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CONTENTS

HOW TO ENSURE SUCCESSFUL IMPLEMENTATION OF THE CONCEPT OF COMMUNITY POLICING IN SERBIA

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Summary:

Community policing concept is a structured two-way police-public relationship in which the police acknowledge local problems and needs of citizens. It is based on joint activities of police officers and local authorities, civil society organizations, citizens, state agencies and other formal and informal forums in order to use creative methods to identify and solve concrete problems concerning community safety, such as fear of crime, theft, violence, and other social disturbances.

Community policing concept has a central part in the processes of police reform in Serbia and bringing the police close to the public, in accordance with the National Program for the Integration of the Republic of Serbia into European Union which promotes European standards and values. Development of the concept of community policing in Serbia should be motivated by the intention to enhance police – community cooperation and joint activities.

Initial steps towards police reform were taken in the aftermath of democratic changes in 2000. In June 2002, the Ministry developed a project titled "Community Policing", which envisaged two implementation phases. The first phase envisaged developing of pilot projects for selected local communities , while in the second phase project were to be developed for the whole of the country, but this phase was never implemented. On 30 April 2013, the Government of Serbia adopted the Strategy for Community Policing, while formulation of the Action Plan, with precisely set deadlines and methods for the implementation of measures formulated in the Strategy, is still pending.

This policy paper provides a short analysis of the development of community policing concept in the previous period and emphasizes the importance of Community Policing Strategy implementation through action plans with precisely defined activities and deadlines for implementation. This policy paper focuses especially on crime prevention, change of the organizational structure of the police, more effective utilization of resources, enhancement of police cooperation with minorities and greater representation of minorities in the police service as key elements for the implementation of community policing in Serbia.

Recommendations:

1. In order to avoid the current practice of breaching agreed deadlines it is necessary that the Ministry of Interior enact the Action Plan for the implementation of Community Policing Strategy as soon as possible.[1] The Action Plan should be detailed and describe how each phase of the Strategy is to be implemented, monitored with measurable indicators as well as with planned means for its implementation.

2. A person responsible for monitoring the implementation of the envisaged activities should be appointed at the level of each local community within each regional police district as his/her full-time job and only task. Department for Organization, Prevention and Community Policing within the Ministry of Interior should regularly monitor the implementation of envisaged activities within the Action Plan for implementation of Community Policing Strategy.

3. Safety Councils should be established in all local communities in Serbia based on the decree or decision of the city or municipal administration. That would strengthen the position and extend the competence of the Councils as all organizations foreseen to be involved in the work of the Councils would be bound to do so. Also, it is necessary to work towards developing a partnership between the Councils at the national level, and towards establishing of a coordination body which would provide guidelines for the work of the Councils, and facilitate exchange of experiences between them.

4. Serbian Ministry of Interior should carry out specially designed career development training and mentoring programs for police officers coming from ethnic and other minorities eligible for professional advancement. The lack of mentors from minority backgrounds is characteristics of almost all regional police district in Serbia and that is why the Ministry of Interior should dedicate all attention to the increase of the number of mentors from minority backgrounds. Also, police officers in managerial positions should encourage officers from minority backgrounds to file complaints when they are exposed to discrimination or any other form of ethnically motivated violence.

5. Special attention should be given to the requirement that most police officers from minority backgrounds are deployed in local communities from which they were recruited.

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1   The deadline envisaged by the Strategy expires on 30 July.

6. It is desirable to use minority languages in police contacts with ethnic minority members, no matter what their status may be: witness, suspect, MoI employee, or just a member of the general public. Ministry of the Interior of the Republic of Serbia should conduct an assessment to establish to what extent different minorities' use their languages, and how well they know and use the official language, in order to identify practical needs for communication with minorities.

7. The police should utilize different methods to build confidence and mutual understanding between the police and minority groups, such as: open forums, meetings open to the public, advisory boards, joint police-community workshops, contact points in police stations, or a dedicated police officer (from an ethnic or other minority background) who will pay regular visits to minority communities.

8. The Ministry of Interior should develop more efficient procedures to identify and analyze the problem which it is expected to solve. This means that the police should aim at resolving the causes, not the consequences of the problem. The goal is to have the police deal more with the problems that cause the crimes to repeat, rather than focus on individual cases.

Introduction

The traditional style of policing, which focuses primarily on an exclusive law enforcement approach, crime repression with frequent excessive use of force, the efficiency of rapid response as a means to address crime, has proven to be no longer appropriate for tackling the emerging crime problems and safety concerns of contemporary societies. Police interventions with minimum contact with the public, the bureaucratization of the police and centralization and emphasized division of work, is not in line with the democratic concept of community policing. Also, certain (less privileged) segments of society in particular (low-income areas, minority groups) have become vulnerable to this style of policing, being especially affected by crime and social disorder.[2]

Ever since the importance of good police-public relationships was widely recognized, police services world over have been taking different measures and implementing numerous methods in order to maintain and improve these relationships. The very concept of community policing is not new, to which the UK police service strategy from the year 1829 bears testimony: this document states that the police need to act preventively, with the focus on constant patrolling of neighborhoods, as well as that the support and involvement of the public are the basis of successful policing.[3]

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2   Good Practices in Building Police-Public Partnerships, p. 14.

3   Bogoljub Milisavljević, Nauka o policiji, p. 252.

The concept of community policing is not merely a program, or a new model of policing; it is rather a new philosophy of police-public cooperation aimed at recognizing the problems and needs of the community, and working together in harmony on identifying these needs.[4] The concept of community policing can also be defined through its two components, namely: Community Partnership and Problem Solving.[5] The first component is about a positive police-public relationship and involvement of the community in crime control and prevention, that is to say: joining of police and community resources so as to identify the most important needs of community members. The second component is about the process of identifying the main problems in the community and looking for the most appropriate ways for their resolution.

In addition to more effective crime prevention and changes in the organizational structure of the police, the concept of community policing also entails building of trust between the minorities and the police in certain local communities. Success story of the police as a public service is related to the actual and perceived style of policing in different minority communities. This is of particular importance in Serbia, in view of the bad experiences in police-minority relations in the previous period. Regular communication and practical cooperation between the police and the minorities would contribute to creating a situation in which the minorities benefit from policing which is more sensitive to their concerns and more responsive to their requirements for personal protection and access to justice.[6]

It is a fact that in the past decades the accepted model of policing in Serbia was not in agreement with the model of modern democratic community policing. From the point of view of the current situation, the impression is that these practices are slow and resilient to change. Reactive style of policing is still prevalent with the police in Serbia, while preventive policing and focusing on problems in order to prevent adverse consequences are still uncommon. The police in Serbia are still perceived as a repressive force for combating crime, quite frequently as executors of tasks in the interest of current political authorities, and not as a service at the disposal of the public 24 hours a day, which resolves their safety-related problems in a more sophisticated and non-aggressive manner.

Implementation of the concept of Community Policing in Serbia

If the police in Serbia want to become a democratic, efficient and effective organization in the service of its citizens, it must first of all strive to secure the respect, support, coop-

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4   Željko Nikač, Policija u zajednici, p. 39.
5   http://www.communitypolicing.org/
6   Recommendations on Policing in Multi-Ethnic Societies, p.3

eration and immediate assistance of the public. In the process of European integration and democratization of the society, these will be parameters used to measure the success of the police, rather than crime solving rate and other operational indicators.

In the period between the '60s and late '80s in the 20th century, the concept of social self-protection was developed in the SFRY, which bears some similarities to community policing model. Organization of the police was based predominantly in accordance with the principle of decentralization; efforts were made that the same officers be assigned to patrol duty on a continual basis; that they possess excellent knowledge of the local safety situation, and maintain intensive direct contacts with citizens.[7] During this period, the police were particularly focused on fostering joint police-public activities through the establishment of safety councils and other bodies in municipal assemblies and local neighborhood community offices.

Preventive style of policing was abandoned in early '90s, and the traditional policing of communities was reduced to the minimum. Police-public cooperation was practically nonexistent. The police became a strictly centralized organization, with emphasized hierarchical and command structures; there was almost no independent decision-making in the police at the local level.[8] Community policing, and the police as a public service to the citizens did not exist as models of policing. Politicized to the extreme, its policing style strictly reactive and repressive, and with absolutely no strategic planning at the local level, the police evolved into an institution with the sole purpose to protect the regime in power.

From the point of view of current circumstances, and after over a decade since the democratic changes, the impression is that the pace of police reform process is not as desired. Following the first initial steps in 2000, the processes of police reform and introduction of modern democratic policing were very slow. Thus for instance, in June 2002, the Ministry developed a project titled "Community Policing", which envisaged two implementation phases. In the first phase, pilot projects were developed for selected local communities: Vrnjačka Banja, Novi Bečej, Kragujevac, Bačka Palanka, Požega, Novi Sad and Zvezdara (Belgrade). Following the implementation in pilot sites, activities were also carried out in Medveđa, Preševo, Bujanovac, Zrenjanin, and Kikinda. In the second phase, the project was to be carried out in the entire territory of Serbia, based on lessons learned, but this phase was never implemented.[9] Pilot project results showed that in most of the abovementioned municipalities, significant progress was made in cooperation of the police with their partners in local communities in the area of problem

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7   Željko Nikač, Policija u zajednici, p. 204.
8   Željko Nikač, Policija u zajednici, p. 209.
9   Dokument vizije za reformu Ministarstva unutrašnjih poslova Republike Srbije, 2003.

prevention and resolution, but there was no political will to continue with the implementation of the project. In June 2003, Ministry of the Interior of the Republic of Serbia passed the Guidelines on Police Ethics and Performance of Law Enforcement Duties. The document obligates the police to uphold human rights in line with the European Code of Police Ethics and the European Convention for the Protection of Human Rights. In November 2005, the Parliament of Serbia adopted the Law on Police, which introduced important changes pertaining to the organization of the Ministry and police-public relation. When the Strategy for the Development of the Training and Education System was adopted in March 2006, the Ministry initiated intensive processes in the reform of police training and education.[10] In December 2010, the Development Strategy of the Ministry of Interior 2011-2016 was adopted, which stresses that it is necessary to adopt and implement Community Policing Strategy. However, adoption of the Action Plan, with precisely set deadlines and methods for the implementation of measures formulated in the Strategy, was delayed and the document lacks reliable and measurable criteria for the verification of implemented activities. In April 2013, the Government adopted the Strategy for Community Policing. However, based on previous experience, there is reason to suspect that this strategy, like many other strategies before it, will be just another dead letter, and that the measures envisaged in the Strategy will never be enforced.

Organizational changes in the police and building police-public partnership

In order to successfully implement community policing and adopted strategies, Serbian Ministry of Interior should carry out a number of organizational changes, essential for the implementation of the philosophy and strategy community policing. Those changes primarily pertain to the governance of the police, internal organizational structure of the police, the structure of the community, and other governmental agencies.

The first step that the Government and the Ministry need to take in the coming period is to implement Community Policing Strategy in practice. For that reason it is necessary to adopt Action Plan for the implementation of the adopted Community Policing Strategy. The Action Plan must be detailed and describe how each phase of the Strategy should be implemented. The Action Plan should identify what organizational changes are necessary, as well as the resources (human, material and financial) needed for different implementation phases. It should also lay out a detailed schedule of activities, and determine all starting points that must be met within the given time-frame, and define the criteria for evaluation of the process.

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10   Chronology of the Security Sector Reform in Serbia 2000-2008, p. 97

The criteria must be S.M.A.R.T. (specific, measurable, attainable, relevant and time-bound).[11] The schedule should reflect the situation concerning policing and police-public relationship at the local level, and should also allow for extended time-frame in communities where implementation conditions are difficult. Also, in certain organizations (e.g. the police service, formal an informal citizens' groups, local authorities, businesses, public services, etc.) the existing work procedures and management practices can immediately fit firmly into community policing, while in some major changes will be required.

Mobilizing support for the work of police is very important. In order to ensure successful implementation of the concept of Community Policing and the adopted Strategy, so that this style of policing is accepted across the police organization, all key political actors in the Government and relevant ministries need to get involved in the efforts that this new approach to policing gets adopted. Without this openly declared engagement at the highest level, subordinate officers either will not dare, or will not be motivated to introduce reforms concerning community policing into the police service.[12] The Ministry of Interior and the Government can win police officers' support for the implementation of community policing concept by organizing various promotional campaigns, educational seminars and workshops on benefits of community policing concept in enhancing both the efficiency of the police and prevention of crime. Also, study visits abroad for police officers so that they can familiarize themselves the benefits of community policing in other countries, can be very useful.

A committee should be established at the Ministry level, to monitor the implementation of planned activities both within the MoI and between certain other ministries and their administrative bodies. However, in order to ensure effective oversight and monitoring of the process of implementation of planned activities, it is even more important to establish a forum at the level of each local community which would monitor and evaluate the implementation results. A high ranking police officer with the authority to fully implement all necessary institutional changes should chair the forum.

At local community level, it is extremely important to ensure support of local authorities, media, and private and public agencies. Cooperation of senior police officials with the mayor and city authorities is imperative for successful implementation of community policing. When developing local community policing strategy and action plan for its implementation, it is necessary to organize open discussion with all key actors in the community on the activities, objectives, priorities, and steps in the implementation, so as to make sure that the strategy is adequate for the conditions in that particular local community.

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11   Good Practices in Building Police-Public Partnerships, p. 28.
12   Good Practices in Building Police-Public Partnerships, p. 27.

Successful changes in the police require fundamental changes in the established culture within the police organization and work philosophy. Implementing community policing is not simply a technical exercise but involves a change in police culture. Senior police officials at all levels must be dedicated to adopting the new style of policing and changes in police culture. The established culture within the police organization may not be sympathetic to addressing these issues: it may also be generally resistant to change.[13] It is therefore vital that the Ministry of Interior and the Government ensure that senior police officials fully understand the importance of their role in changing police culture and introducing a new policing philosophy. They must be fully dedicated to introducing the new philosophy of community policing. MoI leaders need to ensure that all police personnel – in all ranks in the hierarchy – fully appreciate the importance of introducing changes in the work of the police. Also, all senior police officials should demonstrate such proactive attitude throughout the process of the implementation of the Strategy and Action Plan activities. Actions which undermine introduction of changes in the police organization, attitude towards the public and generally overall change of police philosophy, must not be tolerated. Both policy makers and police leaders need to work towards establishing a culture in the police organization that welcomes and supports all changes that will be introduced into police work.

