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COLLECTION OF POLICY PAPERS ON POLICE REFORM IN SERBIA

(NUMBER 2 – MARCH 2010)



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Authors:

Žarko Marković

Saša Đorđević

Jan Litavski

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ABOUT ORGANIZATIONS:

The Belgrade Centre for Human Rights (www.bgcentar.org.rs) was established in 1995 by a group of human rights experts and activists as a non-profit, non-governmental organization. The main purpose of the Centre is to study human rights and humanitarian law, to disseminate knowledge about them and to educate individuals engaged in these fields. The Centre hopes thereby to promote the development of democracy and rule of law in Serbia. The recipients of the services of the Centre and its target groups have been members of legislative bodies, judges and other members of the legal profession, law enforcement officers, military officers, NGO activists, teaching staff of institutions of higher learning, other educators, students, journalists etc. The most important areas of the Centre's activity are education, research, publishing, organization of public debates, meetings, lectures and other forms of educating and informing the public about human rights, proposing model laws and recommendations for legislative reforms and reforms of state institutions, as well as reporting about the state of human rights. The Centre has published more than 90 books. Among them are volumes devoted to specific issues, university textbooks of public international law, human rights and humanitarian law, compilations of international documents on human rights, translations of books of foreign scholars, etc. For its accomplishments the Centre was awarded the Bruno Kreisky Prize for 2000. The Belgrade Centre is member of the Association of European Human Rights Institutes and the Balkan Human Rights Network.

The Centre for Civil-Military Relations (CCMR) (www.ccmr-bg.org) was established in 1997 with mission to advocate democratization of the security sector in Serbia. The Centre's current MISSION is to promote the public and responsible participation of civil society in increasing the security of citizens and national security based on modern democratic principles, as well as security cooperation with neighbouring countries and Serbia's security integration into the Euro-Atlantic community. The Centre currently employs full-time ten research fellows in its research-unit Belgrade School of Security Studies and three staff members. The Centre also works with numerous associates engaged from time to time on various projects as consultants. The Belgrade School of Security Studies (BSSS) is a special division of the Centre for Civil-Military Relations set up in 2006 to carry out systematic research and promote academic advancement of young researchers thus contributing to the development of security studies in Serbia. The BSSS is financially supported by Norwegian Government and the Balkan Trust for Democracy. Since its establishment, the CCMR developed significant experience in research, education and advocacy and had profiled itself as a leading independent knowledge-centre in this field. The CCMR is member of the Network of Civil Society Organizations Interested in Security Issues from Serbia; the Federation of Non-Government Organizations of Serbia (FENS); the network of partner NGOs to the Serbian Government's EU Integration Office; the Security Sector Information Forum; the National Convent for the EU; Safer Balkans Network; the International Advisory Board of the DCAF.

The Forum for Security and Democracy (www.fbd.org.rs) was established on 20 May 2004 in Belgrade with the aim to contribute with its activity to democratic processes and society development, especially to encouraging civil control, de-ideologisation and depolitisation of the whole security sector. As its own top valuable principle, Forum for Security and Democracy promotes the idea that defence and security issues are inseparable from civil rights and freedom, as well as political and social stability. The Forum, being a democratic organisation, allows to its members to express freely their personal or private opinions in public and these are not official issues of the Forum. The Forum achieves its goals by public actions, organising professional meetings, consultations, seminars and similar actions (individually or in cooperation with other organisations) and through the activities of the expert teams whose members does not have to be members of the Forum. The Forum for Security and Democracy deals with publishing books and other publications and media presentations; with organising scientific and professional staff on scientific, expert and research projects in the domain of security and in cooperation with expert associations and other organisations in the country and abroad dealing with the similar problems.

USE OF FORCE BY POLICE – LEGAL FRAMEWORK

Author: ŽARKO MARKOVIĆ
Researcher, Belgrade Centre for Human Rights

The terms and method of use, as well as the reporting on the use of force and investigation into the justifiability and appropriateness of coercive measures represent, due to serious consequences that may result from the use of force, an extremely important segment of the police work that requires clear and detailed regulation by law in order to avoid, to the highest possible extent, abuse of authority, tyranny and arbitrariness of police officers and the ensuing violation of civil rights. The use of force has been regulated by the Law on Police, the Rule Book on Technical Characteristics and Method of the Use of Coercive Measures and the Mandatory Instruction on Reporting and Estimating Justified and Correct Use of Coercive Measures, while punishing of the perpetrators – authorised persons who committed offence by an illegal use of force is regulated by the Criminal Code. In this paper we will briefly analyse the provisions of these legal documents, taking also into account international legal standards.

Basic Remarks

- The Rule Book on Technical Characteristics and Method of Use of Coercive Measures that has replaced the Rule Book on the Conditions and Methods of the Use of Coercive Measures, 2004, does not regulate in detail the procedure of reporting and investigation into justifiability and appropriateness of coercive measures; this procedure is determined by the Mandatory Instruction that, from the legal standpoint, is not a good solution;
- The procedure of internal interrogation into the justifiability and lawfulness of the use of force has not been regulated in a way to secure most objective and autonomous investigations into the work of police officers – there is no obligation in place of reporting to the Internal Control Division on the use of force in case it resulted in death or injury (this obligation provided for in the previous Rule Book and it represented a better guarantee for objective re-examination of police officers' actions);
- Internal control of the justifiability and lawfulness of the use of force has to be regulated in such way to prevent the officers from the same organisational unit as that of the officer whose conduct is being interrogated to participate in the control, as this aspect has not been regulated by the currently valid Rule Book;
- The Criminal Code prescribes too lenient punishments for the criminal offences that the authorised personnel may commit by illegal use of force; in addition, it does not stipulate punishment for an attempted criminal offence of maltreatment and torture as well as for the extortion of statements.

Introduction

The legal framework that regulates the actions of the police (primarily the Law on Police and Criminal Procedure Code), and the use of force by the police officers in Serbia is mostly in compliance with the established relevant international standards in this field, both those universal ones,¹ and those that bind Serbia on the regional level.² The provisions of the Law on Police that lay down the types of coercive measures and the conditions and methods are also in compliance with the above stated international documents. Despite this fact, the Law on Police explicitly binds the authorised personnel to act not only in line with domestic legislation, but also to observe the standards laid down by the European Convention for the Protection of Human Rights and Fundamental Freedoms, UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, European Code of Police Ethics and other international acts with regard to the police (Art. 31, paragraph. 5).

The laws of Serbia provide for the use of force only as an emergency measure, and the Law on Police provides for it only in a situation when an authorised person cannot accomplish the task in any other way, and at the same time it stipulates that the coercive measures be exercised with due reserve and in proportion to the danger threatened to the lawfully protected asset and value, that is, in proportion to the gravity of the offence that is prevented or fought. It is laid down that the most lenient coercive measure guaranteeing success may be used, and that the coercive measure may be used in proportion to its cause and in the manner that will secure performing of an official task without unnecessary harmful consequences. An authorised person, whenever it is possible in a given situation and without endangering the performance of a police action, has to warn a person against whom a coercive measure is planned prior to the exercise of any such coercive measure. It is the duty of the authorised personnel to safeguard human lives, cause the least possible injury and material damage, and to ensure rendering of help to and advising the close person of an injured or affected person the soonest possible.

