two degrees Celsius (IPCC, 2018, quoted according to Vukelić, 2022:109). The increase in temperature on the planet Earth leads to frequent extreme weather events, rising of sea and ocean levels, water shortages (Urry, 2010: 87-88, quoted according to Vukelić, 2022:110). Now we see that only human activities have jeopardised the natural development and climate conditions on the planet Earth, disrupting the natural balance in the ecosystem. But what exactly does this mean for the human species?

But now I am no longer I, nor is my house any longer my house

According to Lakić's premise, "climate change is a factor that leads to the consequences of endangering security" (Lakić, 2015:158). What does security mean? The dictionary of the Serbian language of *Matica Srpska* says the following: "safe, one who is secured from danger, who is protected, and "security/safety - the state of person who is safe, something safe, security" (Pižurica, 2011:67). Therefore, to be safe, to feel safe, according to the dictionary of *Matica Srpska*, is to be out of danger, to be in a safe place. However, the authors of the "Glossary of Security Culture" point out that the terms *safety* and *security* are used as synonyms in the Serbian language, which gives a wrong impression, and that they are incorrectly equated in discourses. In fact, security is a word whose meaning derives from the Latin noun "sēcūrītas, ātis f. (peace of mind, carelessness, safety, harmlessness)" and the adjective "sēcūrus (free of care, carefree, free of fear, not afraid of any danger)". Safety is a broader concept than security because, in addition to the absence of danger, it also includes certainty and self-confidence. The concept of security implies the absence of threats to adopted values, while in the subjective sense it means the absence of fear that concerned values will be threatened (Ejdus and Stanarević, 2009:14-15). Now that the etymological meaning of *security* has been clarified, I will present the scientific view of this term. Security, in the most general sense, implies the absence of danger, caused by war, violence, poverty, natural disasters (earthquakes, floods, fires, etc.), human and animal diseases, as well as the latest "troubles" of urban people (unemployment, crime, trafficking in human beings, environmental disasters, etc.) (Buzan, 1991, quoted according to Krstić Ilić, 2016: 18). Security is a social phenomenon and signifies a sufficient degree of social protection and the ability of people and society to protect themselves from various dangers whose origin can be either natural - natural cataclysms or social - intentionally or accidentally caused by human activities (Krstić Ilić, 2016 :18). How does climate change make us unsafe? The problems in the ecosystem resulting from human activities have caused considerations in the field of human security to be connected with environmental issues (Krstić Ilić, 2016:40). Thus, a field dealing with environmental security issues has emerged in security studies. Environmental security considers problems related to the insufficient amount of natural resources, environmental degradation, biological hazards, and these factors can even lead to war conflicts. It is, therefore, focused on the prevention of these dangers and their remediation (Ejdus and Stanarević, 2009:39).

The consequences of climate change are most visible through extreme climatic conditions - high temperatures, droughts, but also heavy rains and floods. These phenomena threaten primarily food production. This is reflected in the lower yield and quality of food, and the higher prices of foodstuff, which leads to material deprivation of

the population, but also to diseases caused by poor nutrition (Kovačević, Kovačević, 2018: 42-43). In many areas of Asia and Africa, there is soil erosion - the deterioration of the quality of the land, which leads to a decline in agricultural productivity, and there is less and less available land per capita (Giddens, 2005, quoted according to: Kovačević, Kovačević, 2018: 44). In addition, global warming leads to the conversion of fertile land into deserts, due to which certain countries, such as the countries of Sub-Saharan Africa, the Middle East and South Asia, are even more threatened by the shortage of arable land. Consequently, global warming, i.e. the process of climate change leads to a shortage or pollution of water sources, which is a big problem for the world population considering the large number of people and the dwindling supplies of drinking water. Therefore, climate change leads to threats at the global level, where people face the loss of basic water and food supplies. Because of all this, people are forced to move in masses from the areas where the impact of climate change has culminated. This means that the consequences of climate change are often one of the causes of population migration. People are forced to leave their home, some even their country, continent, in order to save their lives and avoid hunger and poverty. Migration and climate disasters can lead to conflicts and even wars over the remaining sources of energy, water and food (Kovačević, Kovačević, 2018: 46-65)

All of the aforementioned reasons have contributed to the consideration of the following topics within the field of environmental security: 1) *destruction of ecosystem*, which includes climate change, soil erosion, pollution, deforestation; 2) *energy problems* of scarcity of natural energy sources and their uneven distribution; 3) *population problems* - population growth, uncontrolled migration, overconsumption; 4) *food-related problems* such as poverty, hunger, loss of fertile land and water resources, scarcity and unequal distribution; 5) *economic problems* – social insecurity leading to cyclical hegemonic collapse, structural asymmetries and inequality; 6) *civil unrest* – environmental damage caused by war, violence associated with environmental degradation (Jovanović Popović, 2013:114).

An example known to the citizens of Serbia, which is a consequence of climate change, is certainly the 2014 flood. Some citizens had their lives at risk, while others lost their homes. The infrastructure was destroyed, institutions such as schools, health care centres and hospitals could not function or minimised their activities. Trade, industry and agriculture on which human nutrition depends were also affected. Therefore, climate change affects human security. The consequences of this are life and health threats, material deprivation, inability to access basic human needs and hygienic conditions - clean drinking water and food, migrations and potential social conflicts. All the above shows that human security, the standard of living and life

itself are greatly threatened by the process of climate change. The processes that take place affect the entire human population. But do they have an equal impact on everyone? Of course not. Not all of us have the same material resources, not all of us live in well-organised political, economic and social systems, and finally, our environmental niche is not the same either. However, although the “climate crisis” affects all of us, when it comes to gender dimensions, there are certain differences in this impact regardless of our material, social and geographic position.