In order to effectively implement the Strategy and create the necessary conditions for the community policing concept to be applied in actual practice, it is recommended that the Ministry should create fixed geographical neighborhood areas with permanently assigned police officers.[14] This would allow continuously assigned police officers to focus on the communities, including minority ethnic communities within the designated neighborhoods with their specific characteristics and concerns.

It is well known that communication between the police and the public in Serbia is at a very unsatisfactory level. It is necessary to continue working towards enhancing of internal police communication, and establishing regular channels of communication with external target groups (citizens, civil society and media). The Ministry should bear in mind the fact that police-public communication will improve only if police officers are visible and accessible. Also, the Ministry should work towards improving its image through well planned public campaigns, and informing the public on reform projects and measures undertaken. In that context, educational role of the police should not be underestimated; very good police-public communication can be achieved by spreading preventive information and developing mechanisms of informal social control. However, the most important part in efforts towards improving police-public communication are police of-

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13   Recommendations on Policing in Multi-Ethnic Societies, p. 11.
14   Good Practices in Building Police-Public Partnerships, p. 17.

ficers patrolling their designated neighborhoods on foot or bicycles,[15] thus promoting police-public cooperation and building mutual trust through communication with the public. In addition to maintaining individual contacts, the police should facilitate occasions and forums where they can exchange views with the community on issues of mutual concern. Examples of formal or informal interactive forums for communication are community advisory boards, joint police-community workshops, public meetings, and police open days.[16] These public forums should be open to all segments of the community.

Relations with the media are very important the work of the police, therefore it is encouraging that the Ministry has adopted its Communication Strategy, now extended until 2016. Despite the existence of this document, the impression is that police-media communication is not at the satisfactory level, and that the police issue statements to the media only in connection with most important events. Cooperation with the media on a solid basis requires clear rules regulating police-media contacts, which need to be complied with, and not applied arbitrarily.

Also of great importance is clearly and precisely defined role of police public relations officers[17] as well as training of police personnel for contacts and interaction with the media, in order to eliminate selective and arbitrary communication with the media. In order to develop police-media relations in the spirit of mutual respect and tolerance, it is necessary to organize joint workshops for representatives of the police and the media. The workshops would also create an opportunity for them to learn more about different requirements of their respective jobs, and build mutual cooperation and trust.

Police accountability is the fundamental principle of community policing. Serbian Ministry of Interior needs to ensure that the police are accountable for their actions not only to the law, but also to the public. Essential to the translation of the concept of community policing into practice, is that all relevant members in the local community actively participate in decision making on issues concerning their safety. One of the ways to actively engage relevant community members is to establish local bodies which would deal with safety issues of concern for their community - such as community forums or committees of representatives – and which would be empowered to require of the police to provide information on their activities; to cooperate with the police and thus be involved in problem-solving in their communities, and to propose how they think their neighborhood should be policed.[18] In Serbia, over 100 local bodies were established

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15   Trojanowicz, Robert/Bucqueroux, Bonnie, R*estructuring police priorities: Police chiefs must take the lead*, available at: http://www.policing.com/articles/pdf/priorities.pdf
16   Good Practices in Building Police-Public Partnerships, p. 18.
17   Currently, this is the function of spokesperson.
18   Good Practices in Building Police-Public Partnerships, p. 19.

since 2002 that can be defined as Safety Councils. Although they exist formally, many of the councils have not convened in years, and even those that have had meetings are not empowered enough to be able to function in practice. For this reason, safety councils should be established in all local communities in Serbia, based on a decree or a decision of city or municipal authorities; in that way their position would be strengthened and their powers broadened, while functioning of the existing councils would be enhanced. It must be insisted that the existing safety councils must conduct regular assessments based on which they would formulate framework plans for the resolution or prevention of particular problems; establish working groups to implement those plans and evaluate the achieved results. In order for the councils to be able to determine the problems of the whole community, all organizations and agencies present and active in the local community should be represented in the membership. Safety councils should be composed of representatives from the local authorities, courts, prosecutor's office, social welfare services and the police. If necessary, representatives from institutions of education, social and environmental protection agencies, housing committees, religious organizations, business associations, private businesses, non-governmental organizations, media, sports clubs, etc. should be involved in the council's activities. All members of the council, both permanent and those participating when needed, should work towards partnership with the police, in order to enhance community safety. This should be done through joint assessments of local safety situation in consultation with the local community, as well as through analysis of available security data. Safety councils should be open to all members of the community interested in their activities.

On the other hand, the Ministry should make every effort to ensure that groups such as ethnic minorities, women and young people actually become involved in these processes. Also, the Ministry, Government and representatives of local communities should work towards developing mechanisms and finding new forms of cooperation between the civil society and Safety Councils. This will contribute to strengthening of Safety Council-local community partnership, and ensure involvement of more community members in the council's activities. Well-developed communication with the local community is a prerequisite to the success of Safety Councils' activities.[19] The Ministry and political decision makers in the local community should insist on strong and effective communication between the Safety Council and the local community. Communication with the public should ensure that local institutions, civil society and broader public are informed on Safety Council's activities, so that they are able to appreciate their importance and give them support. It is also necessary to work towards developing partnership between

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19   Priručnik za rad lokalnih saveta za bezbednost, p. 22.

the council at the national level, as well as towards establishing a coordination body that would provide guidelines for the work of Safety Councils, and facilitate exchange of experiences between them.[20]

In order to translate the concept of community policing into practice, changes are required in management and decision making styles within the Ministry of Interior. Successful changes within the police involve fundamental change in policing philosophy and bureaucratic structure within the police. Devolution and decentralization of decision-making and resource management is essential. As the officers on the beat are most familiar with the community's needs and capacities, they should have the autonomy to act at their own discretion when they put police policy into action. Also, local police commanders should have greater powers to control the budget, because in that way they will be more accountable in rendering their services. Decentralization is closely linked to the transformation of responsibilities of all police officers, with subordinate ranks becoming more self-directing and supervisors and senior ranks assuming a coordinating, guiding and supporting role encouraging front-line officers to be disciplined but creative in their initiative-taking, and ensuring that they have the resources necessary for effective problem-solving. Communication within the police should shift from a predominantly top-down approach to a style with more emphasis on a bottom-up approach, where front-line officers transmit the community's concerns and requests to their supervisors and the higher management.[21] Management structure should be based on knowledge, accountability and communication, instead of rank. Promotion should be based on merit; instead of punitive, human resources management policies should be reward and motivation oriented. Also, shared responsibilities within the department, better inter-departmental communication and cooperation; communication and cooperation between police officers at the operational, as well as between their superior officers, result in general improvement of professional climate in police services.[22]

Ministry of the Interior and Government of Serbia must keep in mind at all times that, in addition to changes in structure and management styles within the police, the concept of community policing also requires consent all state agencies in the local community. Developed and reciprocal relations between the police and other state agencies active in the local community is the main condition for the establishment of new police-community relationships at the local, as well as at other levels. Close cooperation is required between all state agencies, with each other and with the Ministry of Interior; required as well is harmonization of their operational rules, changes in internal procedures in cer-

20   Phil E, Tony C, Safety Councils in Serbia: An overview of the Function, Organization, Structure, Funding and Sustainability issues required, str 23.
21   Good Practices in Building Police-Public Partnerships, p. 21.
22   Brown, Lee P., *Community Policing*: Practical Guide for Police Officials, pp. 7-19.

tain agencies, and probably changes in legal framework in certain areas. The Ministry of Interior and the Government of the Republic of Serbia should work towards introducing the practices, procedures and structures for cooperation between all relevant agencies in local communities; competences of certain agencies must be stringently clear, as must be the procedures for calling them to account in case of omission. Also, care must be taken that all government agencies to which these changes pertain should engage in the activities of local safety councils. With respect to making co-operation most effective and efficient, the officials of the other agencies need to be educated about community policing and taught about its main techniques and their roles in co-operative problem-solving, to the same extent as their colleagues from the police agency. Joint training session for members of government agencies, the police and community members may also boost future interaction. Coordinated and permanent cooperation on both sides between the police and all other criminal justice agencies is desired. This cooperation must not be purely reactive; it should insist on proactive approach to prevention, focusing on the causes, rather than consequences of problems.

Training for police personnel at all levels in organizational hierarchy, such as courses, seminars, workshops, roundtables and conferences, is also essential for the successful implementation of community policing. Police officers need to be trained about the organization and style of policing, methods used, partnerships, communication, safety situation analysis, problem identification and solving, and other relevant topics pertaining to improvement of community policing practices.[23] Community policing demands an even broader range of skills, including the ability to communicate (also in the languages of the local communities), to listen to different opinions, to build trust and to mediate in conflicts. In addition, it requires ability to develop creative approaches to community concerns, including organizing community groups, conducting problem-solving and gathering technology-based information as well as translating general mandates into appropriate action as well as conveying the concerns of the community to the police leadership and other stakeholders.[24]

The police should demonstrate stronger sense of leadership, for only in this way will they be successful in the implementation of programs focusing on different forms of police-public interaction, from informal, recreational and fun-oriented to serious, where police officers will be interested in finding out about safety issues that raise the citizens' concerns. If the police in Serbia demonstrate on a daily basis both the readiness and capability to deliver their professional, quality based services to the members of the community, they will much sooner win the trust of the community they serve. Implementation of activities mentioned can speed up building of trust, but may also enhance the

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23   Collection of Policy Papers on Police Reform in Serbia No. 3, p. 9.
24   Good Practices in Building Police-Public Partnerships, p. 21.

sense of safety and security of the public. Citizens' associations and non-governmental organizations may play a very important role in building of trust between the police and local communities. They can become an important part of the network in the exchange of information between the police and the local community. Also, the Ministry and local community representatives should permanently work towards involving different associations of citizens and NGOs in all newly established bodies, such as forums, safety councils, and various other institutionalized forms of police-public cooperation.

Serbian Ministry of Interior should also consider fostering the forms of police-public cooperation that allow civilians to assist police officers in their nonemergency activities. Examples of such cooperation of community residents with the police would be the creation of neighborhood watch groups; the development of "Community Service Officer" programs, or similar.[25] This would allow local residents to assist the police in reporting double-parking, public order disturbances, and similar nonemergency activities free of risk. If clear and strict guidelines are set to regulate police-civilian cooperation, these joint activities may contribute to enhancing police-public communication, but also to fostering in local community residents a sense of responsibility for their personal safety.

Enhancing cooperation of the police with the minorities, and stronger representation of minorities in the police service

Community policing is based on the premise that the work of the police is a public service rendered equally to all members of the society. In a democracy, policing is a public service provided equally for all members of society, based on clear professional standards, which in turn are based on the rule of law and, international standards and principles of human rights. The role of the police is crucial for protecting the rights and freedoms of all individuals and for ensuring protection and access to justice for minorities, thus contributing to their successful integration into society as a whole.[26] The police are obliged to protect all citizens equally without discrimination and without distinction as to sex, race, color, language, religion, opinion, social, national or ethnic origin, property, birth or other status.[27]

In certain municipalities in the Republic of Serbia, underrepresentation of national minorities in the composition of the police is still characteristic of the police service

25   Good Practices in Building Police-Public Partnerships, p. 24.

26   Police and Roma and Sinti – Good Practices in Building Trust and Understanding, p. 30.

27   Police and Roma and Sinti – Good Practices in Building Trust and Understanding, p. 30.

in Serbia,[28] and there are practically absent in senior positions in operational police units. Initiatives to increase recruitment of underrepresented minorities need to be introduced. These should include special measures to encourage applicants and to assist them to achieve the required standards, together with actions to remove any direct or indirect discriminatory barriers. Initiatives to increase recruitment of underrepresented minorities can be initiatives to increase information in minority communities about employment opportunities in the police, to create a positive image of the police, and to positively encourage interested persons to apply.[29] These initiatives should also include measures to address the lack of sufficient educational qualifications in potential applicants who are otherwise suitable and well-motivated, and action to identify and address any possible causes of discrimination against minority applicants in the recruitment and selection process.

As good relationship between the police and minority communities is one of key principles of community policing, it is needed that the Ministry of Interior of the Republic of Serbia promotes programs for the work of the police with minority communities across the country. These programs should be about cooperation and partnerships with ethnic, religious and all other vulnerable minority groups in joint efforts towards enhancing tolerance, recruitment into the police service through the processes of police education, training and employment, preventing conflicts and resolving interethnic clashes. The composition of the police – at local, regional and national levels and including senior as well as junior ranks, and also civilian personnel – should reflect the diversity of the population. Police work in local communities in Serbia should foster values which recognizes the importance of respecting multiethnic, national and religious diversities, and aims to protect the diverse systems of values of various social groups in the community which are recognized by the international and domestic law. In order to achieve these goals, the Ministry of Interior of the Republic of Serbia, the Government and all relevant ministries, should work towards setting statistical targets for increasing the representativeness of the police, and monitoring of the ethnic composition of the police should be introduced in order to measure progress.[30]

In addition, when it comes to the internal organizational structure and internal rules and procedures, the Ministry of Interior of the Republic of Serbia needs to introduce measures to ensure that police officers from a minority background are accepted and treated equally inside the police organization. Concept of community policing will become

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28   Statement of Ombudsman Saša Janković on unproprtional representation of members of Bosnjak and other minorities in the police. http://www.ombudsman.rs/index.php/lang-sr_YU/2011-12-25-10-17-15/2011-12-25-10-13-14/1453-2011-08-08-06-35-45

29   Recommendations on Policing in Multi-Ethnic Societies, p. 15

30   Recommendations on Policing in Multi-Ethnic Societies, p. 5.

devoid of any reason for existence unless conditions are created which should provide a neutral working environment and equal opportunities for progression in their careers for all police officers. Positive measures should also be considered by the Ministry to support and encourage police officers from minority backgrounds to progress in their careers: these could include specific career development training programs or provision of 'mentoring' schemes[31] for those with potential for advancement. At the same time, it is important that effective internal complaints mechanisms are in place, so that police officers who experience discrimination, especially those from minority backgrounds, do not have to endure such behavior in silence. Managers need to encourage minorities to make complaints when they experience discrimination or other forms of ethnically-motivated behavior.