The coercive measures that are provided for in the Law on Police are numerous and various enough to enable the police, in situations when it is necessary to exercise force, to select a measure that is most adequate in a given situation and the measure that will produce the least harmful consequences for the person against whom the measure was exercised on one side, and ensure general safety and the safety of an authorised person exercising the coercive measure. Of course, an authorised person that has to use the most lenient coercive measure, as prescribed by the Law on Police, has to be well trained and capable of achieving the goal of a specific police operation.

However, despite high extent of satisfactory compliance of the Law on Police with the international standards, there are some shortcomings of the legal framework that regulates the use of force by the police. These primarily refer to the provisions of the Rule Book on

¹ International Covenant on Civil and Political Rights, UN Convention against Torture, UN Code of Conduct for Law Enforcement Officials, UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials.

² European Convention for the Protection of Human Rights and Fundamental Freedoms and the European Code of Police Ethics.

Technical Characteristics and Methods of the Use of Coercive Measures that actually build on the provisions of the Law on Police. Also, the provisions of the Criminal Code prescribe punitive sanctions for the illegal use of coercive measures by authorised personnel, but not in line with international legal standards, even though the Criminal Code was recently adopted (2005) and was since then amended (the latest amendment was made at the end of 2009). In this paper we will try to point out to the shortcomings of legal regulations with regard to the use of coercive measures by the police, and offer solutions for their mitigation or elimination.

Shortcomings of legal regulations

The Rule Book on Conditions and Methods of the Use of Coercive Measures, 2004, was replaced by the Rule Book on Technical Characteristics and Methods of the Use of Coercive Measures that came into force in 2007, and in that way this field of the police operations was regulated by a bylaw that was brought in compliance with the Law on Police, 2005. Even though the new Rule Book has filled legal loopholes that existed prior to its adoption, the Rule Book has brought some provisions that cannot be considered as improvements of the provisions from previous Rule Book, it is quite the opposite.

Namely, the section of the new Rule Book that deals with the internal control of justifiability and appropriateness of the use of coercive measures and of reporting to the responsible authorities is considerably less detailed than the previous one, as it has devoted only three articles to the above matters, and has referred these matters to the Minister of Interior, who issued the Mandatory Instruction that, from the point of legal safety is not the best solution. Such important matters should be regulated by law or bylaws of higher ranking than it is the instruction.

By placing the provisions on the conditions and methods of the use of coercive measures in a document of an inappropriate ranking is not the only and most important shortcoming of the currently effective and valid Rule Books. The previous Rule Book has regulated in detail the process of investigation of the justifiability and appropriateness of the use of coercive measures and laid down the obligation of urgent reporting to the competent prosecutors, investigative judge and Internal Control Division, if the exercise of coercive measures had given rise to death or bodily injury, or if material damage was caused, or public concern was arisen. The new Rule Book does not prescribe any such obligations.

Even though non-existence of such obligation does not preclude a possibility allowing the competent judges and investigative judges, as well as the Internal Control Division, to investigate into the legitimacy of actions of an official using force, the obligation of urgent reporting to these authorities was an important guarantee for efficient investigation into the actions of the police. The quality of evidence is always better if the evidence is collected immediately after the action that is under investigation. Timely reporting to the investigative judge is thus of great importance.

There is no need for stressing that in these cases and for the purpose of undertaking an extensive and effective investigation it is necessary to exclude from it the police officers from the organizational unit that is also the unit of the police officer whose actions are being investigated. The new Rule Book has not established the guarantees securing that the investigation into the actions of an authorised person is not carried by the officers from the same division. A section of the new Rule Book governing the justifiability and appropriateness of the use of coercive measures that gave rise to a serious bodily injury or death, or when the coercive measure was used against three and more persons even provides that the chief of the regional police directorate where the offending authorised person works may set up a committee consisting of at least three police officers to investigate into the circumstances of the use of coercive measures, to produce minutes and provide its opinion whether the coercive measure was lawfully and professionally used (Art. 25 of the Rule Book). Such provision does not guarantee objectivity of the procedure, as it does not eliminate the possibility that the committee members may be the officers from the organizational unit of the Ministry who work together with the officer whose actions are being investigated. The previous Rule Book was much more efficient in securing the objectivity of the procedure – it prescribed obligatory reporting to the Internal Control Division, who then took the measures to investigate into the justifiability and appropriateness of coercive measures in the specific case.

The new ordinance does not exclude the possibility for the Internal Control Division to investigate the case concurrently with a three-member committee, but it is always better for its work that the Division be informed about the event that gave rise to a bodily injury or death without delay (as it is the case with the investigative judge). It is more economical that one operation is carried out by one division only (Internal Control Division) than to have two divisions in charge for the job. Even the scope of the events that make the subject matter of the control which is different from the regular one (when the justifiability and appropriateness of the use of the coercive measure is investigated only by the superior of the officer who used the coercive measure) was dealt in more detail by the previous Rule Book. It prescribed the procedure for the case of a bodily injury, irrespective of its degree (the new Rule Book stipulates serious body injury) and of a considerable material damage (the new Rule Book does not stipulate any special procedure in this case). Still, the new Rule Book introduces a positive change – three-member commission examines behaviour of a police officer in the case of firearm use (no matter of consequence), which was not the case before.

Broader use of technology would be of importance for the operation of police when exercising force – and primarily the technology for video recording of the police actions. Unfortunately, this technology has so far been used more for the purpose of self promotion of the Ministry of Interior, on occasions of arrests of some public figures, when, as a rule, no attention was paid to the dignity of a person that was deprived of liberty, nor was the presumption of innocence observed.

One of very important roles of the state that is established by international instruments for the protection of human rights in cases when due to the exercise of coercive measures a bodily injury is inflicted, or death, or any of the human rights was illegally limited or denied to

a person against whom a coercive measure is being enforced, is to carry out an extensive and effective investigation and to punish the perpetrator/offender. In particular, it is the punishing of the perpetrators -the authorised persons who exercised the use of force that is not adequately regulated by our legislation, or more precisely, by the Criminal Code.