Women in the hive of the world

Gender is a socially constructed pattern of “masculinity” and “femininity” or a socially constructed pattern of the relationship between men and women. When we say that gender is socially constructed, it means that gender is a product of human definition and not a natural human characteristic (Ricer, 2009:300). The issue of gender is very important because being a social construct it implies certain differences in behaviour that are expected to be displayed by members of society. And as emphasized above, this is the expected pattern of the behaviour of men and women, and their position in society. It is often the case that the required gender pattern of behaviour puts members of the same society, men and women, in an unequal position. This inequality mainly affects women. Therefore, inequality originates from the organisation of society, and since most societies of the world are patriarchally organised, they have dominance of the male gender over the female gender. Dominance means any relationship in which the dominant party, which can be an individual or a collective, manages to turn the subordinate party into an instrument of its will, while refusing to accept the subordinate party's autonomous subjectivity (Ricer, 2009:310). In this case, dominance implies a higher social status, which entails greater power in making and creating political decisions, higher professional positions and better paid jobs, and therefore a better economic status. Unlike men, women have a lower social standing and less material resources, and consequently less social power to realise their potential than men who are in a similar social position, regardless of whether that position is based on class, race, profession, ethnic origin, citizenship, religion, education or any other factor (Ricer, 2009:303). This means that if you are a female member and not a male member of any of these groups, you are in a more subordinate social position and it will be difficult and in some cases impossible for you to self-actualise. The aforementioned relations concern the public sphere, but it is also necessary to give an insight into the private sphere, i.e. gender relations and roles in households. In fact, gender relations are reproduced in the private sphere, and then reflected in the public sphere. The sphere of a household is actually the sphere of continuous reproduction

and redefinition of gender relations in the context of the household interaction with the socio-economic environment, but also under the force of inertia of long-term cultural patterns that define gender roles and power relations (Babović, 2010:193). With this I would like to emphasize the functions usually performed by women in a household: housework (often unpaid housework) and care for household members (usually children and the elderly). Now that we have knowledge about the gender aspects of social reality, it is time to describe how gender and climate change are interconnected, specifically how climate change affects women.

In the previous part of this paper, I have explained how climate change can affect people's lives: from the lack of water (including drinking water), arable land - food production, due to high temperatures, droughts, but also abundant rains and excessive humidity, to extreme climatic conditions such as floods and fires. These phenomena cause material deprivation (the impossibility of obtaining goods and services that are considered necessary for a decent life), migration, health problems, social conflicts, etc. Considering the above, but also the role and social position of women, I will try to give examples and show the consequences they face.

Starting from the basic human needs for water and food, and their vital necessity and the areas of their production - rural areas, I would like to show the living conditions of women and the impact of climate change on those conditions. More specifically, I want to describe the life of women who live in the rural areas of Serbia, considering that Serbia is a predominantly rural country - rural areas make up 85% of its territory (Bogdanov, 2007, quoted according to: Cvejić i sar., 2010:31) and that the majority of population is rural. Women in rural households, in addition to doing most of the housework related to home maintenance, food preparation or taking care of children and the elderly, are also engaged in agricultural work. The vast majority of women have the status of “contributing household members”, which implies unpaid work in the family business, and that means not only unpaid housework but also unpaid agricultural work. In addition to the unequal workload in the household and the unequal valuation of work, women usually do not own the houses they live in, nor do they own agricultural land or means of production. Also, the share of persons without health insurance shows that this group is among the most vulnerable social groups in this respect, because as much as 17% of these women do not have health insurance and are treated on their own or pay for health services (Babović, Vuković, 2008:100-109). When, under the influence of climatic factors, there is a lack of electricity or water, which is not uncommon in rural areas in Serbia, women who perform housework directly depend on their availability. If there is no electricity, women have to wash clothes by hand, and if there is no water, they are the ones who bring water for cooking and washing (Baćanović, Murić, 2018:23). Acid rains, soil erosion and

droughts cause a decrease in the yield of agricultural crops, and greater efforts are required to achieve these yields, which means that more time is to be invested and spent in agricultural work. Since, according to the authors, more than half of women work in agriculture longer than the average working hours, and 65% of them perform agricultural work seven days a week during the agricultural work season (Babović, Vučković, 2008:101,108), it is crystal clear what amount of efforts they face. In combination with all the mentioned factors, women are exposed to both psychological and physical stress, which leads to the development of many diseases. Since the share of rural women with health insurance is very small, they are exposed to a great health and life risk.

Climate change contributes to the scarcity of natural resources and the destruction of the environment, which can push the population to migrate. Permanent environmental degradation, such as soil salinisation and drought, mostly affects the countries of the African continent, while Asian countries are affected by hurricanes and earthquakes. The fact that these areas include the countries with rather low economic development and without sufficient resources to fight environmental degradation is of additional concern. Another significant factor may be political conflicts that can destabilise them. The phenomenon of environmental refugees emerges as a consequence (Mišev, 2019:305). In search of better living conditions, living standard or because their homes were destroyed, many people are forced to leave the areas in which they lived, regions, countries and even continents.

As for the gender perspective of migration processes, it is primarily based on workforce movements, and in some new studies, women also appear as primary migrants (Pešić, 2013:330). However, as mentioned above, the areas that generate the majority of environmental refugees are the African and Asian continents, and since they are dominated by traditional patriarchal relations, the male gender dominates also in this aspect of social reality. In fact, the entire process of migration is determined by gender, starting from the decision to migrate, the direction of migratory movement, but also the adaptation in a new social environment that can be significantly different from the country of origin, transit or destination (Pešić, 2013:321-322). In these processes, women are more exposed to the risk of human trafficking, sexual and other forms of violence and exploitation (Baćanović, Murić, 2018:23).

There is always a thin ray of light

In the hive of the world, as we could see, there are relations in contrast to those of the beehive. Bees have a “queen bee” (female) who is at the top of the hierarchy, and not

“drones” (males). She keeps the bee colony together and takes care of the hive, all that a woman does in human society. Is it possible for women to become leaders like the queen bee in her hive?