One of the fundamental premises of community policing concept is that police officers should be recruited from the communities to which they are deployed, and have an excellent understanding of the community, its customs and way of functioning. That is why the Ministry needs to take particular care over the posting and deployment of police officers from minority backgrounds. In states where, like in the Republic of Serbia, minorities tend to be concentrated in particular localities or regions, most police officers from minority backgrounds are likely to be recruited in such regions and to work in them. This brings important benefits to the police organization in terms of community awareness, contacts and public confidence.

Community policing concept requires regular and effective communication regular and effective communication between police and citizens. If the Ministry of Interior is dedicated to translate community policing concept into practice, it needs the support of the public, not simply because of the need to be democratically accountable, but also because the practical co-operation of the public is essential for the performance of the police role. Serbian Ministry of Interior must be aware at all times that communication and confidence building needs to reach out to a variety of minority groups, which may be diverse in terms of language, culture, religion and other circumstances. The Ministry needs to be especially aware of the fact that some of these groups may have experienced discrimination or other forms of oppression at the hands of the police in the past, and may therefore continue to bear a strong sense of distrust towards police. Police therefore need to make sure that the methods and practices they use to communicate with the public take account of this diversity and past history, and can reach out effectively to all different ethnic and national groups.[32] Special efforts may be needed to reach out to and gain the confidence of ethnic and national minorities which have experienced the most severe exclusion and disadvantage. There are a variety of methods that police may

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31   Recommendations on Policing in Multi-Ethnic Societies, p. 18.
32   Recommendations on Policing in Multi-Ethnic Societies, p. 28.

use for developing communication with minorities. Some methods, such as the use of leaflets or radio and television are particularly useful for conveying information, but to reach minorities by these means, leaflets in minority languages and broadcasts in the mass media, including in minority languages, should be used. To reach minorities by these means, leaflets in minority languages and broadcasts in the mass media, including in minority languages, should be used.

More valuable for building confidence and mutual understanding, however, are interactive methods that involve personal contact and communication between police and minorities, such as: community forums, public meetings, community advisory boards, joint police-community workshops, community contact points at police stations, dedicated patrol officers (from minority backgrounds) regularly visiting particular (minority) communities. Generally, the police can use these methods and means of communication to regularly meet with minority representatives and discuss with them issues of mutual interest. Methods of these kinds need to be used at all levels: national, regional and local.[33]   For example, at national level senior police and policy makers need to be meeting with national-level minority leaders to discuss broad policy and strategy issues, or incidents of national concern, while at local level the focus will be on practical matters relating to community policing or incidents of concern locally. Police also need to ensure that they reach women and young people in national minorities in their communications.

The use of minority languages is a very important aspect in police cooperation with minority groups. Police therefore need to make provision for the use of such languages in their dealings with persons belonging to national minorities, whether as MoI employees, suspects, witnesses, or simply as members of the public generally. Given that national minorities vary in the extent to which they actually use their own languages, and vary also in the extent to which they are fluent and literate in the official language of the state, i.e. Serbian, it may be appropriate for the Serbian Ministry of Interior to undertake a needs assessment to determine what provision is in practice required. When undertaking these assessments, the Ministry should particularly bear in mind that certain groups within some national minorities may be less likely to be fluent in the Serbian language, as they may have received less formal education or have limited involvement in public life.

Recruitment of persons belonging to national minorities into the police is crucial as it will immediately provide the police with a major resource to meet these needs. Police officers from minority backgrounds working in areas where their own minority commu-

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33   Recommendations on Policing in Multi-Ethnic Societies, p. 28.

nities reside will on occasion be able to act as interpreters for colleagues, although it is important that their non-minority colleagues working in such areas should receive appropriate training in minority language skills.

It has already been emphasized that formal structures need to be established at local level, such as forums or representative boards. It is important to mention at this point that national minorities need to be represented on such boards and to be able to participate in such forums, which should be held in locations which are accessible to them. National minorities also need to be free to raise their own issues of concern about policing, and to do so using minority languages.[34] These formal structures should not be managed directly by the police themselves, but established so they operate independently; the state needs to facilitate the establishment of such structures, to provide resources for them, and to ensure that national minorities are able to participate in them effectively. Another important condition for these formal structures to be effective is that minorities need to be aware of their rights and responsibilities in matters related to policing. Police should therefore work on raising such awareness among minorities, although it may not be their specific responsibility; however, state agencies should not leave this task solely to the police and NGOs, but should ensure that information about the rights and responsibilities of citizens in relation to policing is widely available, including in minority languages, and is included in the formal curriculum of schools.

Police are highly dependent for the detection of crime on information from members of the public. There is extensive evidence that minorities are less likely to report crime than those from other sections of society.[35] Therefore, the Government and the Ministry of Interior of the Republic of Serbia need to create conditions where both the minorities and the majority will be equally willing to cooperate with the police. Police must bear in mind that persons belonging to national minorities are only likely to report crimes to the police if they believe they will be treated with respect and that their allegations will be taken seriously. In order to build strong confidence of national minorities in the police, police officers, and especially those in managerial positions, should continually insist on establishing cooperation with non-governmental organizations, and in particular with those engaged in the fight for national minority rights. Police should also take steps to ensure that minorities can report incidents in their own languages. In this way, police will succeed in the effort that all relevant stakeholders in local communities, as well as all residents, are actively involved in matters that concern policing, and work towards greater safety of their communities. Bringing together different ethnic groups with police at local level to work jointly on the promotion of community safety is a valuable method of furthering ethnic integration in a multi-ethnic society. It is important to mention that

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34   Recommendations on Policing in Multi-Ethnic Societies, p. 30.
35   Recommendations on Policing in Multi-Ethnic Societies, p. 33.

police need to make sure that minorities, as well as the majority, have confidence in their support and protection when they become victims of crime.[36] Bearing in mind the history of conflict between minorities and police, lack of confidence in the police is to be expected. Therefore it is important for police to take active steps to overcome this potential barrier. Police should pay special attention to the need to ensure support and protection for victims in cases of crime or violence motivated by ethnic hatred. This is important because whole communities, rather than just individuals, may experience victimization when crimes motivated by ethnic hatred occur, and police should recognize the possible need to provide support and protection at a community rather than solely an individual or family level.

One of the key elements of community policing concept is that the composition of the police is representative of that society. This is to ensure both that the police are seen to be legitimate by all ethnic groups, and so that the police have the practical skills and experience to work with all sections of society.

The Ministry of Interior of the Republic of Serbia should be especially aware that in multiethnic communities, police need to be able to communicate with all groups and have their confidence. In such communities, the use of mixed patrols and mixed teams for investigative work can assist police to achieve this objective. Mixed teams can also provide police with a multilingual capability when carrying out policing tasks in multi-ethnic communities. At the same time, a much broader effect is achieved, because police demonstrate to the public a good-practice model of multi-ethnic co-operation in the provision of public services, which is of particular importance in states like Serbia, where there is a history of conflict between minority and police.

Implementation of the concept of community policing and crime prevention

The most efficient way of rendering police services is in detecting, as well as tackling the sources of crime, insecurity and fear in cooperation with partners in local communities, rather than constant but superficial struggle with the consequences.[37] This type of policing is the main premise on which community policing is based. Concept of community policing and prevention of crime share a common goal: to ensure safety for all residents of local communities. In essence, community policing concept is a result of changes in the style of policing, primarily of the shift from repression to prevention, which is to say: focusing on the causes of a problem, rather than its consequences.

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36   Recommendations on Policing in Multi-Ethnic Societies, p. 38.
37   Philosophy and Principles of Community–Based Policing, SEESAC, pp. 4-7

Prevention, or tackling the cause of the problem, is an approach that bears effect on the causes of crime, and is one of the constitutive elements of community policing model. The concept of community policing as a style of policing, and crime prevention as a method of policing both require active engagement of citizens in the process of problem solution. In essence, in order for these two policing methods to be possible, they need to be fine-tuned to the needs and circumstances of the local community in question. Direct communication and cooperation between police and administration of the local community brings about decrease in crime rates, but also boosts the sense of safety among the residents.

If the police in Serbia wants to enhance its style of policing and become a public service to the citizens tasked to solve their problems, rather than be a purely repressive force, they need to focus more on the "problem" that on the "case". The Ministry needs to develop more systematic procedures to identify and analyze the problem which it is expected to solve. This means that police need to focus in their approach on solving the problems, instead of ignoring them and avoiding to look for solution. Problem-oriented policing as one of community policing modalities is a very effective method of crime prevention. While in its broadest sense the concept of community policing means establishing partnerships with the community, problem-oriented policing is primarily about identifying and solving the problems in a community, with the engagement of the community.

Serbian Ministry of Interior should bear in mind that the work of the police in cooperation with the community is more effective when the method of problem solution is applied, and the other way round: problem solution is more effective if there is cooperation with the local community. It is true that so far the police in Serbia put more emphasis on the use of traditional repressive methods of policing, than on the effects of that method. If the police in Serbia want to enhance their operational capacity and become a professional service available to the public around the clock, they need to focus more on the final results of their work. This means that the police must focus in their work on solving the problem, instead of focusing on the particular case in question. The objective is to have the police more engaged on solving the problems that cause the cases to repeat, instead of focusing attention to resolving individual cases. Problem-oriented approach means that police need to develop a systematic procedure to identify and analyze the problem that the public expects it to solve.[38] Problem oriented policing is very useful because it motivates the police to seek partnerships with other agencies, and enhances work climate of police employees because it gives them greater flexibility in taking ini-

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38   Goldstein, H. 1979, 'Improving Policing: A Problem Oriented Approach', Crime and Delinquency, vol. 25, April, pp. 236-58

tiatives and enables creativity in problem solving. All this results in greater satisfaction of police officers with their work, and better quality of police services rendered to the community.[39] In addition, problem-oriented policing focuses of utilizing qualified police cadre, and utilizes more effectively potentials of highly educated police officers that the traditional style of policing would curb.[40]

Many crime prevention programs are in fact community policing activities. Work of the police in communities is the key element in the prevention of crime. Police should focus their activities on investigating problems that cause most public concern in the community. The focus should be on effectiveness policing, and pro-active systematic problem-solving approach. This would enable full utilization of information from police reports, as well as of the experiences of beat police officers, or police officers continuously assigned to fixed geographic neighborhood beats.[41] Also, police should focus in their work on grouping similar incidents, analyzing those incidents, identifying individual problems, and grouping them in useful categories. Police officers should be encouraged to use their creativity in problem-solving, and trained to identify different interests when analyzing the problems and to take them into consideration when devising recommendations for action.[42]

To be more successful in preventing crime, Serbian Ministry of Interior should urge joint activities of the police and community residents, in order to reduce crime and fear of crime through local initiative. Engaging the community is a key element to this. This style of policing entails substantial changes in police organization, decentralization on operational level, delegation of authority across the hierarchy, and facilitating participation of the community in police activities.[43] The ministry should bear in mind that neighborhood oriented policing is in its essence the same as community oriented policing, only focused on a segment smaller than community: namely, the neighborhood.

The capacity of a neighborhood to protect itself is based on the view that providing safety at all levels and as permanently as possible, is one of the basic needs of the community.[44] Advantages of this method are related to an individual's personal fulfillment before the police. A person is under the impression that they step forward and report criminal activities in the neighborhood to the police. Also, this feeling that they

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39   Policija u lokalnoj zajednici, str. 90.
40   Goldstein, H. 1979, 'Improving Policing: A Problem Oriented Approach', Crime and Delinquency, vol. 25, April, pp. 236-58
41   Good Practices in Building Police-Public Partnerships, p. 17.
42   William Spelman, John E. Eck, Problem-oriented policing, str. 22.
43   Graham J., Crime Prevention Strategies in Europe and North America, str.131.
44   Policija u zajednici, str. 98.

themselves take action encourages them to protect themselves and their neighbors, from crime.

In order to effectively prevent crime, it is necessary to bear in mind that the police should not be perceived as merely a service whose purpose and responsibility is to fight crime, while the responsibility of citizens is to just report crime. The Ministry should adopt the policing philosophy according to which protection of communities from crime is part of social control, and that citizens as active factor, together with the police, are one of crucial elements of that control. Police should facilitate, but never take over those activities. Making decisions on different actions and methods for the solution of a problem requires adjusting the tactics to the local community, or an even smaller segment: neighborhood. This inevitably entails decentralization in management in the police and devolvement of decision making process to lower level, and greater powers – and responsibilities of low rank police officers, especially patrol officers.[45]

Police also need to pay special attention to problematic parts (neighborhoods) of the local community. Police should ensure strong presence and visibility in those neighborhoods at all times. It is important to mention here that strong presence does not mean just increased number of police officers in the community, but also preventive and educational activities of the police with the aim to enhance the capacities of the local community for self-protection.

Implementation of different community policing measures undoubtedly contributes to successful crime prevention. In their more frequent and closer contacts with the public and open discussions on crime-related issues, police ensure that residents of the local community are more willing to provide information and report crime in their community. Various preventive measures can be implemented, such as open meetings with the neighborhood residents; focusing on establishing relationships with the youth; neighborhood-oriented programs aimed at educating and informing the public on different threats to young people, and similar activities. Various non-traditional policing activities, such as rendering of social services, provision of free legal aid, or providing for the needs of the old and bed-ridden, bring the police closer to the community they serve, but also ensures that the preventive function of the police is fulfilled. Community policing has proved beneficial because the methods comprising this style of policing result in diminishing the citizen's fear of crime and increase in reporting of criminal activities.[46]

It is certain that without ensuring maximum political support it is impossible to change working styles and methods of a state agency such as the police service. All support

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45   Joel B. Plant and Michael S. Scott, Effective Policing and Crime Prevention, str. 42.
46   Joel B. Plant and Michael S. Scott, Effective Policing and Crime Prevention, str. 37 – 45.

available should be welcome in the implementation of the adopted strategy, each stakeholder can assist in their own way; it is just a question of identifying them. Harmonization of legal norms, developing of new and changing the existing internal procedures within the police, as well as in all other agencies at local community level are also matters that demand particular attention.