The Criminal Code defines criminal offences that a police officer may commit by illegal and excessive use of force, such as maltreatment and torture, illegal deprivation of liberty and extortion of statements. It needs to be pointed out that the part of the Criminal Code that defines these criminal offences has not been brought in compliance with the UN Convention Against Torture, as it is only with the criminal offence of illegal deprivation of liberty that it is clearly stated that an attempt is to be punished also, while in the case of an extortion of statement, maltreatment and torture such definition is not existent. Bringing the Criminal Code in compliance with the provisions of the UN Convention Against Torture is possible only by explicit prescribing the punishment for an attempted criminal offence as well. The provisions of the Criminal Code again, but not in such an obvious way, deviate from the Convention Against Torture. Namely, the Convention (Art. 4) prescribes the obligation of the member states to incriminate the acts of torture, an attempt of torture and all other actions of any other person as an accomplice in some act of torture, and to prescribe by the law the punishments that are proportionate to the gravity of the act. The punishments prescribed by the Criminal Code for the above mentioned criminal offences are not as nearly adequate to the gravity of the act. The prescribed punishment for the criminal offence of maltreatment and torture committed by an official ranges from three months to three years of imprisonment, or from one to eight years of imprisonment (if severe pain or suffering is inflicted by force for the purpose of obtaining a confession, statement or information, or if the force was used for the intimidation or illegal punishment, or if the force was used based on the motives of some form of discrimination), and bearing in mind that the judicial penal policy is rather lenient (suspended sentences are often pronounced), it is evident that it is necessary to increase legally prescribed sentences with the view of achieving one of the goals of punishment – general prevention. The UN Committee Against Torture issued its recommendation to indicate to these inappropriately mild punishments.³

Another shortcoming of the Criminal Code is that it does not make difference between illegal and legal murders. The Code does not provide for existing of a standard “legal use of deadly force”, as a ground for exclusion of the existence of a criminal offence under specific circumstances of a specific case. In cases when an authorised person has used coercive measures while discharging official duties, due to which the right to life would be affected or possibly violated, (il)legality of any such behaviour would be assessed from the point of the person’s authority to use force based on the Law on Police.

³ “Concluding observations of the Committee against Torture“, Committee against Torture, 21 November 2008, Internet, <http://www2.ohchr.org/english/bodies/cat/docs/CAT.C.SRB.CO.2.pdf>.

Recommendations:

- Legal regulations with regard to the method of use of coercive measures, and in particular to the reporting on the use, investigation into the justifiability and appropriateness of the use of coercive measures, should be regulated by the Rule Book, and not by the instructions of the Minister;
- It is necessary to explicitly prescribe the obligation of reporting to the competent prosecutor, investigative judge, and Internal Control Division in cases when death occurred or injury was inflicted to a person against whom a coercive measure was enforced;
- In the cases of death or severe bodily injury the procedure of investigation into the justifiability and appropriateness of the use of coercive measures must not include the officers from the organizational unit of the authorised person whose actions are investigated and the control process should be handed over to the Internal Control Division;
- It is necessary to prescribe by the Rule Book that person who suffered an injury due to police use of force has to be urgently examined by a doctor he/she chose personally;
- It is necessary to build up sufficient capacities of the Internal Control Division to enable it to react timely and duly in each case in which there is a need for the re-examination of the actions of police officers;
- In carrying out the activities by the police, when it could be reasonably expected that the coercive measures would have to be used, it would be advisable, whenever possible, to rely on modern technology, and primarily on video recording. This is of special relevance for the actions of the police when securing mass gatherings;
- A threatened punishment for the criminal offences that an authorised person may commit by illegal use of coercive measures should be made more stringent primarily for the criminal offence of abuse and torture;
- The Criminal Code should also prescribe punishments for the attempt to extort confession, for the abuse and torture, which is not the case at present.

FOSTERING THE CREATION OF THE NATIONAL CRIME PREVENTION COUNCIL

Author: SAŠA ĐORĐEVIĆ

Researcher, the Centre for Civil-Military Relations

The idea of creation of the National Crime Prevention Council was presented in the Initial Framework of the National Crime Prevention Strategy, initiated by the Ministry of Interior of the republic of Serbia. Development of the Strategy and the establishment of the Council are the crucial elements of a comprehensive strategic approach to the crime prevention – in terms of its legislative and law enforcement aspects. This paper is aimed at highlighting the importance of setting up the National Crime Prevention Council, as well as proposing the model of the Council, its organizational structure, and underlining the importance of cooperation with the regional police directorates, local youth offices and municipal safety councils.

Basic Remarks

- A document named “Initial Framework of the National Crime Prevention Strategy” was developed in 2009 at the initiative of the *Ministry of Interior of the republic of Serbia* (MoI).⁴ It represents the first step in the development of the strategy and announces more intense activity of the MoI in the prevention of crime; in particular the crime involving violence, drug related crime, property crime, and juvenile delinquency.
- In line with the goal of the Initial Framework to initiate and encourage professional, expert and social dialogue on future actions in crime prevention in Serbia, the goals of proposed policy are multiple. In the policy paper, special attention is paid to the creation of the National Crime Prevention Council, whereas a model of institutional crime prevention framework is proposed and importance of cooperation with police directorates, youth offices and municipal safety councils is stressed. Also, the paper draws attention to the possibility of use of EU pre-accession aid funds.
- In further process of creation of the Strategy, it is necessary that the MoI, in particular the Department for Organization, Prevention and the Community Policing Operation in cooperation with the Bureau for Strategic Planning continue the work on design and adoption of the National Crime Prevention Strategy by launching a public debate and presenting main concepts and findings of the Strategy to the members of the Parliament (and in particular to the Defence and Security Committee), civil society organizations and academics. This will then enable the MPs and the civil society to participate in the process and thus contribute to the quality of the Strategy.

⁴ The participants in the production of the Initial Framework of the National Crime Prevention Strategy included: Institute of Criminology and Social Research in Belgrade, the Faculty of Special Education and Rehabilitation, Children's Rights Centre and the OSCE Mission to Serbia. This document is available at: http://prezentacije.mup.gov.rs/Deca/dl/Polazni_okvir_Nacionalne_strategije_preven-cije_kriminala_lat.doc.

Why is Serbia in need of crime prevention?

The indicators that speak in favour of setting up an institutional framework for the crime prevention include the increase of the number of juvenile criminal offences and violence that is most frequent among young persons.

At the end of January 2010, five civil society organizations presented their research results on the violence rates in ten secondary schools in Serbia. The results can be qualified as disturbing, having in mind that the research shows that every other secondary school student has been a witness to a fight, every sixth witnessed a robbery, and every eleventh student has been a witness to sexual abuse.⁵ This supports the view presented in the Initial Framework of the National Crime Prevention Strategy stating that the priorities in implementing the Strategy should be to combat criminal offences with the elements of violence, juvenile misdemeanour and offences against property.

The comparative analysis of the rise of criminal offences committed by minors in the period 2005-2008 raises particular concerns. Going into details, according to the data of the Statistical Office of the Republic of Serbia, in 2005 the number of juvenile delinquents was 2945, while in 2008 it was 4085.⁶ The statistical data of the MoI considerably differ from the above stated. In 2007, the number of reported juvenile delinquents was 7983, and in 2008 the number was reduced by slightly over 9%, and amounted to 7263 misdemeanours.⁷

On the other hand and due to different existing factors (or the factors that used to exist) in the social environment and which affect the behavior of youth, young people believe that they may gain higher social status through violence and criminal behavior. “At first sight” any such activity seems rather profitable, and opting for such alternative seems to be an easier choice. From 2000 and onwards, youth criminal behavior becomes more aggressive with strong racial and nationalistic elements. The murder of a French football supporter Brice Taton in September 2009 proves this statement. **Promotion of non-violence among youth in Serbia is needed.** Preventive action against violence among minors and young person’s often makes the first step in fighting their criminal behaviour. That is how the National Crime Prevention Council, establishment of which we strongly support, gains its pivotal role.