Wangari Maathai, a Nobel Peace Prize winner, said: “I have always believed that no matter how dark the cloud, there is always a thin ray of light, and that is what we have to look for” (Maathai, quoted according to Geiger Zeman, 383: 2011). Listening to the poor, rural women of Kenya - her native country – talking about the problems they face, from food and water shortages to deficits of energy for heating and food preparation, she concluded that the cause of their difficulties lied in the problematic state of their ecosystem. For that reason, in 1977, she founded the *Green Belt Movement*, which deals with environmental protection, environmental restoration, but also aims to engage women (and men) in fighting for the conservation of their own environment and the improvement of their living conditions (Geiger Zeman, 383:2011). Maathai was one of the most famous ecofeminists. Ecofeminism emerged in the mid-1970s and is at the intersection of feminist research and ecology. It is a theory or a group of theories that provide knowledge but at the same time support mobilisation and action, representing a social movement (Herrero, quoted according to Višnjić, Milojević, 2020:8). Ecofeminism is focused on analysing the causes (patriarchy and neoliberal economy) of interconnected forms of oppression and exploitation of women and the natural environment (Višnjić, Milojević, 2020:8). This direction offers the logic of emancipation against the logic of domination, the reconciliation of all conflicting entities of the “male and female world” as well as nature and people (d'Eaubonne, 2000, quoted according to Buzov, 2012:78-79). Today, most of us are familiar with the work of Greta Thunberg, one of the youngest environmental activists, who spoke about the problems of climate change in the presence of many world leaders. There is also Sanna Marin, the current prime minister of Finland, who contributes to the importance of environmental and social issues with her political engagement. Hence, it is possible. These examples show that women are not socially and environmentally passive, regardless of where they were in the world - Kenya, Sweden, Finland, etc.

In the Serbian language, female bees are referred to as worker bees, and there is also a saying “as diligent as a bee” and based on all the above, I give myself the freedom to compare women to bees because that is what they really are. Women maintain and take care of their hive, their home. And the only home we have is the planet Earth. This is what ecofeminists, women activists, leaders, and women in general show us. When I started to write this paper, my intention was to point out why it was important to engage in the fight against climate change, why it was important for women to get involved in that fight - the fight for themselves and their home - the Earth. The goal

was to point out how environmentally unsafe the human population was and that this lack of security was taken lightly, and that the issue of gender relations was “swept under the carpet” in the public discourses of Serbia. The rural areas of Serbia and the women who live in them are particularly threatened by the consequences of climate change. I believe that the topics I discussed in this paper are not taken seriously enough by the public. My intention was to present to the public these complex relations using as simple vocabulary as possible, so that everyone outside the academic community could understand them. I hope I have succeeded in my intention. The title of this paper is The Bee File, a file on women – “the bees of human society”, which gives an insight into their daily life. This is also a file on environmental and climatic issues that have become part of our daily life and that we often do not reflect upon enough, due to which we do not see the problem. Every file is opened in a procedure for a case, and one day when the case is solved, it is closed and archived. That is why I am opening this file with the hope that one day it will be found in the archives of human history, and that the problems presented in this paper will be solved.

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EUROPEAN WELCOME FOR UKRAINIAN MIGRANTS – DOUBLE STANDARDS OR JUSTIFIED FAVOURITISM?

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***Abstract:** Migration, being the movement of refugees and asylum seekers in search of a more stable life, is a part of the everyday life of humans. Although migration has been present ever since the earliest times, the greatest importance has been attached to migration in the period from the beginning of the migrant crisis in 2015 to the beginning of the Russian invasion of Ukraine. Another big wave of migration started in early 2022 with the Russian invasion of Ukraine. Since then, due to compromised human security, migrants from Ukraine have sought refuge, mostly in the European Union. It is interesting to note that the European Union offers a much warmer welcome to migrants from Ukraine compared to migrants from earlier migration movements. This paper focuses precisely on that and tries to figure out why this is the case. It can be argued that several factors have led to this outcome. Although Leonard (2022) claims that it is solely a question of race, which is shared by most of the population of Ukraine and the European Union, I believe that there must be other influential factors. By other factors, I refer to geographic position, religion, regional politics, history, and the perception of the migrants' country of origin. I discuss these factors further in this paper and present my view on their impact on the welcoming of Ukrainian migrants. Finally, I conclude that all these factors did have, to a greater or lesser extent, an impact on such a welcome. I also add that the welcoming of Ukrainian migrants is not necessarily a display of double standards driven by racism, as originally suggested.*

Key words: migration, Ukraine, conflicts, migration crisis, refugees

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INTRODUCTON

Human migration has been an integral part of human society since the earliest times. But the research of migration trends has a relevant importance even today. This importance stems from the increased integration of trade, people and cultures that comes with the development of science and technology (Pietsch, 2020). The importance of migration is also reflected in a large number of associations dedicated to researching migrant trends and their consequences. There are authors who stand out in these associations. On this occasion, I would like to single out the authors that will be mentioned often in this paper: Pietsch, Düvell, Lapshyna, Haenens, Joris, Gerlach, Rynszak and others. Inspired by the example of these authors, I focus this paper on the independent research of contemporary migration caused by the conflict, comparing this migration seen since 2015 with the current migration caused by the invasion of Ukraine in early 2022. I conclude the following: migration to the European Union as a consequence of the war in Ukraine received a much warmer welcome than earlier waves of migration seen since 2015. In this paper I focus on researching why this is the case. For easier reference, I have divided this paper into three parts. First, I explain the most important terms related to migration and analyse the 2015-2022 migration waves in contrast with the migration motivated by the fear and need to preserve human security following the 2022 Russian invasion, thus highlighting their differences. This part of the paper touches upon the consequences of migration in both cases, as well as the welcome offered to incoming migrants. The second part of the paper discusses the idea presented by Leonard (2022) who claims that the reason for this welcome is the white race that the migrants and the domicile population have in common. Further on, I offer other factors related to the influence of geography and history on the reception of Ukrainian migrants in Europe. These include geographic position, religion, regional politics, history, and the perception of the migrants' country of origin. Finally, I return to the most important points to conclude the paper.

Explanation of concepts: migration, migrants and migrant welcoming

For transparency and a better understanding of the argumentation, I begin this paper with an explanation of the basic concepts related to migration. First, I focus on migration in general and then on the migration movements in Europe since 2015 in contrast with those that followed as a consequence of the need to preserve human security after the Russian intervention in Ukraine in 2022.

Migration is most simply explained as the movement of people (Pietsch, 2020). Although migration can be caused by different factors and therefore there are different subtypes of migration, this paper focuses exclusively on contemporary migration caused by conflicts. However, it is important to stress that it is complicated to give an exact definition of conflict-induced migration due to disagreements in explaining migration and the concept of conflict. Choucri (2002) further explains that the definition depends on who defines it, as well as who benefits from the definition as such. In this paper, conflict-induced migration refers to any human movement resulting from the fear for security due to an armed conflict.