Conclusion

Adoption of Community Policing Strategy and initial activities implemented in the previous period are only the beginning of the whole process, and most of the work is still ahead. Implementation of the adopted Strategy and execution of action plans is a long process that requires profound and radical changes in the style of policing and in the organizational structure of the police. Establishing strong partnership with the community and eradicating main underlying causes of crime in the community requires planning, flexibility, time and patience.[47] Accessibility and transparency of the police organization to all local community residents, and responding to their needs, concerns and requests is the foundation of modern policing. Dedication of police to crime prevention and proactive approach to problem solving in order to resolve the underlying causes of problems in order to find long-term solutions, as well as active engagement of both different segments of local community and state agencies in this process is the foundation of community policing.

Concept of community policing is closely connected with democratic governance and the police that is accountable not to the Government, but to law and to the public. The main requirement to achieve sustainable police-public partnerships is to ensure strong and unconditional dedication of all stakeholders involved to this concept. However, irrespective of all that the statements the Ministry and the Government may make concerning community policing, if declarative statements are not supported in practice by the values, activities and system of the police organization, the entire idea is condemned to fail. It is necessary therefore to bring urgent change into the existing system of police management, which is characterized by centralized decision-making even at the level of carrying out everyday tasks; absence of delegation of responsibilities and lack of strategic planning, management style lacking clear vision for the future, bureaucratization and unnecessary emphasized division of work.

The Government and relevant political decision makers must demonstrate a clear position, and provide unconditional support to the concept of community policing. On the other hand, senior police officials need to explain to the community and public at large that the implementation of community policing is a long and multifaceted process. The

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47   Collection of Policy Papers on Police Reform in Serbia No. 3, p.10

entire police organization, highest officials and those of lower ranks alike, must emphasize that community policing success story depends on constant cooperation of police with local administration, public at large, civil society organizations and members of local community. If these requirements are not met, chances are good that adoption community policing strategy will be perceived as just another cosmetic procedure, undertaken under the pressure from the international community, without true desire to change the current situation.

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POLICE AND VULNERABLE GROUPS

Nevena Dičić Kostić

Summary:

Specific characteristics of particular groups and their sensitive and vulnerable position demand special attention. Creating an atmosphere of tolerance and understanding is extremely demanding and complex process, and participation of police in this process is crucial to the success in achieving this goal.

In a society that is deeply divided and fundamentally intolerant, the role of police in exercising and upholding of human rights is very important, because the police, with their reputation and authority, may be initiator of change and improvement. Police officers come into contact with citizens when their rights may be, or already are at risk. That is why full understanding of the concept of human rights and the obligation to protect them is required at all times. Education and adequate training on human rights issues are the only way to ensure that upholding of human rights is not arbitrary, and dependent on the will, enthusiasm and sensibilities of individuals in the police.

In practice, certain groups of citizens are more often exposed to discrimination, most of all Roma, LGBT population, women, and persons with disabilities, national minorities, and juveniles. Police officials at all levels in hierarchy need to be ready to recognize and prevent discrimination, irrespective of whether it is caused by the actions of members of the general public or happening within the police service.

This paper attempts to point out the importance of education and training on human rights, and to present the situation of human rights and the role of police in their protection. Protection of human rights is rendered impossible without full understanding of the concept of nondiscrimination, especially because discrimination is still very pronounced in Serbia. Discriminaroty acts occur almost on a daily basis, but the still low degree of democratic culture often prevents that these incidents be recognized. As the police have a duty to protect equally all members of the society, this paper provides the overview of relevant legislation and standards regulating prohibition of discrimination. In addition, it deals with specific aspects of particular vulnerable groups and how their rights are most easily and most often violated.

Recommendations:

1. Professional improvement for the work with vulnerable groups must be a result of an organized and sustainable training, and should not be based on personal talents, predispositions or interests of individual police officers.

2. It is necessary to improve police education and training programs aimed enhancing police-public communication and sensitizing police officers to the problems of particular vulnerable groups.

3. It is necessary to continue police education and training aimed at eradication of secondary victimization, because when victims decide to report violence, their first most often contact is with a police officer.

4. In their approach to victims police officers should demonstrate empathy, consideration, and appropriate understanding for their trauma; they should never voice their personal opinion.

5. It is necessary to organize trainings that would familiarize police officers with all the nuances and specificities of hate crime, it being a new criminal offense.

6. Police should be the guarantor of the respect of the rights of all citizens, and especially the rights of persons belonging to vulnerable groups, and demonstrate understanding for their views, e.g. when they do not wish to reveal their sexual identity although it was the motive for the attack.

7. Special attention should be given to the offence of domestic violence, which is in practice still treated as a crime committed outside the home and family.

8. Police service should be open to women, and ensure that women are not subjected to discrimination in the selection and hiring processes, training, assignment to duty, career advancement opportunities, remuneration and other working conditions, disciplinary liability or termination of service.

Importance of police-vulnerable groups relationships

Human rights and safety are two concepts that fully inter-merge in modern societies, and the police service is an agency of the state which must balance them in its everyday work. The police do not have an easy task, and it is quite expected that they will experience ups and downs on this road.

It is beyond doubt that good policing means policing based on upholding of human rights standards, but it is also necessary to remember that human rights are just as framework, especially bearing in mind how demanding everyday police work can be. In a society that is deeply divided and fundamentally intolerant, the role of police in exercising and upholding of human rights is very important, because the police, with their reputation and authority, may be initiator of change and improvement. However many and detailed the rules may be, they can never describe good policing. However, some standards are undeniably of great importance; adequate treatment of vulnerable groups one of these standards. Police officers must be able to understand the needs and situation of all citizens, an especially those of vulnerable groups.

Some of the most important steps are professionalism and integrity that police officers need to demonstrate through adhering to a code of professional conduct. This Code of conduct should reflect the highest ethical values.[1] Poliice must demonstrate a high level of integrity, and be able to resist the temptation to abuse their powers and to uphold these values.[2] Police are expected to be honest, impartial and efficient and to perform their duty to the best of their abilities with skill, fairness and understanding, having regard only for the public interest.[3]

The role of the state in the community is especially important; therefore the essence of police work should be tackling problems at local community level. This is why education and training of police officers need to focus on working towards enhancement of police-public communication,[4] which is the central function of police in democracies, because it helps in overcoming and solving problems caused by different interests, needs, or beliefs. Professional improvement must be a result of an organized and sustainable training, and should not be based on personal talents, predispositions or interests of individual police officers

While it is generally held that human rights are important and fundamental beyond question, difficulties arise when it comes to their full enjoyment. Individual cases of excessive use of police powers or of putting human rights of the people at risk require that education about human rights be given high priority.

Learning about human rights should be a general and life-long obligation, and police

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1   Recommendations on Policing in Multi-Ethnic Societies, Office of the High Commissioner on National Minorities, OSCE, 2007, p. 10.
2   Guidebook On Democratic Policing, by Senior Police Adviser o OSCE Secretary General, p.14
3   Savet Evrope, Pravila ponašanja za državne službenike, član 5.2.
4   Međunarodni policijski standardi o ljudskim pravima I policijsko obrazovanje, Z.Dujmović, M.Šuperina, Pregledni znanstveni članak, 2010, str. 18.

officers need to be fully familiarized with the content of particular rights, because some of the powers they are authorized to use are directed at human life and body; police may also infringe upon and restrict many more rights and freedoms than any other public servants.

In practice, certain groups of citizens are more often exposed to discrimination, most of all Roma, LGBT population,[5] women, persons with disabilities, national minorities, juveniles.[6] Although it is a legitimate question to ask why and if particular groups should have a special treatment, their vulnerability, position in society and challenges they encounter in everyday life indicate that this special attention is not only desirable but also needed, and that in police dealing with these groups it is not enough to apply general standards of good conduct and upholding of rights.

Concept of vulnerable groups

The concept of vulnerable groups is quite broad, and to a large extent depends on the place and time in which it is defined. In the context of human rights, those are the groups that are often discriminated against or require special attention in order to prevent potential violation of their human rights. Particular and different circumstances of these individuals indicate that equal treatment towards them would actually aggravate their position and is therefore not justified.

This report will focus especially on how the following vulnerable groups are treated by police, because they interact most frequently with these groups:

/ Roma
/ Women
/ LGBT population
/ Juveniles

Prohibition of discrimination

Discrimination is still very prominent in Serbia, and policing vulnerable groups is based on the legal framework on the prohibition of discrimination, and knowledge of human rights. Discriminaroty acts occur almost on a daily basis, but the still low degree of democratic culture often prevents that these incidents be recognized.

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5   The term LGBT refers to lesbians, gays, bi-sexual and transgender persons. The term LGB-TIQ which refers to intersexuals and queers is used more and more frequently.
6   Izveštaj Evropske komisije protiv rasizma i netolerancije dostupan na: http://www.coe.int/t/dghl/monitoring/ecri/country-by-country/serbia/SRB-CbC-IV-2011-021-ENG.pdf.

In accordance with the demostratic principle of equality before the law, police have the duty to provide equal protection to all members of society, and must not discriminate on the basis of race, gender, religion, language, colour, political opinion, national origin, property, birth, or other status.[7] In accordance with international human rights standards, it is the duty of the state to ensure security of person and protection against violence, whether inflicted by government officials or by any individual group or institution[8] to all members of society. Vulnerable groups or persons should be entitled to special care.[9]

Serbia ratified many international pacts that provide for the prohibition of discrimination,[10] and clearly state duties of the states to develop adequate legal mechanisms in order to prevent all forms of discrimination. Most important of these documents are international pacts and other documents adopted by the United Nations and Council of Europe: the Charter of the United Nations; Universal Declaration of Human Rights; International Covenant on Civil and Political Rights; International Covenant on Economic, Social and Cultural Rights; International Convention on the Elimination of all Forms of Racial Discrimination; Convention on the Elimination of All Forms of Discrimination against Women; Convention on the Rights of Persons with Disabilities; European Convention for the Protection of Human Rights and Fundamental Freedoms.

National legislation of the Republic of Serbia is harmonized with the international standards. The Constitution of the Republic of Serbia,[11] states in Art. 21 that " All direct or indirect discrimination based on any grounds ... prohibited", which means that the Constitution also allows the prohibition of discrimination based on other grounds which are nor specifically listed, as well as that it recognizes and acknowledges the principle of affirmative action. The principle of the prohibition of discrimination is incorporated in the Constitution throughout its provisions. In Article 1. the Constitution guarantees equality to all citizens and prohibits discrimination; it also defined the Republic of Serbia as "a

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7   See United Nations, Universal Declaration of Human Rights, Art. 7; CSCE, Final Decree , Art. 6; Council of Europe, Declaration on Police; Council of Europe, European Commission against Racism and Intolerance (ECRI).

8   United Nations, International Convention on the Elimination of All Forms of Racual Discrimination (1965), Art. 5 (b); Universal Declaration of Human Rights, Art. 2; United Nations, Convention on the Elimination of All Forms of Discrimination against Women (1979).

9   See: UN,Convention on the Rights of the Child (1989), Preamble, Art. 2(2) i 3(1).

10   Both Covenants adopted in UN (ICCPR and ICESCR), ECHR and Protocol No. 12 to ECHR, Convention on the Elimination of All Forms of Racial Discrimination, Convention on the Elimmination of All Forms of Discrimination against Women,Convention on the Roghts of Persons with Handicap,Convention ILO No.111 which concerns discrimination Iin employment and profession, and UNESCO Convention against Discrimination in Education.

11   Sl. glasnik RS, 83/06.

state of the Serbian people and all citizens who live in it,[12] based on the rule of law and social justice, principles of civil democracy, human and minority rights and freedoms, and commitment to European principles and values.

The Constitution also guarantees protection of the rights of national minorities, and special protection for the purpose of exercising full equality and preserving their identity (Article 14). It proclaims gender equality and states that the State shall guarantee the equality of the sexes, and develop equal opportunities policy (Article 15). The right to judicial protection is guaranteed to everyone when their human or minority rights have been violated, and the right to address international institutions in order to protect their freedoms and rights guaranteed by the Constitution (Article 22). Freedom of thought, conscience, beliefs and religion, the right to stand by one's belief or religion or change them by choice, as well as the right to be free of the obligation declare religious or other beliefs re guaranteed in Article 43.

The Constitution also guarantees freedom of thought and expression, as well as the freedom to seek, receive and impart information and ideas through speech, writing, and art or in some other manner. Freedom of expression may be restricted by the law if necessary to protect rights and reputation of others, to uphold the authority and objectivity of the court and to protect public health, morals of a democratic society and national security of the Republic of Serbia.

The Constitution promotes diversity stating that the Republic of Serbia shall promote understanding, recognition and respect of diversity arising from specific ethnic, cultural, linguistic or religious identity of its citizens through measures applied in education, culture and public information (Article 48). Inciting of racial, ethnic, religious or other inequality or hatred is prohibited and punishable (Article 49).

Apart from the Constitution, discrimination is defined as a criminal offense in the Penal Code of the Republic of Serbia (Articles 128, 317 and 387),[13] and anti-discrimination provisions are also contained in numerous other laws.[14]

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12   Experts and some international organizations, such as European Comission against Racism and Intlolerance made comments on certain provisions of the Constitution concerning prohibition of discrimination. This primarily concerns Article 1 of the Constituion of the Republic of Serbia that defines Republic of Serbia as a state of Serbian people and all citizens wholive in it, which indirectly makes an unjustified distinction between Serbs and other nationalities.

13   Sl. glasnik RS, 85/05, 88/05, 107/05, 72/09 i 111/09.

14   Law on Curches and Religious Communities (Art. 2), Labor Law (Articles 18–23), Law on Employment and Insurance in Case of Unemployment, Law on Education, Law on Healthcare, etc.

A big step forward was the adoption of the Law on the Prohibition of Discrimination,[15] which is a general anti-discrimination law and allows for more detailed regulation of particular areas where discrimination is most frequent.