The reaction to the above stated problems has to be strategic and preventive through: practical (preventive) measures and activities of the police and of the other stakeholders who are involved in the elimination of causes and events that give rise to criminal offences; repressive measures, by way of exposing and solving criminal offences followed by more

⁵ For more information on the results of research, please see: Sonja Šulović, “Đaci masovno kriju batine zbog straha od osvete“ (School Children Mostly Hide That They Have Been Beaten For Fear of Reprisal), *Blic Online*, 23 January 2010, Available at, <http://www.blic.rs/Vesti/Drustvo/173542/Daci-masovno-kriju-batine-zbog-straha-od-osvete>.

⁶ “Juvenile Offerenders, 2004 – 2008“, *the Republic of Serbia Statistical Office*, statement no. 138, year LIX, 28 May 2009, Available at, <http://webrzs.stat.gov.rs/axd/dokumenti/saopstenja/SK11/sk11122008.pdf>.

⁷ Simić, M. “Minor Argument Turns Into Murder“, *Politika Online*, 22 February 2009, Available at <http://www.politika.rs/rubrike/Tema-nedelje/maloletnicki-kriminal-usrbiji/Banalna-charka-u-trenu-se-preobrati-ubistvo.lt.html>.

efficient more efficient sanctioning. **By developing and implementing the National Crime Prevention Strategy, and by creating the National Crime Prevention Council as a special coordination and advisory body, we are making yet another step to prevent criminal behaviour and recidivism.** Again, we are pointing out that the strategy is only the first step and that without efficient methods and crime prevention actions, in which the MoI plays a decisive role, and without qualified instructors, the outcome of all crime prevention measures is not certain.⁸ Finally, we would like to note that the development and implementation of the crime prevention strategy requires the involvement by of all society stakeholders aimed at preventing criminal behaviour prior to its occurrence.

Development of Institutional Crime Prevention Framework

In the process of creation of a specific institutional body, and especially having in mind that its main role should be of the **counselling and coordination nature**, following questions should be answered first: Why it is deemed necessary to have such an authority in existence? Which are the key stakeholders that should build up such an authority? The facts that additionally make the answers difficult are current (and future) consequences of economic crisis and of planned downsizing of state administration.

The analysis that was presented at the beginning of the paper, though it is a short one, provides a partial answer to the first question dealing with necessity to set up the institutional crime prevention framework. To that we also add a fact that Serbia is in need of continuous action for prevention of violence and crime, especially with regard to youth. That is why we believe that minors and young person's represent a primary target group with regard to the prevention of crime. The projects and campaigns, though *ad hoc* in nature, do produce results, but then they resolve only short-term problems, while a long-term planning which is needed for efficient crime prevention, at the moment, is not in place.⁹ By creation, adoption and later on by implementing the strategy, the activity for long-term resolving of problems should be stimulated.

The coordinating and advisory role in implementing the crime prevention strategy should be vested with the National Crime Prevention Council. Long-term planning, as a prerequisite for successful crime prevention requires continuous work, constant monitoring and research into criminal behaviour over a period of several years. **Police representatives as members of the National Council will play the most important role in that task due to their experience.** Accordingly, the National Council will be given its second role.

Another issue refers to the crucial factor in the process of creating the crime prevention institutional framework. Political parties play the key role in the social and political life of Serbia. In their political programs or media statements, these parties, irrespective of their

⁸ Maggie Blyth, Enver Solomon (eds), *Prevention and youth crime: Is early intervention working?*, Centre for Crime and Justice Studies, Bristol, 2009, p. 15.

⁹ In the past years a number of crime prevention programs was launched in Serbia, and in special those relating to juvenile delinquency. Those were: "School Without Violence", "Children Deserve a Chance for Change", "School Policeman", "Police in the Local Community".

ideological orientation, often underline the importance of systematic fight against crime for the development of a democratic society.¹⁰ However, an aggravating circumstance in this matter is that the prevention results are not visible while they are in the office, which is why they often avoid prevention as a method of fighting crime and instead opt for the arrests followed by “glamorous” media coverage as a way of scoring political points. Again, there is a question whether the political parties are aware of the fact, even though it goes beyond their “four-year interest”, that violent and criminal behaviour of youth consequently takes the form of organized criminal groups. The parties have to suppress these activities, as it was what they had promised in their pre-electoral campaigns. **A special role in advocating the creation of the crime prevention institutional framework should be awarded to the Minister of Interior, as an individual who is at the top of both the political party and the Ministry itself.**

Prevention should be interpreted as a crucial aspect of carrying out the policy of a state. That is why there should be space for crime prevention on the agenda of political parties. The power of political parties is of special importance for the implementation of measures, goals and priorities of the future National Crime Prevention Strategy especially on the local level. The results of prevention would probably be more modest without their support. Because of that, the National Council would have a role **to provide guidelines for the action of political parties. This would be done by detecting main causes behind criminal behavior and by defining the methods of actions (in the form of campaigns and prevention projects, as well as by different guidance).** The topic that is closely related to previous issues is the lack of a public debate on the forms of crime prevention, even though some public opinion polls indicate that the “fear of crime” is of highest concern for the citizens.¹¹ That is an additional reason for the political parties to spare some room in their agenda for the prevention of crime.

Continuing the process of designing and adoption of the National Crime Prevention Strategy **it is necessary to encourage a public debate. The initiators of that process should be both the MoI and civil society organizations.** Through the process of adoption of the National Strategy and the work of the National Council, the MoI would assume the role of the key promoter of the crime preventive measures. This will be done by encouraging the campaigns and programs and by supporting innovative ideas for crime prevention. The exchange of information between the above stakeholders should reveal the shortcomings of the future draft strategy, and also establish necessary contacts and coordination mechanisms that will be of particular importance for the strategy implementation and consequently for the work of the National Council. It would be worthwhile that the process of designing and adoption of the National Crime Prevention Strategy does not repeat the scenario of the National Strategy for Fighting Organized Crime, which was adopted without public debate.

¹⁰ For example, that was pointed out in the Declaration on Reconciliation of Democratic Party and Socialist Party of Serbia. Available at: http://www.pescanik.net/images/stories/pdf/Deklaracija_o_politickom_pomirenju.pdf.

¹¹ Available at: Public polling on the reforms of police in Serbia as of November 2009. Available at: <http://www.mup.sr.gov.yu/cms/resursi.nsf/OEBS-Istrazivanje.ppt>.