Another important point to mention when we talk about migration is the readiness to accept migrants in the countries of destination. In the past, public opinion proved to play an important role in deciding on what kind of migration policies are to be adopted (Pietsch, 2020b). In countries where the population is more ready to receive migrants, this readiness is reflected in the number of migrants received, and vice versa. This further facilitates or hinders integration (Pietsch, 2020b). Also, the population does not support all migrations equally, as will be shown on the examples of earlier migrations and migration caused by the Russian intervention in Ukraine (Düvell, Lapshyna, 2022).

The largest contemporary conflict-induced migration movements to Europe are recorded in the academic literature as those that occurred in the last two decades (Kaczmarczyk et al., 2020). However, the number of migrants who entered the European Union was the highest in 2015 and 2016 (Haenens, Joris & Heinderyckx, 2019). Most of these migrants are those who flee the war and leave their homeland, mainly Syria, Afghanistan and Iraq (Eurostat, 2018). I will take these migration movements as a starting point for comparison with the migration caused by the Russian intervention.

In order to better present the migratory situation in Europe, I will cite data from the Eurostat database from 2008. In fact, in 2008, 19% of all residents of the European Union were not citizens of the European Union or they or their parents were born abroad (Eurostat, 2008). In addition, the European Union received another 1.3 million applications for international protection in 2015, while in 2016 another 1.2 million migrants arrived in the territory of the European Union (Eurostat, 2018).

But what I will focus on is the readiness of the states to receive migrants. The increase in migration, as seen since 2015, has brought an increase in support for anti-immigrant political parties, such as the National Front (*Rassemblement National*) in France and the Swedish Social Democratic Party (Sveriges socialdemokratiska arbetaparti) (Pietsch, 2020b). These parties speak about the fear of unemployment, lower salaries, overpopulation, crime and loss of identity due to the acceptance of

migrants (Pietsch, 2020b). In a nutshell, the increased support to anti-migrant parties implies the increased reluctance of the population to welcome migrants. It also implies the goal that the states offer a less warm welcome to migrants.

Similarly to the aforementioned interventions, the Russian invasion, which started in February 2022, has led to migratory movements (Gerlach & Ryndzak, 2022). The intervention forced several million Ukrainian citizens to seek refuge in safer living conditions. As Gerlach and Ryndzak (2022) state, despite the intensity of migration movements since 2015 in Europe, the migration caused by the Russian intervention led to the biggest migration crisis since the World War II.

The reasons for which Gerlach and Ryndzak (2022) claim that precisely this is the biggest migration crisis are: the speed of leaving the country, the offensive that covered almost the entire territory of the country, and uncertain return. Regarding the speed of migration, during the first four weeks of the invasion, the number of displaced persons equalled the number of the displaced in the first four years of the war in Syria, between 12-14 million, as recorded in mid-June this year (Düvell & Lapshyna, 2022).

However, what primarily distinguishes this wave of migration from those that occurred since 2015 are the attitudes with which migrants were received after they left Ukraine. More precisely, in contrast to previous migration waves, in this case almost all EU member states were ready to help Ukraine either by providing refuge, financial assistance or necessities of life (Gerlach & Ryndzak, 2022). For example, about 60% of all migrants have been received by Poland, followed by Slovakia and Germany (Gerlach & Ryndzak, 2022). Additionally, even Greece, which forces migrants from Syria into dismal living conditions while waiting for access to shelter, shows a different, willing-to-help treatment of migrants from Ukraine (Kalantzi & Lapshyna, 2020). The idea of this paper is to reveal and point out the potential reasons why this is the case.

Double standards: blond hair and blue eyes?

Leonard (2022) was one of the first to publicly announce his point of view regarding the new European welcome of migrants. The founder of the European Council on Foreign Relations writes about this phenomenon, potentially seasoned with racism, which precisely for this reason sticks like a bone in everyone's throat. Leonard states: “[Europe's] new priorities have naturally been met with charges of hypocrisy. Many European countries that slammed their doors during the 2015 Syrian refugee crisis

are now offering a warm, open-ended welcome to the blonde, blue-eyed refugees fleeing from Ukraine” (2022, para. 8). With these words, he hints that the hospitality shown to migrants from Ukraine is closely related to racial perceptions. He explains that in the previously explained cases, migrants from the previous migration movements were undesirable precisely because of their skin colour, which differs from the skin colour of Europeans. Although at first glance this explanation may seem plausible, I argue that the welcoming of Ukrainian migrants can be explained from many other perspectives and that it is justified due to several factors.

I borrow the idea from Düvell & Lapshyna (2022) and add that in addition to race, the welcoming of migrants is influenced by geographic position, religion, regional politics, history, and the perception of the migrants' country of origin. In order to explain all these factors, and because, at least partly, each factor naturally belongs to one or another category, I will divide them into two categories for clarity. The first category will contain factors related to the geography of Ukraine, while the second category will include factors related to history. I will first discuss the geographic position and regional politics, and then history and religion, and I will mention the perception of the migrants' country of origin in relation to both categories.

Geographical connection between Ukraine and the rest of Europe

In this part of the paper, I will focus on the physical proximity of Ukraine to the European Union as a factor that influenced the welcoming of Ukrainian migrants in the European Union. For easier reference, I will divide the text into paragraphs on geographic position, regional politics and the perception of Ukraine.

First I want to talk about the geographic position. Quite clearly, Ukraine was and has been more inclined towards migration to Europe because of its geographic position, i.e. it is closer to Europe than, for example, Syria and Afghanistan. The geographic proximity has allowed citizens of Ukraine to quickly reach a safe haven in the European Union, which was not as accessible for migrants during the 2015 crisis. In fact, in addition to the long distance that the migrants had to pass to reach the European Union, their countries do not have a direct border with the European Union, and therefore they had to travel longer. An additional large number of migrants tried to reach the European Union by sea, which made the journey even more difficult (Joensen & Taylor, 2021). I believe that the geographic proximity factor offers a logical explanation why migrants from Ukraine would head towards the European Union, but also why the European Union would be more willing to welcome them.