According to this law which for the first time defines the conceptions "discrimination" and "discriminatory act", discrimination is the making of an unjustified distinction, or an act of unequal treatment or failure to act (exclusion, restriction, favoritism) in relation to a or group of persons, members of their families or other persons close to them, directly or indirectly, on the basis of race, colour, ancestry, nationality, ethnic or social origin, religion or belief, political opinion, sex, sexual identity, sexual orientation, property, birth, genetic features, health, disability, marital or family status, legal status, age, appearance, membership in political parties, unions or other organizations, and other, actual or presumed characteristics.

The law in this part recognizes seven different forms of discrimination.

1. Direct discrimination, in which a person or a group of persons, on the ground of their personal characteristic(s), in the same or similar situation, by any act, procedure or failure to act, is put or has been put into an adverse position. This form of discrimination often occurs in the process of hiring, when the exclusive hiring condition for certain positions is that the applicant be female or male.

2. Indirect discrimination, in which a person or a group of persons is put into an adverse position on the ground of their personal characteristic(s), by any act, procedure or failure to act seemingly based on the principle of equality and prohibition of discrimination, except when it is justified by a legitimate goal, and the means to achieve that goal are adequate and necessary. This form of discrimination exists, for example, when the requirements for both men and women to be recruited into special police units are to be in good health and over 180 cm tall. At first glance, these requirements do not appear to be discriminatory, but the criterion of height creates a considerabe, and often fateful, limitation for women to acess these positions in the service.

3. Violation of the principle of equal rights and responsibilities as a form of discrimination, in which a person or a group of persons, on the ground of their personal characteristic(s), and unwarrantedly, are denied the rights and freedoms, or forced to undertake the responsibilities which in the same or similar situation are not denied to or forced upon some other person or group of persons, and if the goal or consequences of these measures is unjustified, or unproportionate to the intended goal.

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15   Sl. glasnik RS, 22/09

An example of this form of discrimination would be if the right to religious instruction in public schools was to be given to members of particular instead of all religions; or: if the government made it obligatory to buy additional worth of postal stamps and determined that the proceeds go to the benefit of one particular religious community.

4. Prohibition from calling to account, in which a person or a group of persons is unwarrantedly treated in a more adverse manner than another person or a group of persons, only or mainly because they sought, or intend to seek protection from discrimination, or because they offered or intend to offer proof of discriminatory acts. For example form of discrimination would exist if a disabled person who was subject to humiliation by a colleague in the workplace, sought legal protection from the employer, and the employer assigns the disabled person to another position with lower pay, where working conditions are inadequate for their type of disability.

5. Association with the intent to commit acts of discrimination, that is: actions of organizations or groups aimed at violation of the rights and freedoms guaranteed in the Constitution, international law and domestic legislation, or at inciting national, racial, religious or other form of hatred, division or intolerance. Organizations like "Skinheads", "Nacionalni stroj" and the movement "1389" are examples of this form of discrimination.

6. Hate speech means the promulgation of ideas, information and opinions which incite discrimination, hatred or violence towards a person or a group of persons, on the ground of their personal characteristic(s), via means of public communication, in publications, at gatherings or in public places, by writing or showing messages or symbols of hatred, or any other forbidden way. Examples of hate speech are publicly displayed opinions such as "Cigani marš iz Srbije" (Gypsies, get lost from Serbia), or "Nož, žica, Srebrenica" (K"Knife, wire, Srebrenica).

7. Harassment and degrading treatment when it is aimed at or represents violation of dignity of a person or a group of persons, on the ground of their personal characteristic(s), and especially if it results in generating fear, or a hostile, degrading and offensive environment. Harassment can be verbal or non-verbal (gestures and acts).

Serious forms of discrimination are:

/ inspiring and enciting of inequality, hatred and intolerance on the basis of ethnic origin, race, religion, language, political opinion, sex, sexual identity, sexual orientation and disability;

∕ propagating or instigating discrimination by public authorities and in proceedings before public authorities;

∕ propagating discrimination in the media;

∕ slavery, trafficking in human beings, apartheid, genocide, ethnic cleansing and promulgation thereof;

∕ discrimination on multiple grounds (multiple and intersectional discrimination);

∕ discrimination which happened on more than one occasssion (repeated discrimination) or which happen over a longer period of time (prolonged discrimination) to the same person of group of persons, and

∕ discrimination which causes serious conseqiences for the victim, or other persons otheir property, especially when the act of discrimination is a crime punishable by law, inspired mainly or exclusively by the hatred or intolerance towards the victim, on the ground of their personal characteristic(s).

The law envisages two ways to protect citizens when their rights have been violated: bringing action to the court, in which case urgent proceedings are initiated in accordance with civil procedure; or lodging a complaint with the commissioner for the protection of equality, a new agency established by this law in order to provide for more effective protection. Besides the victim, the Commissioner for the protection of equality and human rights organizations may also press charges before the court. The possibility that third parties, i.e. human rights organizations, may press charges is extremely important, and has already resulted in an increased number of proceedings for the offense of discrimination.[16]

Prohibition of the act that may result in discrimination, prohibition of continuation of such acts, establishing that the accused acted in a discriminatory manner, action to remove the consequences of discrimination, compensation of material and consequential damage, and publishing of the decision of the court (Art. 43), may be requested in the charges filed to the court. The prosecutor may request, both during and after the proceedings, that temporary measures be applied in order to remove the threat of violence or greater damage. In order for the court to approve such measures, it is necessary that the prosecutor proves that it is probable that such measure is necessary in order to remove the threat of violence or greater damage (Art. 44). If the prosecutor proves that the defendant has committed the act of discrimination, the burden of proof is on the

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16   Ljudska prava u Srbiji 2012, Beogradski centar za ljudska prava, 2013, p.. 198

defendant (Art. 45). This provision is a deviation from civil proceedings, and is intended to alleviate the position of victims, in contrary to the principle that the burden of proof is on the prosecution.

Common aspects

Position of vulnerable groups, and how they are treated by the police, but also by the public, requires that special attention be paid to certain events. Members of vulnerablr groups should be treated with cpecial care, which for the police generates two duties: duty to refrain from treating memebrs of these groups in a worse worse manner simply because they belong to a vulnerable group; and a duty to act in a manner which takes into account the particular needs of persons belonging to vulnerable groups, such as their age, sex or other state of vulnerability.[17]

Certain situations, such as secondary victimization, hate crimes, and racial profiling can occur in contacts with all vulnerable groups.

Secondary victimization

Secondary victimization means aggravation of primary victimization by negative reaction of the social environment and inadequate or downright wrong rection on the part of law enforcement agencies.[18] Especially exposed to secondary victimization are those categories of victims who, because of their age, psychological and physical charcteristics, or the nature of crime they experienced, are considered especially vulnerable (children, old people, mentally ill persons, persons with disabilities, victims of sex crimes, victims of domestic violence).[19]

Police officers have the greatest responsibility to prevent secondary victimization. When a victim of violence decides to report the incident, their first encounter will be with a police officer, whether in police station or at the crime scene. It is unacceptable that secondary victimization should happen during this first step, causing the victim to feel threatened again or give up on pressing charges. When dealing with the victim who has just been exposed to violence, it is of vital importance to bear in mind that the victim is not just a witness who will impart all relevant information concerning the incident, but primarily a vulnerable and traumatized person. It is necessary to bear in mind the

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17   Ljudska prava i policija, B. Milosavljević, Centar za antiratnu akciju, 2004, p. 71

18   Razvoj službi za pomoć i podršku žrtvama kriminaliteta u Srbiji, V. Ristanović Nikolić, 2007, p.8

19   Ibid.

vulnerability of the victim who was exposed to trauma, and therefore must be spared from going through a bad experience because of by the police. In their approach to victims police officers should demonstrate empathy, consideration, and appropriate understanding for their trauma; they should never voice their personal opinions, especially if they are negative.

Hate crimes

The Law on Amendments of the Criminal Code[20] introduces crimes committed from hatred on the ground of race, religion, national or ethnic origin, sex, sexual orientation and sexual identity as a special and mandatory aggravating circumstance in sentencing. In essence, hate crimes are prejudice-motivated, where the perpertrator attacks the victim because of their actual or presumed belonging to a particular group. Very few victims report hate crimes.[21] Hatred is difficult to prove, just like anything subjective, that exists in the perpetrator's head, which is why the role of the police is even more important, for only a police officers who is fully aware of what hate crime is can approach the victim in an appropriate manner.

It is therefore necessary to organize trainings that would familiarize police officers with all the nuances and specificities of hate crime, and teach them how to communicate with crime victims in order to be more effective in detecting and solving hate motivated crimes against persons belonging to vulnerable groups.[22] Examples of good practice can be found in EU countries. In Scotland, there are liaison officers with LGBT population in the police, whose duty is to educate LGBT population how to recognize and report hate crimes. At the same time, police began to keep regular statistics and publicize information on acts of violence. The example from Spain may be revolutionary; a Plan against discrimination of homosexuals and transsexual persons was adopted in Catalonia, which resulted in the establishment off a new function in Catalonian prosecutor's office, namely that of prosecutor against homophobia and transphobia.[23]

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20   National Assembly of the Republic of Serbia adopted in late December 2012 Law on Amendments to the Penal Code of the Republic of Serbia which in Art. 54a introduces hate crime

21   Conference "Inkriminacija zločina iz mržnje – dobar način za prevenciju i smanjenje nasilja", available at: http://www.inkluzija.gov.rs/?p=18330

22   Report of ILGA Europe on cooperation of police and LGBT organizations in Europe, 2011; available at: http://publicpolicy.rs/wp-content/uploads/2011/12/LGBT-populacija-i-reforma-sektora-bezbednosti.pdf

23   LGBT Population in Security Sector Reforms in the Republic of Serbia, J.Radoman, M. Radoman, Organization for Security and Cooperation in Europe, OSCE Mission to u Serbia, 2011, p.16

Racial profiling

Racial profiling means stopping a person by the police only because the color of their skin and initial suspicions that the person may be involved in criminal activity.[24] Racial profiling is defined as any action by the police taken on the basis of race, and national or ethnic origin, rather than on the behavior of a particular person or information that may lead the police to a person who may have participated in criminal activities.[25] Although racial profiling is usually associated with situations where race is the only factor that motivates police actions, race may be only one in a number of factors that with compounded effect in the process of profiling. Therefore, we can speak of racial profiling in the limited sense, where police stop, question, search or arrest a person only on the basis of their race or ethnic origin, and and racial profiling in the broader sense, when race or ethnic origin are only one of the factors on which police base their decision.[26]

Hate speech

Hate speech is unfortunately very often used in both the general public, and the media. The law on the Prohibition of Discrimination prohibits hate speech, which is explicitly stated as one of dorms of discrimination, defined as "the promulgation of ideas, information and opinions which incite discrimination, hatred or violence towards a person or a group of persons, on the ground of their personal characteristic(s), via means of public communication, in publications, at gatherings or in public places, by writing or showing messages or symbols of hatred, or any other forbidden way."[27]

The Law on Public Information also regulates hate speech. It prohibits "broadcasting of ideas, information and opinions which incite discrimination, hatred or violence towards a person or a group of persons, on the ground of their race, religion, national and ethnic origin, sex or sexual orientation", irrespective of whetehr the act in question also represents a criminal offense(Art. 38). The law envisages that charges may be pressed both by persons at whom hese acts are directed, and human rights organizations.

Hate speech in its essence entails a call for lynch and violence, and unfortunately that is how it often ends. Examples of hate speech in Serbia are numerous. One of the most illustrative is an incident that occurred in Kraljevo back in 2009, when a seventeen year old young man was murdered by a sixteen year old Romani boy, who was immediately

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24   Rasa i etnicitet kao viktimogene predispozicije kod prekoračenja i zloupotrebe policijskih ovlašćenja, Z. Kesić, 2012, p.172
25   Ibid.
26   Ljudska prava u Srbiji 2011, Beogradski centar za ljudska prava, str. 130.
27   Ljudska prava u Srbiji 2011, Beogradski centar za ljudska prava, str. 34.

arrested and charged. It was established that the murder was not ethnic-motivated. Immediately after the murder, however, a group of Kraljevo residents used the Facebook to call for lynching of the Roma population and burning of their settlements in the city. They invited the citizen to gather at the scene of the crime, and from there go towards Roma settlements. This announcement caused great fear in the Roma community, who for fear of retribution refused to send their children to school for days. The police however reacted preventively and did not allow any incidents to happen.

Hate speech especially intensifies every year in connection with organization of Pride Parade,[28] when extreme right-wing organizations, sports fans, and unfortunately even the church, propagate hatred against LGBT persons. In connection with hate speech before Pride Parade in 2009, Appellate Court in Belgrade confirmed the ruling of the Superior Court in Belgrade in the proceedings initiated against the daily paper Press which found the readers'' comments posted on the Internet site Press Online on 2 July 2009, constitute hate speech against LGBT population, and that the daily Press, by allowing and facilitating posting of said comments acted in a discriminatory manner towards this population.[29]

Particular aspects and causes for vulnerability of certain groups

LGBT population

LGBT persons are one of the most vulnerable groups, especially in Serbia. Accurate statistics on the numbers of victims of homophobic violence practically do not exist, because those persons most often do not report the violence they are experiencing.[30] Usually this is because of fear, but also because they believe that nothing will be done about their case or other violent incidents. The reasons for not reporting incidents to the police are many, and range from lack of confidence in the police to fear from the police. One of the reasons is, undoubtedly, that the person is afraid that their sexual orientation will be revealed to their community and the public, and not infrequently it is because victims do not wish to reveal their sexual identity or details of personal life. Many LGBT persons, fearing reactions of their community and possible victimization, hide their sexual identity even from closest friends and family. In such cases police officers should bear in mind that the victim actually is not obliged to share all those details; irrespective of how much information the victim is willing to share, their primary duty is to react based on what the victim has already told. That is precisely why police must be the guarantor of the respect

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28   Ljudska prava u Srbiji 2012, Beogradski centar za ljudska prava, p. 31.

29   Istraživanje stavova LGBT populacije o sektoru bezbednosti, M. Radoman, Filozofija i društvo XXIII, 2012.

30   Ibid,

of the rights of LGBT persons, in this case the right to privacy. Police should also work towards winning the victim's trust.