Model of Institutional Crime Prevention Framework

The previous section showed that the development of the institutional crime prevention framework requires **the creation of a strategic and action plan, support of political parties, MoI, and launching of a public debate**. In addition, it is necessary to source the finances and make selection of appropriate human resources. The main purpose of this section of the paper is to offer a model of an organizational structure of crime prevention in Serbia wherein the main roles would be given to the **National Crime Prevention Council and crime prevention task teams**.

The National Crime Prevention Strategy should offer a solution on creation of the crime prevention task teams that would operate within the MoI. The task teams should provide regular reports and assessments to the National Crime Prevention Council, and in their operations would rely on the Council's analyses and counseling. **In this way the National Council would be given the role of the main advisory, coordination and oversight authority (assessment of the work of task groups) in prevention crime.**

While creating the crime prevention institutional framework, **divisional and project models** are used, as typical models of the organizational structure. We believe that these models are suitable for various reasons. The divisional model is used because it can be applied to large organizations, like the MoI, where the so-called divisions (in our case task teams) are relatively autonomous territorial units. This model enables decentralization of action and centralization of supervision and control of action. The project model of organizational structure in the development of the institutional crime prevention framework is used as it implies: development of a complex and comprehensive organizational structure; the targets and priorities of action of the bodies are clearly defined;¹² wide scope of the project and its importance to the society; some facts of the action are immeasurable and/or the results become visible at a later date.

Starting from the view that criminality (criminal action) appears on the local level, in large cities, as well as in small towns, we come to the position that the most effective prevention policies are exactly those that are implemented on the **local level**.¹³ That was pointed out in the Communication to the European Commission, Council and European Parliament, as well as in the resolution of the Council on setting up a European Crime Prevention Network of 30 November 2009.¹⁴ Another reason in favour of the fact that the setting up of the institutional national crime prevention framework should be decentralized is the fact that the only measurable results in the field of crime prevention were achieved through

¹² This aspect was accomplished, as the goals and priorities were clearly listed in the section two of the Initial Framework of the National Crime Prevention Strategy.

¹³ Interview with Dr Slaviša Vuković, assistant professor in „Crime Prevention“, Criminalistis and Police Academy, Belgrade, 9 February 2010.

¹⁴ “Crime Prevention in the European Union”, Communication from the Commission to the Council and the European Parliament, COM(2004) 165 final, Brussels, 12.3.2004; “Council Decision setting up a European Crime Prevention Network (EUCPN) and repealing Decision 2001/427/JHA”, 2009/902/JHA, 30.11.2009. This Council resolution repealed previous decision from 2001.

the implementation of the “Community Policing Project” at Kragujevac, Novi Sad, Bujanovac and some other towns, as it was pointed out in the Initial Framework.¹⁵

Our solution implies that task teams should operate within the framework of the division of the country into districts, according to the Law on Regional Development from 2009.¹⁶ Also, the setting up of the task team represents the starting point of the project model of the organizational structure and it is in compliance with the divisional model. **Seven task teams for crime prevention** would be active in the territory of Serbia and would operate in the Regions of Vojvodina, Belgrade, Western, Eastern, Central, Southern regions and in the Region of Kosovo and Metohija. We suggest that the headquarters of each task team are to be located in the central police administration of a respective region. The above described territorial structure results in a decentralized structure, wherein each team would carry out its activities in the appropriate region.¹⁷

Each team would consist of five members – the representatives of police, local government, social welfare centres, elementary and secondary schools, and local organizations of the civil society. **We suggest that the team coordinator should be a chief of one of the regional police headquarters.** The composition of the National Council should be different due to its specific role of main coordination and supervisory unit. The Council should consist of five members, and one of the members should be exclusively in charge of monitoring pre-accession funds of the European Union, grant aid by the international community, donations and other forms of aid to the crime prevention projects. **The Chief coordinator of the National Council and of the teams as well, should hold a high position at the MoI.** One of the roles of the National Council Coordinator is to organize regular meetings with the representatives of the Ministries of Finance, Public Administration and Local Self-Government, Education, Youth and Sports, Health, Labour and Social Policy and Culture for the sake of concretization of the crime prevention measures on the national level. With the view of more efficient implementation of the crime prevention programs, and in case some crime prevention team proves to be more active in launching and implementing prevention programs, the chief coordinator should make it possible for that team to take over the role and become a “leading team” in the crime prevention in Serbia. This way, other teams would get necessary guidelines and at the same time strive to generate new ideas on crime prevention.

Even though each team would operate autonomously, it is necessary to establish a sufficient and elaborate **horizontal coordination** between the teams. This would improve the exchange of information between the participants in the process that is of importance especially for the assessment purposes upon completion of the crime prevention project. First, it is necessary to establish proper cooperation between the teams from the “neighbouring

¹⁵ See: Dave Melish, Zoran Đurđević, “Results of Assessment of the Project - Police in the Local Community and Safe Community of Serbia”, *Nauka, bezbednost, policija*, Vol. IX, No. 2-3, 2004, pp. 215-236.

¹⁶ “Law on Regional Development”, *Official Journal of the Republic of Serbia*, no. 51/09, art. 5. (Originally, the idea was to set up crime prevention task teams at each regional police administration. The idea was abandoned due to high financial expenses and difficult, or, let us say, impossible horizontal coordination of 27 teams).

¹⁷ Possible solutions are police administrations in Novi Sad, Belgrade, Valjevo, Pirot, Kragujevac, Niš and Priština.

regions“. These regions have similar or the same level of development and thus identical causes of criminal behavior. **Team coordinators which are chiefs of regional police administrations, play a special role in the exchange of information between the regions.** Second, it is necessary to establish adequate procedures of communications between all teams, and to organize meetings twice a year. We suggest that the first meeting should be organized in the region with best results, while the second should be organized in a region with the lowest achieved goals and priorities. That would enable comparison of results, enable insight into shortcomings and strengths/advantages, and offer possible alternatives or directions for the future activities. The task of each team on the annual level is to produce a report and present it to the public (primarily to its local community), MoI and the Government of the Republic of Serbia. Presentation of a Joint Report to the European Crime Prevention Network is desirable, and it is the National Crime Prevention Council that is to play the main role in the making of this report. This would result in establishing proper view on good practice of the European Union member states in crime prevention.

Sourcing of qualified funds is necessary for the efficient carrying out of activities of the National Council and of the teams. In that sense, encouraging alternative financing assumes that within a specific time period the National Crime Prevention Council should be financed not any more from the budget but from various available funds. We would like to note that according to the Indicative Project List that will be financed from the EU's Instrument for Pre-Accession Aid (IPA) – National Program 2010, over fifteen million Euros have been allocated for various projects dealing with crime prevention. Upon obtaining the candidate status for the EU membership, these funds will be significantly higher.