In addition, since 2017 the policy of the European Union has dictated that citizens of Ukraine do not need a visa to cross the borders of the European Union. Only a valid passport is required. This means that the migrants from Ukraine had the opportunity to leave their country much more easily than the 2015 migrants who needed a visa. This is not discrimination against citizens of the countries such as Syria, Afghanistan and Iraq, but rather one of the fortunate circumstances that happened to Ukraine. In any case, the visa-free regime only ensured entry into the European Union, but not the protection for migrants. However, the European Union adopted the Temporary Protection Directive (hereinafter: TPD) for Ukrainian citizens, which provides that all those who leave their homeland due to the conflict should be cared for and protected (Kienast, et al. 2022). Although the EU member states could decide whether to accept the implementation of the TPD, they certainly had to provide adequate protection in accordance with their national legislation (Kienast, et al. 2022).

As regards the perception of Ukraine, in this case, the European countries saw Ukraine as 'one of them' (Düvell & Lapshyna, 2022). In this sense, the attack on Ukraine meant the attack on Europe, on European values and Europeans. This is partly due to the proximity and the continent they share. On the other hand, it is also partly due to the fear of a potential attack on other European states in the vicinity, such as Poland, Romania, Lithuania and others (Düvell & Lapshyna, 2022). On several occasions, Russia has even threatened to attack some EU countries, such as Poland and the Baltic countries (Düvell & Lapshyna, 2022), which is why they do not want the conflict to escalate into something bigger, potentially leading them to the same fate. Again, I conclude that this factor offers a meaningful support for the argument that inclination towards welcoming Ukrainian migrants is justified.

Attack on Europe and European countries' fear of Russia

In this part of the paper, I will touch upon factors that are closely related to history and their influence on the acceptance of Ukrainian migrants in Europe. Again, for easier reference, I will divide the text into paragraphs on the history of ties between Ukraine and other European countries, religion, and again the perception of Ukraine, but from a different perspective.

As I already mentioned in the previous part of this paper, the proximity of Ukraine to the European Union has created connections between them. Even before the beginning of the Russian invasion, there were over 2 million Ukrainian migrants residing in the European Union (Düvell & Lapshyna, 2022). Düvell & Lapshyna (2022) state that even then Ukrainians were motivated to get education and employment in

the European Union, and that marriages between citizens of Ukraine and the European Union often occurred. Therefore, when the war broke out, many of those who left Ukraine went to join their families across the European Union (Costello & Foster, 2022). Ukraine and Europe were connected even before recent history in which it is not uncommon to see Ukrainian citizens migrating to the European Union. Again due to proximity, the ethnic and cultural history of Ukraine is not very different from that of Europe. This is why I think that the inclination towards welcoming Ukrainians could be justified.

Many politicians justified the acceptance of Ukrainian migrants to their people by saying things like “they are European Christians” (Kienast, et al, 2022). It should be noted that such statements ignore the diversity of the Ukrainian population. Also, Düvell & Lapshyna (2022) note that the examination of whether the common religion was the reason for favouring the migrants from Ukraine to Europe can go in another direction, i.e. it can be examined whether the welcoming of migrants from Syria to Turkey was motivated by the same factor. The desire to maintain identity, even in the form of religious identity, cannot be overlooked. But the other mentioned factors clearly indicate that the common religion is one, but neither the only nor the main reason for the European Union to help Ukrainian migrants. Although I do not necessarily support the idea that religion is seen as a decisive factor of welcoming migrants in times of crisis, I believe that religion offers another explanation why the European Union would prefer to welcome the migrants from Ukraine.

From a historical point of view, the situation of Ukraine reminded the states that had experienced secession from the Soviet Union what it was like to be at war with Russia (Düvell & Lapshyna, 2022). As citizens of Eastern Europe continue to remember that they themselves were migrants from the Soviet Union, the war in Ukraine has reopened old wounds (Lévesque, 2010). They perceive Ukraine as the state that they themselves once were. Therefore, this situation caused a great deal of empathy. Consequently, the only possible solution from this perspective is to help Ukrainian citizens quickly and efficiently. I believe that this statement further supports the idea that favouring the reception of Ukrainian migrants is justified.

CONCLUSION

As the anniversary of the beginning of the invasion of Ukraine approaches, and Ukrainian citizens continue to arrive in the European Union, it is necessary to continue studying this migration and to compare it with the migration movements seen in the past. In this paper, I have modestly tried to contribute to this important topic. In fact, researching the Ukrainian migration to the European Union side by side with the previous migration crisis that started in 2015, I have tried to draw a conclusion as to why the European Union was more willing to welcome migrants in the current wave. I have not attached too much importance to the explanation proposed by Leonard (2022) who said that the reason for welcoming Ukrainians was the same race. Although I understand that race is an important factor, I have concluded that race cannot possibly be the only factor for welcoming Ukrainians to Europe. Therefore, I focused on other possibilities. The factors that I have studied are geographic position, religion, regional politics, history, and the perception of the migrants' country of origin. All these factors proved to have influenced Europe to help migrants from Ukraine as soon as possible. Although the factors I mentioned are not necessarily fair and unbiased, especially not from the perspective of migrants coming from countries other than Ukraine, I think that each of these factors supports, to a certain extent, the argument that it is justified to favour Ukrainian migrants.

However, this does not mean that the decision to welcome Ukrainians did not have consequences. In fact, it is no secret that migrants arriving from other countries are still forced to undertake a dangerous journey to the European Union, and then meet with the degrading asylum process and often detention (Costello & Foster, 2022). One of the limitations of this paper is that it does not sufficiently explore the other side of the story, including a possible solution to the problem. Precisely because there is differentiating between migrants in terms of welcoming, this is a topic that has to be further discussed. As Düvell (2021) states, precisely because of these differences in the treatment of migrants, migration studies must be further developed.