Failure to report violent incidents can also be connected with the type and seriousness of violence involved in the incident.[31] If the victim has suffered less serious consequences (e.g. offences such as defamation, threats, destruction or damage of property), it is more likely that this person will not want to spare themselves the stress of reporting the incident to the police. More serious offences are more frequently reported,[32] and the agencies of the State, primarily the police and Office of the Prosecutor need to ensure that the victim does not withdraw charges. Most often, victims do not want to press charges because of lengthy court proceedings, from fear that their sexual identity will be revealed, as well as because the proceedings and facing the perpetrator again would be too stressful for the person.

Failure by victims of homophobic violence to report offences makes it impossible for the relevant authorities to perform their functions, meaning that police too cannot react. Victims are also often unwilling to report violent incidents to non-governmental organizations, or to other relevant agencies. This is a problem that affects not only prosecution of perpetrators of criminal offenses, but also preventive actions of the police on in the suppression of crimes where LGBT persons are victims.

Attacks on members of LGBT community are not infrequent, but there are no unified official data on the number of crimes against LGBT persons, or crimes motivated by hate towards this group,[33] which would allow complete insight into the proportions of violence caused by homophobia.

Good practice of taking effective and adequate necessary action should be introduced immediately after first threats to the person, because much too often there is no reaction "until something actually happens", which in some cases resulted in the affliction of serious bodily harm, as for example in the case of one of the organizers of Pride Parade in 2011.[34]

Treatment of LGBT population members by the police has improved lately, so that now police provide security of the locations where LGBT pesons gather,[35] but the attitude of

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31   Ibid.
32   Ibid.
33   Ljudska prava u Srbiji 2012, Beogradski centar za ljudska prava, p. 253
34   Ljudska prava u Srbiji 2012, Beogradski centar za ljudska prava, p. 255
35   Debate "Position of human rights defenders in Serbia – National policy?" held on 14/12/2012 in Human Rughts House, available at: http://www.bgcentar.org.rs/images/stories/Datoteke/Ljudska_prava_u_Srbiji_2012.pdf

police officers towards LGBT persons still varies in different parts of the country.[36] An example of good practice occurred in Smederevo, where two young men were attacked because they looked like members of gay population to the attackers. In the attack, one of the young men sustained serious, and the other light bodily injuties. Police officers from Smederevo Police Department's Criminal Investigations unit reacted very efficiently, arresting five persons and placing them in detention for 48 hours, after which period they were brought before the investigative judge in the Basic Court in Smederevo.

Unwillingness on the part on victims to report violence, incidents and threats to the police is in most cases defended by poining out that, although the police have done a good job and in a timely mnner, long and unpredictable proceedings follow before the judiciary, like in the case of indictments against organizations "Obraz" and "1389".[37]

As was mentioned already, the police need to build special relations with LGBT persons and victims of violence motivated by homophobia, and with caution in the process of preventing and detecting crimes where LGBT persons are victims, bearing in mind the need to protect their right to privacy.

Special attention is needed when the victimized LGBT person is a minor; in those cases police have a duty to act in a manner which takes into account the particular needs of persons of his or her age.

Police should cooperate with citizens, agencies, institutions and organizations engaged in the protection of LGBT population from discrimination, and avoid secondary victimization, as was already mentioned.

Roma

Protection of and special care for persons belonging to national and ethnic minorities is one of the key factors that determine the level of democracy in the country, as well as that of sustainability of peace, justice and stability of state. Police should work towards utilizing the special and unique powers entrusted to them to combat all acts motivated by racism and xenophobia. In multiethnic societies such as Serbia police play an important role not only in the prevention of violence but also in creating the atmosphere in the communities they serve.

Persons belonging to the Roma population are socially, economically and politically marginalized. They are often subjected to physical and verbal abuse both by the police and

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36   Ibid
37   Ljudska prava u Srbiji 2012, Beogradski centar za ljudska prava, p. 228.

members of the public. Most cases of discrimination against the Roma still go unpunished.[38]

Physical attacks, racially motivated insults, threats and humiliation of the Roma by non-state actors are very frequent. Most of the time, perpetrators are organized groups, such as sports clubs fans.

Roma have been placed into a social category with numerous negative connotations. Despite the official standpoint of the State which is quite the opposite, a large number of non-Roma population maintains negative perceptions of the Roma: that they are lazy, that they are criminals, stupid, and violent.[39] Police officers are not immune to these views. Police opinion and treatment of the Roma are often characterized by disrespect, use of racially coloured and discriminatory language, and stereotyping, which later often results in racial profiling.[40] Although anti-Roma attitude is not characteristic of all police officers, studies and monitoring show that police constantly face difficulties in their relations with Roma community.

The most serious problems that the Roma face in Serbia are poverty, poor education, legal invisibility and mass forceful resettlement. All these problems also affect their relations with the police.

In contacts with the police, Roma often face the problem of not possessing personal documents. The first step towards resolving the problem of several thousand legally invisible persons in Serbia was made following the adoption of the amendments to the Law on Extra-judiciary Procedure, which provides for the procedures on determining the date and place of birth of persons who were not entered into birth registers. It is estimated that at least 6,500 legally invisible persons live in Serbia; most of them belong to Roma national minority.

Forceful resettlement of informal Roma settlements has been very frequent for several years. The eviction procedure demonstrated numerous deficiencies, and many of the key players designated by the Strategy for the Enhancement of the Status of Roma in the Republic of Serbia failed to fulfill their roles,[41] primarily because of the lack of good coordination between state agencies in the eviction process, but also later, in the process of

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38   Ljudska prava u Srbiji 2012, Beogradski centar za ljudska prava, p. 307.
39   Rasa i etnicitet kao viktimogene predispozicije kod prekoračenja i zloupotrebe policijskih ovlašćenja, Z. Kesić, 2012, p.177.
40   Priručnik za advokate o zastupanju Roma-žrtva diskriminacije, European Roma Rights Centre (ERRC).
41   Available at: http://www.inkluzija.gov.rs/?page_id=2178

integration of resettled Roma into local communities. Still, the role the police played in these processes cannot be characterized as negative; in some cases it was actually very much positive, for example when a police officer from Stari Grad police Station acted as facilitator in reaching an agreement with the authorized agent of the owner of the abandoned house to postpone the eviction for 15 days, in order to make it possible to find a solution to accommodate the Roma families.[42]

According to the findings of organizations dealing with the issue of treatment of Roma by the police, most complaints against police officers containing allegations of violence and discrimination submitted to the Office of the Prosecutor is never dealt with. Complaints submitted by NGOs to the Internal Affairs Division of the Ministry of Interior of the Republic of Serbia for excessive use of powers by police officers, were either dismissed or inadequately investigated. In a very small number of cases where the courts found police offices were found guilty of torture or ill-treatment of Roma, sentences were lenient and did not reflect in full the seriousness of the offence, or the severity of punishment that the law provides for. On the other hand, there are indications that police and prosecutors are quite ready to file charges against Roma suspects, even when the corroborating evidence for the offence committed is weak.[43]

One of the incidents when the reaction of the state proved inadequate happened in the village of Jabuka, where an under-age, seventeen year old Romani boy killed his peer belonging to non-Roma population, and was arrested for murder. Residents of Jabuka organized "protest gatherings", which were used to spread racial, national and religious hatred, and attacks on the Roma in the village. The state failed to react in a timely manner; several organizers and perpetrators of attacks on the Roma were arrested only after several days following the first organized gatherings, during which the "protesters" freely harassed and maltreated Romani residents of Jabuka, thus creating an atmosphere of fear in which the Roma were scared to leave their homes. The situation was put under control only when the Gendarmerie came to provide security for Roma households.

It is necessary to stress here that such incidents require prompt and robust action of the police, prosecution and courts, in order get across a clear message that revenge and retribution are unacceptable, and that, in addition to being recognized as criminal offenses by the law, they represent violation of fundamental human rights which is not characteristic of civilized societies.

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42   Report available at: http://praxis.org.rs/index.php/sr/praxis-in-action/social-economic-rights/housing/item/370-saop%C5%A1tenje-povodom-poku%C5%A1aja-prinudnog-iseljenja-pet-romskih-porodica-iz-skadarske-ulice-broj-55
43   Priručnik za advokate o zastupanju Roma-žrtva diskriminacije, European Roma Rights Centre (ERRC).

In order to prevent such situations from happening, better reaction by the police and judiciary is not enough; greater engagement of the state is required with the aim to create an atmosphere of mutual trust and peaceful cohabitation.

Comparative practice offers interesting examples of attempts to overcome the problem and address the rift between the police and Roma. For example, In the Czech republic Brno City Police, in cooperation with civil society, initiated a project aimed at promoting confidence of Romani population in the police from childhood, and contributing to prevention of crime within the younger members of the population. Police representatives participated in workshops for Romani children between seven and ten years of age, trying to make them interested in joining the police when they grow up, as well as in the protection of rights. In Hungary, police organize summer camps for high school students, where they have the opportunity to get acquainted with the work of police and learn about experiences of police officers from Romani background.

Women

Gender equality means equal opportunities for women and men in the enjoyment of human rights, which is the key precondition for the development of democracy and attainment of social justice. Republic of Serbia is signatory to the United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), numerous ILO (International Labor Organization) conventions, as well as to the Revised European Social Charter and the European Convention for the Protection of Human Rights and Fundamental Freedoms.

Article 15 of the Constitution of the Republic of Serbia proclaims gender equality and development of equal opportunity policies.

Republic of Serbia adopted in 2009 the Law on Gender Equality, which put into place the legal framework for creating the conditions for the implementation of equal opportunity policies and equal enjoyment of human rights by women and men, and special measures for the prevention an elimination of gender-based discrimination. Implementation of the Law should enhance the position of women and provide for more effective protection of their rights. However, numerous provisions in this law pertaining to attainment of gender equality in political, economic and cultural life, simply are not enforced in prac-

tice. Statistics of both state agencies and civil society bear witness to this situation.[44] When it comes to gender equality Republic of Serbia ranks fiftieth of 135 countries on the list of the World Economic Forum.[45]

Discrimination of women is also prohibited in the Law on the Prohibition of Discrimination and the Law on Labor. Article 20 of the Law on the Prohibition of Discrimination prohibits discrimination based on sex or sex-change. It also prohibits gender-based violence, exploitation, expression of hatred, demeaning treatment, blackmailing and harassment, as is sponsoring, defending and supporting of acts, and acting based on prejudice, customs or other patterns of social behavior based on the idea of inferiority or superiority of the sexes, namely on stereotype of the traditional role of the sexes. The Labor Law prohibits that persons seeking employment, or those already employed, be put in less favorable position based on gender.

It was important to have a systemic anti-discriminatory law which offers clearly formulated provisions to guarantee the protection of equal rights of women and men in an open and democratic society. In that sense, the Law on the Prohibition of Discrimination explicitly states which prohibited acts represent gender-based discrimination (for example, physical and other abuse, exploitation, expression of hatred, demeaning treatment, etc.), in accordance with the international law and standards accepted in adopted international conventions. This area further regulated by the Law on Gender Equality adopted in 2009.

Institutional mechanisms for the protection of gender equality which exist in Serbia and monitor the process of gender equality implementation are: Committee for Gender Equality of the National Assembly of the Republic of Serbia (established in 2002), Council for Gender Equality of the Government of the Republic of Serbia (established in 2004), and Department for Gender Equality in the Ministry of Labor and social Policy (established in 2008). Their competences are in part shared by independent state agencies – Ombudsman, and the Commissioner for the Protection Gender Equality.[46]

Since the establishment of the Commissioner for Gender Equality, 63 complaints have been filed, of which 54 contained allegations of gender-based discrimination, while as

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44   http://www.euractiv.rs/ljudska-prava/4914-srbija-50-u-svetu-po-rodnoj-ravnopravnosti-
45   Ibid.
46   Provicial mechanisms for gender equality also exist in Serbia (Provincial Secretariat for Labor, Employment and Gender Equality, Provincial Ombudsman, Provincial Council for Gender Equality, Committee for Gender Equality of the Assembly of the Autonomous Province of Vojvodina ans Provincial Institute for Gender Equality), as well as mechanisms at local level: Commissions for Gender Equality which local self governments are obliged to establish, under the Law on Gender Equality.

many as 37% of all complaints concern employment issues. 5 court proceedings were initiated, of which 3 on issues concerning employment.[47]

After years of efforts, on 26 May 2010 Serbia adopted the Law on the Prevention of Abuse at the Workplace. Survey conducted by the Association of Independent Unions of Serbia in 12 cities in Serbia has shown that one in three women interviewed experienced some form of abuse at their workplace. About 42% of women have either experienced, or aware of abuse in their work environment – primarily mobbing and sexual harassment.

It often happens that women, upon returning to work from maternity leave, are deployed to positions with lower salaries, or are dismissed because of maternity leave or leave days taken in order to provide care for the child, as soon as the necessary formal conditions are met. The Commissioner's Office also reacted in cases of sexual harassment in the workplace, which is, next to impeding advancement in the career, the most frequent form of discrimination against women. Women often lodge complaints about these or other violations of their employment rights only after the dismissal, for fear that they might lose their job.

An important step forward towards harmonization with the international standards was made in the domestic legislation when domestic violence was added to criminal offences punishable by law,[48] which means that domestic violence must be treated just as seriously as violence outside the family, and that it is the duty of the state to effectively combat this particular form of violence that has deep and lasting consequences equally on the individuals and the society as a whole.