By this way of financing we want to avoid current practice of different advisory bodies that operate in Serbia, i.e. direct financing from the budget. We believe that the shift from one financing system to another enables or even requires, higher persistence of the employees in procuring the sources of finances, and stimulates innovativeness in building programs on crime prevention. This enables higher participation of the civil society organizations from all around Serbia through creation and implementation of common prevention programs; in other words, a dialogue that is indispensable for this type of a problem. However, in the first year of their work, the National Council and the teams will require the support of the Government of the Republic of Serbia and of other key political stakeholders.¹⁸

Additional reason for spurring new ideas within the teams is a concept that is also envisaged by the project model of organizational structure that the teams are to be dissolved. This means that they work will be finished once the project is completed and established goals are attained. We are of the opinion that this is equally applicable even to the prevention teams, as in the scenario of unsatisfactory results of the teams and their reports, or in the case of nonexistent interest for the creation of innovative crime prevention programs. If this is the case,

¹⁸ This support is not only financial, it also comprises the process of making, adoption and implementation of the National Crime Prevention Strategy, launching public debates and speaking in favour of creation of the National Crime Prevention Council. We repeat, it is necessary to interpret prevention as a crucial aspect of pursuing a policy.

we don't see any reason for the existence of such an inefficient body. This does not mean that by completion of one program and upon its evaluation the crime prevention team has necessarily to be dissolved. **Instead, it means that the personnel is to be assigned to new tasks and programs, and in that process the experience and dilemmas from the previous tasks and programs are of great importance.** Along the same line, in the prevention program implementation stage the project model will enable hiring of additional personnel, whose salaries will be provided from the budget of a specific project instead from the state budget.

Human resources are of crucial importance to the project model. That is why it is very important to have clear and precise selection criteria and to ensure full adherence to those criteria during selection (of members/employees). It is necessary to secure that the crime prevention teams consist of the experts in the field. Human resource building is thus of equal importance. **From the beginning of their work crime prevention teams should launch volunteer and internship programs for the elementary and secondary school pupils and students.** This is how future human resources are built and a direct contact is established with the main target group – youth, and an insight is obtained into their major problems, or causes of criminal behaviour of young persons. During that process it is also necessary to establish proper contacts with youth offices with the purpose of stimulating youth to create and implement the programs of crime prevention for young persons, and the contacts with municipal security councils. The youth of political parties – on the local level – should play an important role in the implementation of the crime prevention campaigns.

“Somewhere to go, something to do, someone to talk to”

The title of the final section of the working policy proposal is the slogan of the latest strategy of youth integration in Great Britain in 2007.¹⁹ The slogan tells us that it is necessary to start building an institutional framework for the crime prevention in Serbia by designing the National Crime Prevention Strategy. It is the way to start debate on the prevention of criminal behaviour and crime in Serbia. By setting up the National Crime Prevention Council and by building the teams we are to start „talking“ about the problem and make the first step in fighting criminal behaviour.

The sociologists Renato Matić and Anita Groznica, who teach at the Police College and the Faculty of Philosophy in Zagreb respectively, have correctly put out that “opting for crime is evident as an acceptable and simple way for achieving desired goals with almost no danger posed, without unacceptable or without any sanctions at all” and that all countries of the Western Balkan are moving around in the so-called “enchanted circle of crime” that implies the „condition when crime is stubbornly fought by the same logic that has actually enabled its development (calculation of costs made to match partial and individual interests instead of common and general ones)“.²⁰

¹⁹ Maggie Blyth, Enver Solomon (eds), *Prevention and youth crime: Is early intervention working?*, Centre for Crime and Justice Studies, Bristol, 2009, p. 14.

²⁰ Renato Matić i Anita Groznica, “Hrvatsko društvo i začarani krug kriminala” (Croatian Society and the Enchanted Circle of Crime), *Revija za sociologiju*, Vol XXXIX, No. 3, 2008. pp.145–159.

Using the British slogan we want to plead and urge for an action that will take us out of the „enchanted circle of crime“. We are aware that the realization of such an ambitious goal requires a lot of time, but it is necessary to start from somewhere.

Recommendations:

Strategic approach to crime prevention

- It is necessary that the MoI, in particular the Department for Organization, Prevention and the Community Policing Operation in cooperation with the Bureau for Strategic Planning continue the work on design and adoption of the National Crime Prevention Strategy. This will be done by launching a public debate and presenting main concepts and findings of the Strategy to the members of the Parliament (the Defence and Security Committee), civil society organizations and experts, to enable them to participate in the process and thus contribute to the quality of the Strategy.
- The Government should commit to organizing public debates in the process of adoption of national strategies. For that purpose, it is necessary to amend the Government Rules of Procedures, whereby public debate is obligatory for the process of preparation of laws, while according to the Government resolution on amendments and modification of the Rules, a public debate may be organized on the issue of development strategies.
- The Department for Organization, Prevention and Community Policing Operation needs, upon adoption of the Strategy, should create an action plan for the Strategy implementation and setting up the National Crime Prevention Council no later than six months from the date of Strategy adoption.
- It is necessary to improve the coordination between the MoI, in particular its Division for Finance, Human Recourse and Common Affairs, with the Ministry of Finance that plays a decisive role in terms of long-term planning that is needed for efficient crime prevention.

National Council and Crime Prevention Task Teams

- The Department for Organization, Prevention and Community Policing Operation in cooperation with the Criminal-Police Academy and civil society organizations should produce a concrete plan for setting up the first crime prevention team consisting of the personnel who had been engaged in the creation of the Strategy. The chief of the Department should be the Chief Coordinator in setting up the first team.
- The Chief Coordinator, acting in cooperation with the Human Resources Directorate, Directorate for Education, Training, Professional Development and Science and the experts from the Criminal-Police Academy are expected to make selection of executive positions in the first crime prevention team (e.g. in the Belgrade region).
- It is necessary to find suitable premises for the work of the team, and necessary IT and other equipment. A press conference, brochures, website and other promotion tools should be created to inform the public about the work of the Council.
- At the beginning of the crime prevention teams' work it is necessary to produce typology and database on the crime prevention mechanisms in Europe, identify prevailing forms of crime in Serbia and most endangered groups of the society; start the work on making guidelines, i.e. methodological framework.

THE ROLE OF THE POLICE IN PREVENTION OF VIOLENCE AT SPORT EVENTS

Author: JAN LITAVSKI
Researcher, the Forum for Security and Democracy

The Law on Amendments and Supplements of the Law on Prevention of Violence and Indecent Behaviour at Sports Events²¹, The Law on Amendments and Supplements of the Criminal Code, the Council for Prevention of Indecent Behaviour at Sport Events, as well as the Action Plan for Prevention of Violence in Sport represent measures adopted as continuation of the police reform process. These measures aim to define the role of the Ministry of Interior (MoI) in prevention of violence and indecent behaviour in sport arenas; the cooperation between the police and stewards is regulated in more details and the police are given better possibilities to prevent violence. The aim of this document is to point out the readiness and decisiveness of the police in fighting violence at sport events as well as to stress the need for cooperation between the police, organizers of sports events and civil society. In order to have successful prevention of violence at sports events, it is necessary to underline the need for regional and inter-sector cooperation in the MoI.