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SPECIAL ADMINISTRATIVE PROCEDURE FOR ISSUING A PERMIT TO CARRY WEAPONS AS A CONDITION FOR HUMAN SECURITY

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Abstract: *The 1990s war led to the situation where weapons became easily available to a wider circle of people, which ultimately can result in jeopardising the public safety. The use of weapons can threaten the most important human right - the right to life, which is why it is necessary to have mechanisms to control the carrying and use of weapons. One of those mechanisms is the procedure for issuing a permit to carry weapons provided for in the Law on Weapons and Ammunition. This procedure will be the topic of this paper. The author will first analyse the requirements that an individual must fulfil in order to be able to acquire and carry weapons. Special attention will be paid to the medical fitness and security vetting of applicants for a permit to carry weapons, as key parameters in the process of deciding whether the applicant will be granted or denied the right to carry weapons. Based on these parameters, it is possible to determine the ability of an individual to safely handle weapons, which is a prerequisite for the protection of other persons in his or her environment. Given that the procedure for issuing a permit is one of many special administrative procedures in the legal system of the Republic of Serbia, the paper will show how an individual can obtain a permit to carry weapons with reference to the differences that exist in relation to the general administrative procedure. In this regard, attention will be paid to the first instance and second instance/appellate procedure. In the appellate procedure, both the first and second instance authorities can have certain powers, so the possible competences of these different instance authorities will be analysed.*

Key words: *The Law on Weapons and Ammunition, human security, permit to carry weapons, special administrative procedure*

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INTRODUCTION

The data of the Ministry of Interior show that in 2022, by the beginning of October, nearly 7,000 weapons were seized.² It is already known, based on the Ministry of Interior's data from December 2016, that 973,790 firearms are registered in Serbia and that there are around 220,000 illegal weapons (Šapić, Stojanović, 2017: 3). The armed conflicts towards the end of the last century in the territory of the former Yugoslavia undoubtedly contributed to the spread of weapons throughout the country. According to the Small Arms Survey, Serbia is among the leading countries in the world in terms of the number of weapons per 100 inhabitants. More precisely, that number was 39.1 in 2017, which places Serbia as high as on the fourth place.³ In addition to the war, another mentioned reason for the spread of weapons is tradition, that is, the culture of weapons, which dates back to the period of brigands (Serbian: *hajduci*) when weapons were a status symbol (Šapić, Stojanović, 2017: 4-5).

The illegal use of weapons threatens the right to life, which is a fundamental human right. In order to prevent this, special requirements and procedure for issuing a permit to carry weapons are prescribed. Since the public is not sufficiently familiar with the legislative framework that regulates the possession of firearms (Jacobi, 2018: 5), this paper will point out the requirements that an individual must fulfil to be able to carry a weapon and the procedure in which he or she can exercise that right.

Concept of permit to carry weapons

The main regulation that governs the acquisition, holding and carrying of weapons is the 2015 Law on Weapons and Ammunition⁴ (hereinafter: LWA). It was adopted with the aim to provide for the efficient control of the possession of weapons, prevent the misuse of weapons and improve the safety of citizens (Tadić, 2016: 2). Its provisions do not apply to public authorities that acquire, hold, transport and carry weapons and ammunition based on special regulations (e.g. members of the police and army).

2 <https://www.danas.rs/vesti/drustvo/mup-samo-ove-godine-zaplenio-skoro-7-000-komada-oruzja-sumnja-se-da-u-srbiji-po-kucama-lezi-jos-blizu-tri-miliona/>, accessed on 21 October 2022

3 <https://www.smallarmssurvey.org/sites/default/files/resources/SAS-BP-Civilian-Firearms-Numbers.pdf>, accessed on 22 October 2022

4 *Official Gazette of the RS*, nos. 20/15, 10/19, 20/20 and 14/22

“A permit to carry a weapon (hereinafter: permit) is a document that contains information about a natural person and grants him or her the right to carry a pistol or a revolver registered as a category B weapon for personal safety” (Article 3 of the LWA). Bearing in mind that category A weapons are “heavy weapons”, natural persons cannot acquire, hold and carry them; category C weapons can be held by persons over 18 years of age provided that they notify the competent authority, while the acquisition and holding of category D weapons does not require the notification of the competent authority and can be held by persons older than 16 years (Leštanin, 2017: 157). The permit can be issued to a natural person who has a registered category B weapon for personal security. The permit is valid with a weapon registration card⁵ and issued for a limited period of validity, up to five years at most.

Requirements to be fulfilled by an individual for acquiring and holding a weapon

Article 11 of the LWA stipulates that category B weapons may be acquired and held by natural persons: 1) who are of legal age⁶; 2) who are citizens of the Republic of Serbia or foreigners with permanent residency; 3) who are medically fit to hold and carry weapons; 4) who have not been sentenced to imprisonment for the following criminal offences: against life or body, against freedoms and rights of man and citizens, against sexual freedom, against marriage and family, against property, human health, general safety of people and property, against constitutional order and security of the Republic of Serbia, against public authorities, against public order and peace, against humanity and other goods protected by the international law; or those against whom no proceedings are in progress in respect to the aforementioned criminal offences;⁷ 5) who have not been punished in the last four years, on the basis of a final court decision, for misdemeanours related to public peace and order, for which imprisonment is prescribed, or for misdemeanours under this Law;⁸ 6) whose behaviour does not indicate that they would pose a threat to themselves or other people and

5 A weapon registration card is a document issued for holding and carrying a weapon and which contains the data about the weapon, its main components and the owner.

6 In Croatia, the age condition is stricter since it is prescribed that individuals must reach 21 years of age, while police officers and members of the armed forces can be issued a permit to acquire weapons after reaching 18 years of age. See more in: (Juras, Jakšić, 2013: 37).

7 See more details about criminal offences in the aforementioned groups in the Criminal Code (*Official Gazette of the RS*, nos. 85/05, 88/05 - corrigendum, 107/05 - corrigendum, 72/09, 111/09, 121/12, 104/13, 108/14, 94/16 and 35/19).

8 See Articles 7-22 of the Law on Public Order and Peace (*Official Gazette of the RS*, nos. 6/16 and 24/18).

to public peace and order, as verified by security vetting in their place of permanent residence, temporary residence or workplace; 7) who have been trained in handling firearms; 8) who have a valid reason and 9) who have conditions for safe storage and keeping of weapons.