However, the matter of penal policy remains open and problematic, because the Penal Code proposes mild punishment for all forms of this crime, which is in contradiction with all relevant international recommendations and resolutions. Namely, it is a notorious fact that ordinarily these crimes are not readily prosecuted; that both judges and prosecutors are not adequately trained to appropriately handle victims of these crimes; that women and children, as the most frequent victims, are subjected to secondary victimization during the court proceedings, and lenient sentencing only aggravates the situation. Serbia should adopt a special law on the protection from domestic violence, which already exists in most EU and regional countries, and which would provide for urgent reaction on the part of the police, immediate removal of perpetrator from the home, placing the perpetrator in the custody of police, and formulation of special protocols regulating the function of all relevant state agencies. Until such law is adopted, it is necessary to

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47   Ljudska prava u Srbiji 2012, Beogradski centar za ljudska prava, p. 89
48   Ibid.

speed up the procedures within the existing framework of legal protection under the Family Law, in order to protect the victim of domestic violence as quickly as possible, and remove the perpetrator from the home place, which rarely happens in current practice. The role of police in the protection of women, but also in the promotion of gender equality is significant, and often crucial. In addition to their duty to prevent and combat all specific forms of violence to which women are subjected on the basis of their gender, or what falls under the scope of gender-based violence, police need to provide equal treatment of women in their own ranks in the performance of law-enforcement duties, and demonstrate dedication in the fight against their discrimination.

Police should prevent and combat all forms of discrimination whenever it falls within their purview. Prohibition of discrimination means that the police service should be open to women, and ensure that women are not subjected to discrimination in the selection and hiring processes, training, assignment to duty, career advancement opportunities, remuneration and other working conditions, disciplinary liability or termination of service.

In accordance with yet another international standard, police and prosecution should employ an adequate number of women, who should play a special role in the protection of rights of women suspects, women inmates, and women in custody. Only women may use certain police powers against women, e.g. body search.

There are different definitions of violence against women. Violence against women is any act, or attempted act of violence based on gender, resulting in or intended at afflicting physical, sexual, or mental harm or suffering to a woman. Main forms of violence against women are rape, sexual assault, persecution, sexual abuse of women and girls, trafficking in women and domestic violence. Reaction by the police and the society to violence against women is often inadequate, even more so when tolerant views in connection with this form of violence are prevalent in the society. As the police usually share the prevalent opinion of the society, and as a rule, is in its composition and culture, a typically male organization, special attention should be paid in training of police officers in this field. Reaction to this from of violence needs to be effective and robust, and police officers should take special care in their actions to avoid contributing to secondary victimization of victims.

All international documents underline the singular role of police in the prevention and suppression of violence against women. Police should become a factor of change in the general attitude of the society towards this problem. Therefore, specific plans need to be developed to facilitate police activities in this area. There should be specialized officers who will work on the prevention and suppression of violence against women, and formu-

late methodologies to investigate particular incidents of violence against women, and provide protection for the victims.

In February 2013 Special Protocol for action of the police in cases of domestic and partnership violence against women was adopted.[49] The protocol is an exceptional document which, in a very systematic manner, provides guidelines for and standardizes the practice of police actions. The protocol includes clear descriptions and explanations that make it easier for police officers to understand different forms of violence and specific position of victims, and determines in a precise manner, how the police should act. Adherence to this Protocol should reduce the influence of personal views and prejudices of police professionals in evaluation of reports on these crimes, in identification and implementation of measures in cases involving violence against women. The Protocol lays emphasis on the principle of the victim's safety and provides normatively regulates police procedures to be applied in domestic violence cases. Another big step in the right direction is introducing specialization of officers these specially trained officers will be assigned to teams working on particular cases. The only objection of the civil society to the contents of this Protocol in in connection with the part that concerns false allegations (Paragraph 3.7), because the fact that there is insufficient evidence to corroborate the allegations in a certain percent of reported incidents, does not mean that the violence did not occur., or that the allegations are false.[50]

Juveniles

United Nations Convention on the Rights of the Child (1989) is the main universal document for the protection of the rights of children and juveniles. Of numerous other duties of public authorities, of special importance for the police are those concerning the duty to take measures for the protection of children against all forms of physical and mental abuse, torture, illicit use of drugs and psychotropic substances, economic and sexual exploitation, abduction, sale of or trafficking in children, as well as any other unlawful acts against children and their families

The principle of the best interest of the child, that is: acknowledging the wellbeing of the child as the value of utmost importance, is the basic principle on which relationships between police and juveniles are built. In contacts with children police should always act

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49   Available at: http://www.undp.org.rs/index.cfm?event=public.publicationsDetails&revid=40EC8ED8-AF9D-F936-EE4E3303C5A5CB0E

50   Analysis of paragraph available at:
http://www.womenngo.org.rs/images/zagovaranje/Protokol_o_postupanju_policije_-_dopis_ministru_mart_2013.pdf

with the intention to protect them, and in a in a manner which takes into account the needs of persons of his or her age. This means upholding the standard of "special care", which requires of police to handle children with more care and consideration than when handling adults. Police must never abuse their immaturity in order to elicit information, or use any form of threat, force or intimidation.

Handling of children of certain age who infringe the law allows for the use of police powers, but is regulated by a separate set of rules different from those on the use of powers against adults. Namely, because children can also be delinquents, the Convention on the Rights of the Child envisages that the states should establish a minimum age below which children shall be presumed not to have the capacity to infringe the penal law.

The aforementioned division is mirrored in the legal framework which regulates the use of police powers. Police should not be allowed to use their powers against children (juveniles under the age of 14), and these children are placed under the authority of other agencies, such as Centers for Social Work. On the other hand, police may use police powers against juveniles between 14 and 18 years of age if they have taken part in the commission of crimes, but certain conditions apply. Police may use their powers when dealing with juvenile persons in the presence of their parents or legal guardians, and if they are not available, in the presence of other appropriate adult, except when it is not possible due to special circumstances or urgency to react. The presence of appropriate adult (social worker) instead of that of the parents should also be ensured, if possible, when the presence of his or her parents would be harmful to the interests of the juvenile person (in domestic violence or similar cases). If the presence of a social worker cannot be secured, the presence of another appropriate adult with the experience in handling juveniles, and who is not police employee or involved in the case at hand. In practice, this is usually the situation in small places, that do not have a Center for Social Work, but where the police units responsible for dealing with the case in question are authorized to use police powers, and where it is more effective, due to the urgency to react, to engage a trained professional (e.g. a school pedagogue, or a psychiatrist) who is has first-hand experience in working with juveniles on a daily basis, to be present during the questioning of the juvenile.[51]

Any police powers used against juveniles should be applied by specially trained police officers, with expertise in juvenile delinquency and dedicated to upholding the special system of measures for the protection of juveniles. This system of measures has been

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51   Vodič za dobre odnose građana i policije, Z.Radovanović, Centar za ljudska prava NIš, 2012, str.17

set in the United Nations Convention on the Rights of the Child, United Nations Standard Minimum Rules for the Administration of Juvenile Justice ("The Beijing Rules"), United Nations Rules for the Protection of Juveniles Deprived of their Liberty, and other international and domestic documents regulating this area.

Handling of juveniles and young adults by the police is regulated in detail by the Law on Police[52] and further developed in the Instructions on Handling of Juveniles and Young Adults by the police.[53]

Conclusion

Police attitude towards vulnerable groups has changed and improved considerably in the past decade. More attention is given to analyzing the problem and finding solutions. In most situations, police adhere to high professional standards; the problems that still exist, originate from lack of training, insufficient capacities, and probably the general situation in the society as well, which is still far from being tolerant and open. Efforts by the Ministry of Interior to take responsibility and initiative, and develop strategies setting very high standards for the police in their dealings with all members of the public, including vulnerable groups, is to be commended. However, building public trust in the police is a long lasting process which needs to be enhanced all the time; for example, it is necessary to create the conditions that persons still feel safe after they have reported a crime. It is important to work towards cerating positive perceptions of the police, because it is fundamental in establishing trust in the police, and prevent the perceptions of the police and the whole security sector and judiciary as ineffective and failing to demonstrate sensitivity for individual persons and their specific sharactristics.

The usual explanation for the unwillingness to report to the police violence, incidents or threats, is that, although the police do a good job and reacts in a timely and adequate manner, there follows a long and uncertain proceedings before the judiciary. Thus the problems of the judiciary reflect on public perception of the police, which only proves the premise that these two agencies should join forces in ensurng that those who commit violence be adequately processed.

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52   Sl.glasnik RS, 101/05.
53   Available at: http://www.mup.gov.rs/cms/resursi.nsf/prdeca.pdf

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FOUND IN TRANSLATION: CITIZENS AND POLICE OFFICERS ON POLICE CORRUPTION

Saša Đorđević

Summary:

Citizens and police officers hold similar views on the issue of corruption in the police, primarily when it comes to its subject, forms and causes for occurrence. Generally accepted opinion is that corruption in the police damages integrity of the police service and negatively affects the development of accountable police service. Basic form of corruption in the police is taking bribes from the citizens, while police managers are deemed to be most corrupt. The cause of corruption in the police lies in the interests of political parties, so politization permeates almost all areas of police work. Views of police officers and members of the public differ to a certain extent, and these differences stem from the police culture in Serbia, which means that police officers are reluctant to openly discuss the problem of corruption, although they are aware of its existence. Thus, for example, both the citizens and police officers are of the opinion that Internal Affairs Sector is the main actor for the reduction of corruption in the police service, tasked with diminishing the risks for the occurrence of corruption in the service. However, police officers believe that at this point Internal Affairs Sector is not capable to reduce corruption in the police due to lack of capacities.

This study first presents in detail the views of members of general public and those of police officers regarding corruption in the police. This is followed by explaining the negative effect of the influence of political parties as the predominant cause of corruption in the police service. After that, the expectations of citizens and police officers regarding the fight against corruption in the police are elucidated. In conclusion, taking into consideration both the opinions of members of the pubic and those of police officers together with findings of research conducted on this phenomenon, the study presents internal and external factors of police corruption considered to be the basis for the development and implementation of anti-corruption measures in the police service.

Data on citizens' opinions was compiled in the public perception survey conducted by CeSID (Center for Free Elections and Democracy) in the territory of Serbia, without Kosovo and Metohija, in March 2013. The survey was conducted on the representative sample of 1185 adults. Data on police officers' views was collected by conducting in-depth interviews with 22 representatives of police unions in Serbia, and complemented with the findings of the research on police corruption conducted by the Internal Affairs Sector.

Recommendations:

1. The Directorate for Police Education, Professional Development and Science of the Ministry of Interior, in cooperation with Internal Affairs Sector and Directorate for Human Resources, should on a regular basis conduct surveys on the perceptions of police officers regarding the subject, forms and causes of corruption in the police.

2. Based on the opinion of citizens and police officers, the first target in the process of police reform should be to reduce the illegitimate influence of political parties on the work of the police.

3. Internal Affairs Sector should engage on building trust with police officers by eliminating their perception that the Internal Affairs Sector fights corruption selectively, through application of more transparent and accountable work.

4. The work of internal control bodies (Internal Affairs Sector, Department for the Control of the Legitimacy of Work in regional police directorates, Division for the Control of the Legitimacy of Work in the Gendarmerie and Internal Audit Service) in the Ministry of Interior should be transparent to external control and oversight institutions; further, it is necessary to establish regular cooperation between internal and external oversight mechanisms.

5. Internal control bodies in the Ministry of Interior (Internal Affairs Sector, Department for the Control of the Legitimacy of Work in regional police directorates, Division for the Control of the Legitimacy of Work in the Gendarmerie and Internal Audit Service) need to develop the early warning system in order to identify corruption risk hot-points, and prevent possible wrongdoing on the part of personnel.

6. It is necessary to build a channel of communication between 14 police unions in Serbia, in order to enable them to join forces in the effort to reduce corruption in the police and in that manner contribute in creating accountable police service.

Introduction

In April 2013, the Belgrade Centre for Security Policy (BCSP) published a report on public perception on corruption in the police.[1] The report shows that in the opinion of 90% of Serbian citizens the police are corrupt to a higher or lower degree, and ranks third on

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1 See: <http://www.bezbednost.org/Bezbednost/5119/Gradjani-Srbije-o-korupciji-u-policiji.shtml>

the list of institutions in which corruption occurs on a serious level (Petrović, Đorđević / Savković 2013, 11). This proves that the existing perception of the police as corrupt fails to contribute to the fulfillment of the expectations of the public according to which the police should play the leading role in the fight against corruption in Serbia (CeSID / UNDP 2012, 25).

Data on citizens' views on corruption in the police service in the BCSP public perception survey implemented by CeSID (Center for Free Elections and Democracy) was compiled in interviews with citizens conducted in the field on the representative sample of 1185 adults in the territory of the Republic of Serbia without Kosovo and Metohija. The tool used in the survey was a questionnaire consisting of 123 variables, developed by the BCSP. This survey does not determine the perceptions of police officers in connection with corruption in the police service, as that was never the objective of the survey, nor was that possible to do at that particular point. In order to conduct that kind of survey the approval of the Ministry of Interior (MoI) needs to be obtained.

In this study, the analysis of police officers' views on corruption in the police was made through the in-depth interviews conducted with 22 representatives of police unions in Serbia, who at the same time responded to the 20 questions in the questionnaire identical to the one used in the BCSP public opinion survey.[2] Therefore, this study is primarily a comparative analysis of opinions held by members of the public and members of police unions on the issue of corruption in the police, and later on of citizens' and police officers'. Obviously, this is because police union members themselves work in the police. It is necessary to mention one methodological limitation that has a bearing on the findings in this study: the sample used to survey police officers' opinion is not representative. To surmount this limitation, findings from the strategic intelligence assessment on corruption in the police compiled by Internal Affairs Sector (IAS) were used in some measure, due to differences in the approach to the survey. In order to obtain a more accurate insight into citizens' and police officers' perceptions of corruption in the police, the plan is to send the questionnaire to the MoI, who should then see that the questionnaire is filled out by employees in all police directorates and sectors, and in the Minister's Cabinet.

This study first presents in detail the following: (1) the views of members of general public and those of police officers regarding corruption in the police; (2) reasons why corruption occurs; (3) most typical forms of corruption; and (4) MoI organizational units

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2   The study does not quote separately the opinions of different police unions in order to protect their anonymity, but uses collective findings as shared by all. However, in some parts of the study separate and specific opinions of police unions' members who participated in this research have been quoted, due to the fact that they are important for the understanding of corruption in the police. The sources have not been named in these instances.

most susceptible to corruption. This is followed by explaining the negative effect of the influence of political parties as the predominant cause of corruption in the police service. After that, expectations of citizens and police officers regarding the fight against corruption in the police are elucidated. In conclusion, taking into consideration both the opinions of members of the public and those of police officers together with findings of other research conducted on this phenomenon, the study presents internal and external factors considered to be the basis for the development and implementation of anti-corruption measures in the police service.