Basic Remarks

- Due to unsuccessful efforts of the state to fight violence at sport events over the past years, the MoI, organizers of sport events and civil society organisations should undertake decisive and comprehensive actions in prevention and solution of these problems.
- In addition to already undertaken measures mentioned above, the MoI should adopt a Strategy for Fight against Violence at Sport Events and provide means for its implementation.
- Priority should be given to preventive measures during suppression of violence at sport events.
- Successful prevention is only possible through cooperation of the MoI with the organizers of sport events and the civil society organisations, and a significant factor in improving the prevention of violence during sport events is the regional cooperation between the MoI and other countries.

²¹ The Law on Amendments and Supplements of the Law on Prevention of Violence and Indecent Behaviour at Sports Events is available at: http://www.parlament.gov.rs/content/lat/akta/akta_detalji.asp?Id=778&t=Z.

Introduction

After the disintegration of the SFRY, the sport arenas as centres of nationalist hysteria have become subjects of abuse. In such long-term relations, the fans have been used as a decoration of high profitable sport spectacles and political abuse. Due to increase of nationalist intentions in the former SFRY at the end of the '80s, faith and devotion to beloved clubs have adopted a destructive shape. The appearance of organized fan groups coincided with the current unification of nationalist communities towards war escalation. The fans from Belgrade defended the honour of Serbia in trains, on streets and platforms in Croatia (and other republics of SFRY) and vice versa. The situation sometimes reached a peak when fans had been used as soldiers and mercenaries in civil war. During the war period, the national-chauvinism and racism tolerated and supported by governmental and economic structures survived its creators, and all investment in this form of behaviour over the past years had multiplied. Knowing the fact that in this region the platforms are a constituent part of public political life and that the part of the practice comprising symbolic meanings is being transferred from sport events to streets and schools and that it entered every single pore of both public and private sphere, anyone who could neglect this problem would be mistaking.

The violence at sport events has become one of the main problems Serbia is currently facing. There were many factors contributing to such situation in the country, some of which are: inefficiency or indifference of the police to act upon this issue over the past years due to being stressed with other factors, lack of coordination and cooperation between police forces, organizers of sport events and the public itself; the media which, over the past period, had no critical attitude toward violent actions during sport events, lack of proactive measures such as campaigns for promoting and stimulating tolerance at sport events, and other factors.

The up to date approach of the police based on repressive measures in the first place, didn't provide satisfactory results in fighting this phenomenon. Instead, the violence at sport events has become more aggressive and brutal ending in cruel clashes between the police and hooligans without visible results towards decrease of violence. Such situation culminated by assassination of the French fan football club from Toulouse, Brice Taton. After that event, the state moved towards settling the accounts and fighting this deviant phenomenon.

Taking into account that the violence at sport terrains is not only a characteristic of Serbia²², neither it is the problem only of undeveloped post-conflict transitional societies but also of better organized and more developed societies such as the English, Italian, French and the other ones; thus the fight against this problem represents a heavy and complex duty.

This study is aimed to indicate the importance of preventive planning and for an active attitude of the police and the organizers of the sports events as well as to point out the importance of cooperation of the police with organizations of civilian associations all with

²² The statement of the Minister Interior of the Republic of Serbia, Ivica Dacic ("Dačić: Nema samo Srbija huligane", *B92*, 17 December 2009, Internet, http://www.b92.net/sport/u_fokusu.php?id=226&start=0&nav_id=398938.)

purpose to prevent the violence during sport events. The clear determination of the position and role of the police in prevention of violence during sport events is of crucial importance for that activity as well as the cooperation of the police with the organizations of civilian associations²³ and stewards having the role to help the police in maintaining order and piece during sport events.

Measures undertaken by the state

In order to prevent the violent behaviour at sport events the state introduced different measures. The Council for Prevention of Violence and Indecent Behaviour in Sports was established in May 2009, consisting of the highest state representatives and sport executives. In December 2009, the Council approved the draft Action Plan for Prevention of Violence in Sports and apart of other measures it has involved the following: six months seminars for judges and attorneys and the presence of public attorney at sport events.

The Law on Alterations and Amendments for Prevention of Violence and Indecent Behaviour at Sport Events²⁴ was brought in December 2009 with more precise definition of violence and indecent behaviour, obligations and responsibilities of the MoI officers. Also the meaning, organization and the training of the stewards will be defined as one of the key factors in prevention of violence at sports.

The same day the Parliament of Serbia approved the Law on Alterations and Amendments of the Criminal Code.²⁵ The adoption repressive legal regulations which are to be in force within the usual term (in comparison to the preventive measures which will be applied only after one year) – particularly those regarding the responsibility of executors, leaders and group organizers, amount of threatening penalties and regulations concerning the prohibition of presence at sport events, shows the decisiveness of the state to settle that type of problems.

During the fight against violence at sport events a benefit can be extended from trans-border i.e. regional police cooperation. The Republic of Serbia has already signed numerous regional agreements on police cooperation. With regards to this, the Police Cooperation Convention for South-East Europe signed by Albania, Bosnia and Herzegovina, Macedonia, Moldavia, Romania, Montenegro and Serbia is of particular importance. The Convention stipulates that the legislative bodies of the signatory countries upon the request of one of the signatories provide mutual help within the frame of their competence in a form of measures against threats to public order and/or security, prevention, discovery and investigation of criminal acts. Among other things, the request of the signatories regarding mutual help of the

²³ The organization of civilian associations may be defined as a form of self organization of citizens for realization and/or prevention of personal interests and needs. This group involves different associations of citizens, syndicates of media, educational institutions, research institutes, action groups, religious communities, sport associations etc.

²⁴ The Law on Alterations and Amendments for Prevention of Violence and Indecent Behaviour at Sport Events is available at: http://www.parlament.gov.rs/content/lat/akta/akta_detalji.asp?Id=778&t=Z.

²⁵ The Law on Alterations and Amendments of the Criminal Code is available at: http://www.parlament.gov.rs/content/lat/akta/akta_detalji.asp?Id=777&t=Z#.

other may involve „cooperation and exchange of information regarding the mass control at public gatherings“.²⁶

Repressive measures

Serbian legislation regarding the repressive measures follows the English model. The prison penalty prescribes 6 months up to 5 years followed by a cumulative money penalty for criminal act of violent behaviour at sport events. The essence of this criminal act is described in alterations and amendments of the Criminal Code, and all corresponding activities are recognized as violent multiplex behaviour. If that act is executed by a group, the executer is to be punished by jail from 1 to 8 years, while the group leader can be punished with 3 to 12 years. A particular measure envisaged by the Criminal Code is prohibition of presence at sport events for those previously charged for this crime.²⁷

By analyses of legal regulations of the two criminal-judicial systems, English and Serbian, it can be concluded that the domestic criminal judicial norms do not fall behind the English model, neither in height of threatened penalties nor in cases of violent behaviour as a consequence. The Law also prescribes some authority to stewards, and that has possibility under particular conditions specified by the Law to use force and to eliminate the person due to his indecent behaviour at sport events.