The legislator explains the legal standard of “valid reason” as follows: a) if weapons are intended for self-defence, individuals must make probable that their personal safety could be endangered because of the type of work they do or other circumstances, b) for hunting weapons, individuals have to submit evidence that they fulfil the requirements for holding a hunting licence, and c) for sporting weapons, individuals have to submit a certificate of active membership in a sports shooting organisation. It seems that these reasons significantly narrow the group of individuals who could apply for a permit in general, because the above actually refers to persons whose safety is threatened due to the work they perform or have performed, such as staff of the Ministry of Justice, judges, prosecutors and the like (Spasić, Tadić, 2017: 27).

Medical fitness

Medical fitness is proved by submitting a certificate of medical fitness (hereinafter: certificate). More detailed requirements that must be fulfilled by a health care institution and a natural person are prescribed in the *Rulebook on determining medical fitness of natural persons to hold and carry weapons*⁹ (hereinafter: Rulebook on Medical Fitness). The medical examination of individuals includes: 1) review of a doctor's report on the health status of an individual related to weapon holding and carrying, not older than 30 days, issued by the selected doctor - a doctor of medicine or a medical specialist in general medicine or in occupational medicine; 2) taking anamnestic data about the individual's state of health; 3) clinical examination and 4) additional diagnostic procedures and examinations. Clinical examination consists of: 1) medical examination; 2) laboratory analysis - testing for psychoactive substances; 3) examination of hearing and vestibular function; 4) examination by a specialist in ophthalmology and 5) examination by a specialist in psychiatry or neuropsychiatry (Article 4 of the Rulebook on Medical Fitness). An individual is considered capable of holding and carrying a weapon if there are no contraindications that make him or her medically unfit.

Contraindications are considered to be: 1) psychiatric and neurological diseases and conditions; 2) diseases and conditions of the organs of vision; 3) diseases and condi-

9 Official Gazette of the RS, nos. 25/16 and 79/16

tions of the hearing and vestibular apparatus; 4) diseases and conditions of the respiratory system that can cause severe respiratory or cardiorespiratory insufficiency and that affect the safe handling of weapons; 5) conditions and diseases of the heart and cardiovascular system that can lead to severe heart rhythm disturbances and changes in the state of consciousness, except in medically controlled cases; 6) severe diseases and conditions of the endocrine system, which affect the safe handling of weapons; 7) diseases and conditions of the musculoskeletal system: congenital or acquired malformations and deformities, as well as functional disorders that affect the safe handling of weapons; 8) tumours, as well as other conditions and diseases that, considering the location and/or functional activity and/or morphology and/or behaviour, affect the safe handling of weapons.¹⁰ Based on this list of contraindications, it can be concluded that if an individual has even a mild disease that can affect his or her handling of weapons, he or she will not be issued a permit. Such strict requirements certainly contribute to the safety of people. The public safety is supported also by the obligation of an individual who has been allowed to acquire a weapon to periodically, every five years, submit to the competent authority a new certificate that is not older than one month. In theory, there are justified beliefs that the mentioned period is too long, considering that during that period there can be serious changes in the psychological status of a person (Spasić, Tadić, 2017: 28).

An individual who is not satisfied with the issued certificate can file an appeal with the second-instance medical commission, which consists of the chairperson of the commission, the deputy chairperson, three members and three deputies. The chairperson of the commission is a specialist in occupational medicine, while the members are specialists in ophthalmology and psychiatry or neuropsychiatry. The deadline for appeals is 15 days from the receipt of the certificate, and the second-instance commission decides within 30 days of receiving the objection and its decision is final (Article 10 of the Rulebook on Medical Fitness). It can be noticed that the Rulebook on Medical Fitness contains a serious inconsistency. In fact, it is stated that an individual has the right to appeal, and that the second-instance commission decides within 30 days of receiving the objection. Objection and appeal are two separate legal remedies in the administrative procedure. Appeal is a legal remedy of a devolutive nature, while objection is a legal remedy of a remonstrative nature, which can be used in all the activities of administration considered to be an administrative matter (Lončar, 2017: 1516). Another important thing that should be emphasized is the fact that a separate appeal can be filed against the decision on the objection (Lončar, 2017:

10 For more details on psychiatric and neurological diseases and conditions, diseases and conditions of the organs of vision and hearing and the vestibular apparatus that are considered contraindications, see Article 6 of the Rulebook on Medical Fitness.

1516), which additionally creates a dilemma as to whether an individual who is not satisfied with the certificate has the right to object or appeal.

Security vetting

Security vetting includes official measures, activities, jobs and tasks by which the authorised security authority determines the security suitability of a person and grants or denies him or her a security clearance to exercise one of his or her rights (Mijalković, 2015: 196). Vetting is mainly focused on the previous life of a permit applicant, on his or her habits, conflicts, memberships in various associations, consumption of alcohol and drugs, family status, association with “problematic” persons, previous convictions and other circumstances that indicate antisocial behaviour (Leštanin, 2017: 161). If the applicant meets all the security requirements, the outcome of vetting will be positive, and if not, it will be negative.

Permit issuance procedure

An individual files an application for the issuance of a permit with the territorially competent organisational unit of the Ministry of Interior, according to his or her place of permanent residence. It is a special administrative procedure, because it is a public-law relationship between the administration and the party regarding the legal regulation of a specific administrative matter (Dimitrijević, 2019: 220), which is not regulated by the law governing the general administrative procedure, but by a special law - LWA. Administrative procedure is, in fact, a process of solving the issues related to the rights and obligations and legal interests of individuals and legal entities by using the prerogatives of the public authority, which is manifested in the adoption of administrative acts - decisions and conclusions (Dimitrijević, 2014: 150). The police director or a person authorised by the police director approves the issuance of a permit by a decision. Persons authorised by the police director can only be managers who are one step lower in the hierarchy (Leštanin, 2016: 107). Let us recall that the police director is appointed by the government and he is at the head of the highest organisational form of the police - the police directorate (Petrović, Prica, 2020: 64). Considering that the requirement for the position of director is at least 15 years of effective work experience in policing, it can be concluded that a person with experience decides about the issuance of a permit to carry weapons, which is good for public safety. The application will be denied if the applicant does not make probable that his or her personal security is threatened to such an extent that carrying a weapon

is necessary for his or her safety. As the party's application for the issuance of certificates and other documents can be rejected by a decision (Vučetić, 2021: 86), the rejection will also be in the form of a decision. Weapons can be carried so as not to disturb other persons, only one piece of weapon may be carried and it may not be visible to others (Marković, 2017: 455).

Appeal against the first-instance decision

The LWA envisages that an appeal can be filed against the decision referred to in Article 25 to the minister within 15 days of its receipt. It is the general deadline for appeals in administrative procedure. However, the legislator has not specified who can file an appeal. In this situation, according to the rule on subsidiary application of the law, it is possible to apply the provisions of the Law on General Administrative Procedure¹¹ (hereinafter: LGAP), according to which the right to appeal against the first-instance decision can be filed by any person whose rights, obligations or legal interests may be affected by the outcome of the administrative procedure (Article 151 of the LGAP). The appeal does not have a suspensive effect, that is, it does not delay the enforcement of the decision. This is a deviation from the general administrative procedure, in which a timely filed appeal has a suspensive and devolutive effect, which means that it postpones the enforcement of the decision until a final decision is adopted, and that the decision-making is passed to a higher administrative authority (Dimitrijević, 2019: 320). Although the LGAP stipulates the obligation to harmonise special laws with the LGAP, the harmonisation has not been implemented (Prica, 2021: 173), which is also clear in this example. On the other hand, the devolutive effect of the appeal has been preserved, since the minister decides on it.

Since the LWA does not specify the reasons for appeal, we shall find them in Article 158 of the LGAP. A first-instance decision can be challenged for the following reasons: 1) because the law, other regulation or general act is not applied correctly or at all; 2) because it was adopted by a non-competent authority; 3) due to wrongly or incompletely established factual situation; 4) because an incorrect conclusion about the factual situation was derived from the established facts; 5) due to a violation of procedural rules; 6) because the limits of the authority were exceeded in deciding on discretionary basis or because the decision was not adopted in accordance with the purpose of authority; 7) because the authority for deciding on discretionary basis was not properly applied and 8) because it was not adopted in accordance with the assur-

11 *Official Gazette of the RS*, nos. 18/16 and 95/18 - authentic interpretation

ance. The appeal does not have to include a special explanation, but it is necessary to indicate the number and date of the contested decision and the authority that adopted it (Dimitrijević, 2019: 321).

Acting of the first-instance authority upon appeal

We have already established that the first-instance decision is adopted by the police director or a person authorised by the police director. The appeal is submitted to the minister, but it is submitted through the first-instance authority that has certain powers. The first-instance authority examines the timeliness, admissibility and procedural legitimacy for filing an appeal, with the aim of facilitating the work of the second-instance authority (Milenković, 2013: 460). If the appeal is not timely, is not admissible or is submitted by an unauthorised person or is not submitted within the deadline, the first-instance authority will reject it by a decision. An appeal against such a decision is possible within eight days of notifying the party (Article 162 of the LGAP). The first-instance authority will annul the disputed decision, if it contains any of the reasons for annulment. These are the reasons: 1) if it was adopted in a matter from the jurisdiction of the court or in a matter that is not decided in the administrative procedure; 2) if its enforcement could cause a criminal offence; 3) if its enforcement is not possible at all; 4) if it was adopted without the party's request, and the party subsequently did not expressly or tacitly agree to the decision; 5) if it was adopted as a result of coercion, extortion, blackmail, pressure or other illegal actions and 6) if it contains an irregularity that is clearly specified in a legal provision as a reason for nullity (Article 183 of the LGAP). If the appeal is not rejected, nor the contested decision annulled, the appeal is submitted to the opposing party for a response (Dimitrijević, 2019: 324). If the first-instance authority finds that the appeal is well founded, a new decision will replace the contested decision (which is annulled), thereby eliminating the need for a second-instance procedure (Lilić, 2014: 18). These are situations where the appeal is clearly founded and would be accepted by the second-instance authority, and in this way the procedure of exercising the rights or legal interest of the appellant is accelerated. If none of the previously described situations occur, the first-instance authority forwards the appeal to the second-instance authority, and it has the obligation to submit also its response to all the allegations from the appeal (Lončar, 2017: 1513).

Acting of the second-instance authority upon appeal

If the second-instance authority does not reject the appeal, it can dismiss it, cancel the decision in whole or in part and decide on the administrative matter, or return the decision to the first-instance authority to decide again, and can also alter the decision (Dimitrijević, 2019: 326). The second-instance authority conducts an examination within the limits of the appellate request, but it can also accept the appellate request for reasons that are not stated in the appeal. *Reformatio in melius* without a request in the appeal is possible within the request specified in the first-instance procedure, if it does not violate the rights of third parties (Dimitrijević, 2019: 329). The second-instance authority will dismiss the appeal: 1) if it determines that the decision is correct and based on the law; 2) if it finds that there were flaws in the first-instance procedure, but that they could not influence the decision on the administrative matter and 3) if it finds that the first-instance decision is based on the law, but not for the reasons stated in the decision (Lilić, 2014: 20). The decision on the appeal is adopted no later than within 60 days of filing a due appeal, unless a shorter deadline is prescribed by law (Article 174 of the LGAP). Since the LWA does not prescribe a shorter deadline, the minister responsible for internal affairs will have a period of 60 days to decide on appeal against the decision adopted by the police director or a person authorised by the police director.

CONCLUSION

Based on the strictly set requirements for obtaining a permit, primarily in terms of medical fitness and security vetting, it can be concluded that the safety of the applicant's environment is taken into account in the process of deciding to grant or deny the issuance of a permit. The very procedure of issuing a permit is one of many special administrative procedures and has a specific difference compared to the general administrative procedure - the appeal does not have a suspensive effect.

Even if the applicant fulfils all the requirements, the first-instance authority has the discretion to reject his or her request if the applicant fails to make it probable that his or her security is threatened to the extent that he or she needs to carry a weapon. This is a good solution, because it implies the re-assessment of the security of community, which is given priority over the applicant's security in decision making.

As regards the appeal, since the LWA does not prescribe anything about the appeal procedure, in that situation the LGAP will be applied in full, and there will be no specific characteristics concerning the course of the procedure. A person who is permitted to carry a weapon must carry it in such a way as not to disturb others and the weapon must not be visible to others. The aforementioned solution is another confirmation of the primacy of public security because it ensures that the public is not disturbed, which could happen if a person makes a weapon visible in a public place.

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