Mr. Milan Skulic, the Professor at the Law Faculty, considers Serbian Law on Prevention of Violence at Sport Events as one of the more severe in Europe, but the problem is that the envisaged penalties differ from the penalties in practice. He states that the sentences being pronounced are close to the prescribed minimum.²⁸

Preventive measures

Regarding prevention of violence and indecent behaviour at sport events, organizer of these events is responsible to hire stewards who must have completed training programme of the MoI.

In purpose of prevention of violence, the police may order to visitors of sport events to move through in advance defined route; it also may order to the organizer of sport events elimination of noticed flaws in sport structures or other omissions in the event organization. One considerable preventive function of the police is power to prohibit the entry to sport events, more precisely elimination of persons whose behaviour may be considered prone to

²⁶ The Police Cooperation Convention for South-East Europe is available at: <http://www.pccseesecretariat.si/libs/download.php?file=/8e068fd71d44e558d6cd45042cdf006>.

²⁷ Prohibition of being present at determined sport events can not exceed 5 years, providing that time spent in jail is not calculated in time of duration of this measure. If after the expire of jail panalty the executer trespass the prohibition the court may panish him by jail in duration of 30 days to 3 months.

²⁸ B. Marković, Z. Cvijić, "Against hooligans before the English model the Serbian Law shall be introduced", *Blic Online*, 13 October 2009, Internet, <http://www.blic.rs/Vesti/Tema-Dana/115291/Protiv-huligana-pre-engleskog--modela-sprovedite-srpski-zakon-->.

violence and indecency from sport structures. The police also has the right before the start of sport events to perform check up of sport structures where the sport event shall be held and realize the insight in organizational preparation.

The preventive measures involve data collection and processing about the leaders of fan groups, data exchange between different police organizational units as well as completion of intelligence about fans in the case they are in possession of cold and/or firearms, or narcotics.

In purpose of prevention of violence, the police should focus on investigation of links between club owners and fans i.e. weather and how the owners have stimulated violent behaviour of some sport fans.

The constituent part of sport culture is fair play behaviour and cultural human relations. However, in sport terrains, under certain conditions, various destructive sub-cultural behaviours have their expressions opposite to the general sport culture. The causes of such behaviours often come from social-economic and social-political background. Therefore, if the state really wants to prevent the violent acts at sport terrains, than it has to take into account that a good governance of the security sector does not involve only effective realization of repressive and administrative measures, but also requires oversight by non-governmental actors.

By doing so, apart from the other measures, a public dialogue will be provided between the state and citizens, and thus citizens' trust in the state institutions and the police will be enhanced. This will contribute to releasing tensions between the police and fans at sport events. The actors of civil oversight of above mentioned measures should in cooperation with state authorities contribute to legitimacy and legality of the application of these measures. Since the civil society organisations have, in the first place, a supervisory role over the security sector, they perform this role by permanent public classification of themes concerning security issues including also violence at sport events. It assumes issuing critiques, suggestions, grievances and complaints at police work, regarding this issue. In this way police accountability during the activity at this question will be enhanced.

Also, it should be noted that the organization of civilian associations represent one of sources of civilian expertise and they may offer a professional support to the state institutions during creation and introduction of preventive and repressive measures regarding violence at sport terrains.

Final observation

The entire statement has a goal as to once again focus the problem of violence at sport terrains and the complexity of its solution which is not possible to achieve by introduction the repressive measures by the police only. It requires cooperation between the police, organizers of sport events and the civilian association in finding out as good as possible preventive measures in an aim of prevention of the violence at sport events. Also, an important aspect of

the successful battle against the violence at sport fields is the cooperation between various sectors and organization units inside the police.

In the end of this text, the will of the state should be shown as to settle the account with violence at sport events and finally it is to observe how far it will be introduced. However, during the course of preparation of the plan for prevention of the violence in sport care shall be taken not to apply legal regulations belonging to other countries. It is to search for most effective means comprising the experiences of other countries but also they have to be adapted to the existing conditions of the related environment.

All types of crime correspond with the type of society; as criminal perpetrators are influenced by current conditions, they are not always the same. Investigation of concrete conditions where the criminal act takes place is an essential part of effective crime control. This is one of most complex tasks where there should be no simple steps and rush.

Recommendations:

- It is necessary to establish mechanisms to hold regular consultations between the MoI and other state institutions, representatives of civil society organisations and organizers of sport events concerning political priority to fight violence at sport events. Also, it is necessary to think about establishing permanent consulting bodies with civil society organizations and organizers of sport events in order to ensure permanent improvements in the Action Plan for Prevention of Violence in Sports.
- The MoI should adopt and proclaim a Strategy for Fight against Violence at Sport Events and to provide means for its implementation. Within the scope of the Strategy, establishment and activities of local consulting groups consisting of citizens should be supported, as well as the activities of joint bodies for cooperation of the police and organizers of sport events in all municipalities in Serbia.
- Within its new Communication Strategy, the Ministry of Interior should develop campaigns to improve trust of and appeal to those groups producing violence at sport terrains such as adolescents, fans, youth, etc.
- It is recommended to develop analytical capacities of the police and provide in this way more intelligence data about the actors of violence at sport events, which should enable the knowledge based policing. Apart of developing the analytical capacities, the attention should be drawn to cooperation and coordination between different organizational units and sections in the MoI.
- Alongside amendments to existing laws regulating violent behaviour at sport terrains, it is necessary to establish legal bases for cooperation of the police, organizers of sport events and civil society organisations.
- To law regulative it will be necessary to introduce additionally the competences, legal procedures and instruments of public supervision over events of fights against violence at sport events by the police.
- In order to have transparent police in dealing with the mentioned problems, it is important to issue public information about the education and modernization of specific units of the MoI working on prevention of violence at sport events.
- It is necessary to improve the mechanisms of regional cooperation of the police in fighting violent behaviour at sport events; the joint actions should be fostered regarding cooperation of the police with experts in relevant areas, preparation and regular update of joint data bases about incidents at sport events and their executors, the improvement of cooperation during operations and investigations, planning and introduction of joint programmes in the field of prevention of violence, organization of joint meetings for training and educational purposes, exchange of experiences and data between the ministries of interior of the countries in the region.

ABOUT AUTHORS:

Žarko Marković graduated from the Law Faculty of the University of Belgrade. Within the project "Encouraging involvement of civil society in police reform" Žarko analysis legislative framework of the police reform.

Saša Đorđević graduated from the Faculty of Political Sciences, International Relations department. He is currently attending two-year specialized academic studies in European Affairs at the same faculty. Within the project "Encouraging involvement of civil society in police reform" Saša analysis the process of police reform in context of European integration.

Jan Litavski graduated at the Faculty of Security, University of Belgrade. At the moment he is on his postgraduate studies at the Department for International Security at the Faculty of Political Sciences, University of Belgrade. Within the project "Encouraging involvement of civil society in police reform" Jan analysis the relationships between minority and specific social groups in Serbia and the police.