This study is a contribution by the civil society in Serbia to carrying out of the first "police" activity envisaged in the draft Action Plan for the implementation of the National Strategy on the Fight against Corruption: that of police training needs analysis focusing on developing their capacities to prevent corruption.[3]

Perceptions

After comparing the views of members of the public and those of police officers, it was concluded that only rarely their opinions are not the same or very similar. The first issue on which their opinions were perceived to differ is their perception of the level of corruption in institutions of the state, mostly in how the citizens and police officers perceive corruptness of the police. Citizens in Serbia have deemed that health care, judiciary and police are most corrupt institutions, when asked to choose one that is most corrupt in their opinion. Police officers singled out health care, judiciary and municipal institutions as most corrupt (Chart 1). According to police officers, the Police Service places fourth on the list, together with the Customs Service.

Said position is understandable, as police officers perceive the situation in their own ranks differently, and are unwilling to label their own organization as corrupt. This has also been verified in the IAS assessment of corruption, in which 61% of respondent police officers believe that there is no corruption in the Ministry of Interior (MoI) (Internal Affairs Sector 2012, 44). This difference in perception is similarly more obvious when the respondents' rank the degree of corruption in state institutions from "very corrupt" to "not at all corrupt". There too the citizens ranked the police service as third on the list of institutions in which corruption is very present, while according to the opinion of police officers the police ranks last on the list. (Table 1). Interesting is a finding that majority of police officers (55%) rank the police as "averagely" corrupt, while among the institutions they deem very corrupt is the Customs Service, which has close cooperation with the Police Service.

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3   See: <http://www.mpravde.gov.rs/tekst/38/protiv-korupcije.php>

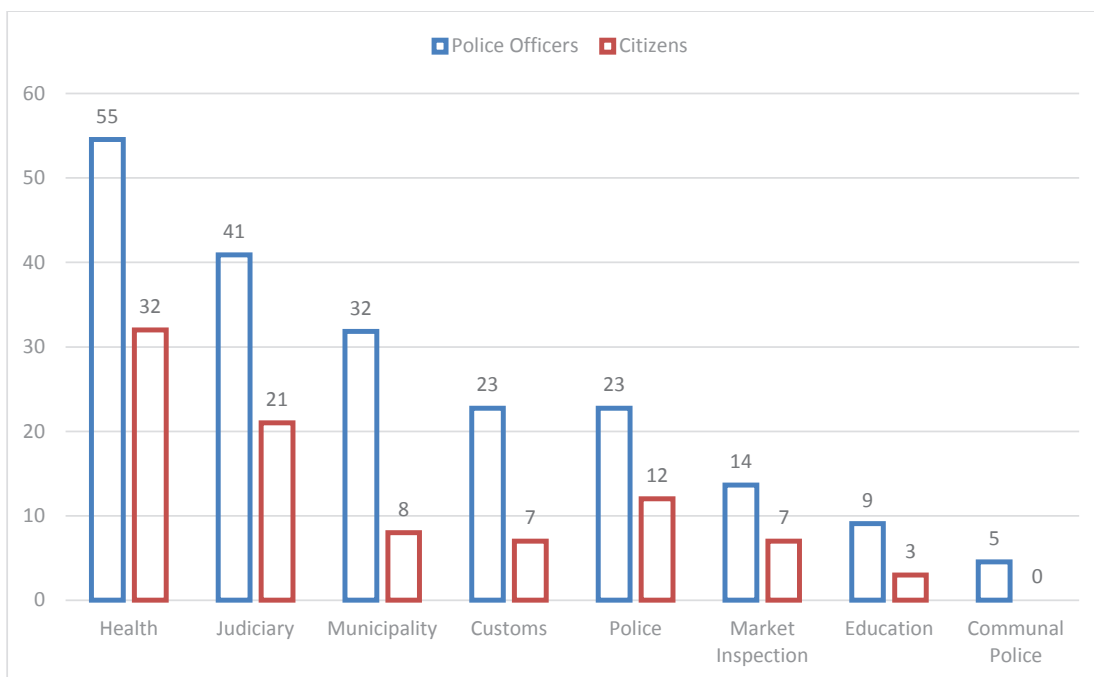Chart 1: To what degree in your opinion are the following institutions in our country corrupt (in percent)?

Table 1: To what degree in your opinion are the following institutions in our country corrupt (in percent)?

Area	Very corrupt	Corrupt	Averagely corrupt	Slightly corrupt	Not corrupt at all	Don't know/ No answer
Judiciary	59	5	23	5	5	5
Customs	50	23	18	0	5	5
Municipality	50	18	18	0	0	14
Health	50	18	23	5	5	0
Market inspection	45	14	18	5	5	14
Education	23	27	32	5	5	9
Communal police	14	14	32	5	0	36
Police	14	27	55	0	0	5

Based on obtained data, it is possible to conclude that citizens and police officers hold a view that the police service is not the source of corruption, but neither is it impervious to it. It can also be concluded that both members of the public and police officers see the police as part of the total corruption situation in Serbia, as over one half of citizens (59%) and police officers (55%) are of the opinion that the level of corruption in the police is the same as that in other institutions (Chart 2). However, this state of affairs is additionally discouraging when it comes to the fight against corruption in Serbia because the "leader" in that fight is just as corrupt as those institutions in which it should investigate cases of corruption.

Chart 2: To what degree are police officers corrupt (in percent)?
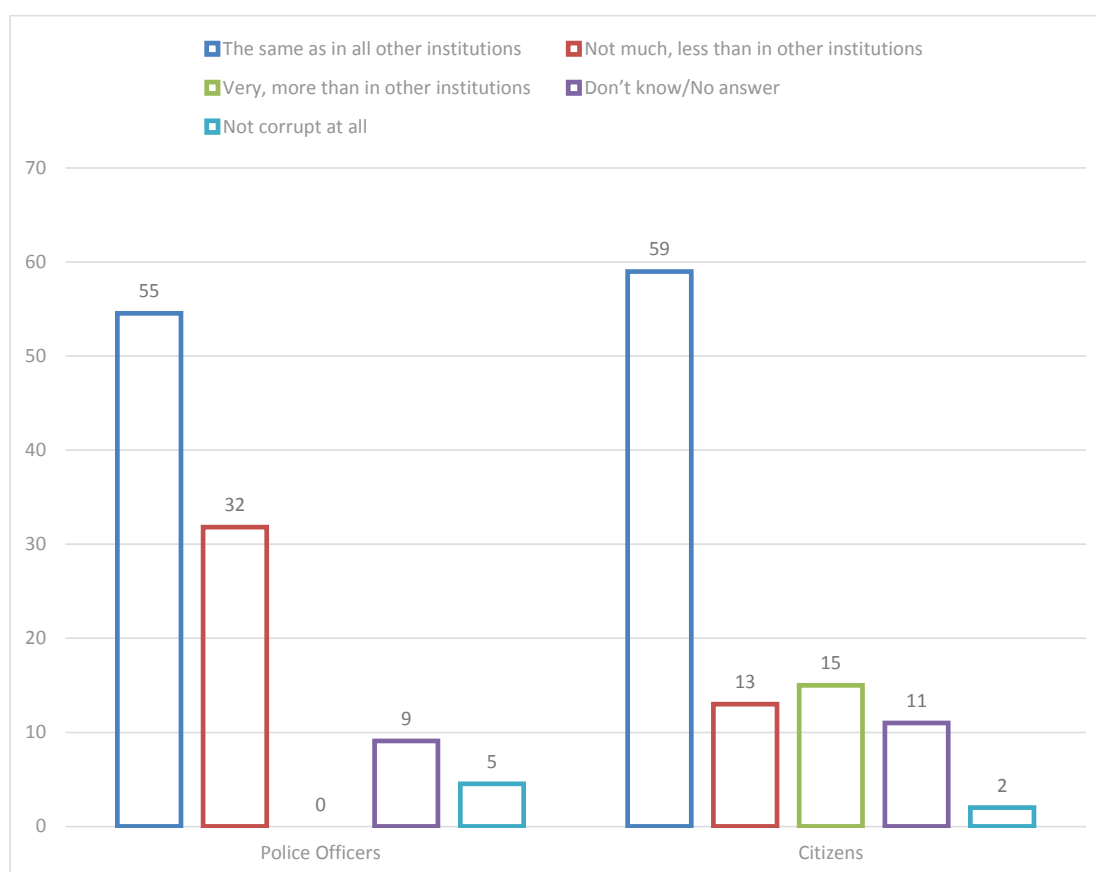
It has been found that opinions of citizens and those of police officers differ in determining the motives of a police officer to get corrupt. It is evident that almost one half of respondent police officers (45%) believe that the main reason for corruption to occur in the police is inadequate remuneration, and that one third of respondents refuses to discuss the motives of corrupt officers. This is in line with the police culture in Serbia, where the deeply ingrained conviction that "one does not denounce a fellow officer" prevails, which further leads to generating a setting in corruption is not discussed. In the police,

this kind of setting is labeled "the blue wall" or "code of silence". When asked to state the reasons why the police are corrupt, there seems to ne prevalent opinion; instead, the citizens' perceptions fall into three groups. Almost one third (31%) are of the opinion that the main motive of the police officers to be part of acts of corruption is that other officers do it. The risks for them to be caught are small, and 26% of respondents believe that to be the main reason why corruption exists in the police. Police officers, on the other hand, are of the opinion that their salaries are low, and 24% of respondents believe that this is the real cause of police corruption. It is interesting to note that one third of citizen respondents believe that police managers and high officials generate corruption by instigating that kind of behavior in "ordinary" police officers. This opinion is prevalent with police officers as well.

Chart 3: In your opinion, why are police officers corrupt (in percent)?
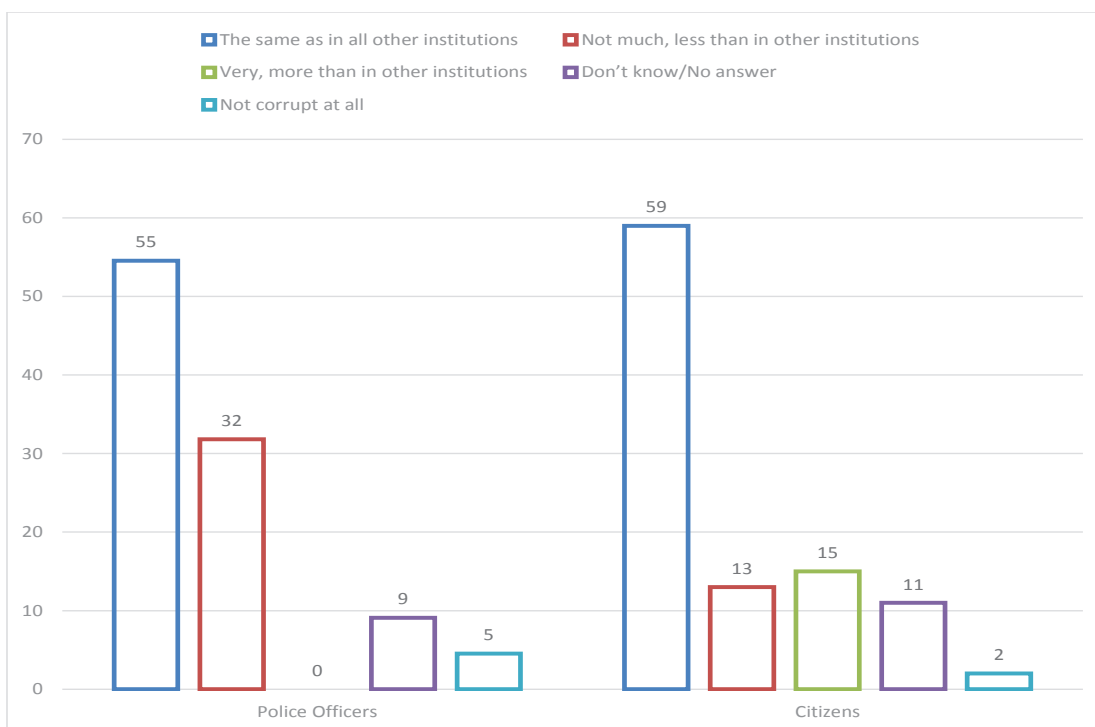
Taking into consideration the above stated finding according to which senior officers in the police incite corrupt behavior in other officers, it does not come as a surprise that members of the public also link the existence of corruption in that same manner to the rest of the police, irrespective of their position in the system of police hierarchy. In the opinion of 33% citizens, police managers are deemed most corrupt, although 27% stated that in their view so are the "ordinary" police officers. Bearing in mind that members of the public demonstrate the tendency to blame "those on top", it is quite interesting that in this case they believe all are equally responsible, no matter what their position

in the police may be. For example, administrative personnel in the police, tasked with issuance of personal documents, are not perceived as a corrupt part of the service, as only 12% of respondent citizens opted to see them as such, while just a fraction (2%) perceives police unions most corrupt.

Respondent police officers (54%) also view their superiors as most corrupt part of the police, which is identical to the opinions stated by the citizens. An understandable difference in stated opinions has been noticed, in that respondent police officers perceive "ordinary" policemen as least corrupt (4%). Once more it was confirmed that the so-called "blue wall" in the police exists and makes the fight against corruption more difficult. It is interesting to note that MoI civilian personnel rank second when it comes to degree of corruptness, as one fourth of respondent police officers views them as most corrupt, as well as that they obstruct fight against corruption out of their personal interests, which are linked to the interests of political parties they represent. That precisely is the part where understanding of the main cause of corruption in the police begins: its politization. It is interesting that opinions of citizens and those of police officers differ when it comes to the issue of to what degree exactly are police unions corrupt. Police unions, whose members were interviewed in the survey, are deemed most corrupt by 7% of police officers. This is a percentage is small, but it only masks the lack of mutual trust among police unions, which makes their joint efforts difficult, as was confirmed in findings following the interviews.

Chart 4: Who is most corrupt in the police (in percent)?
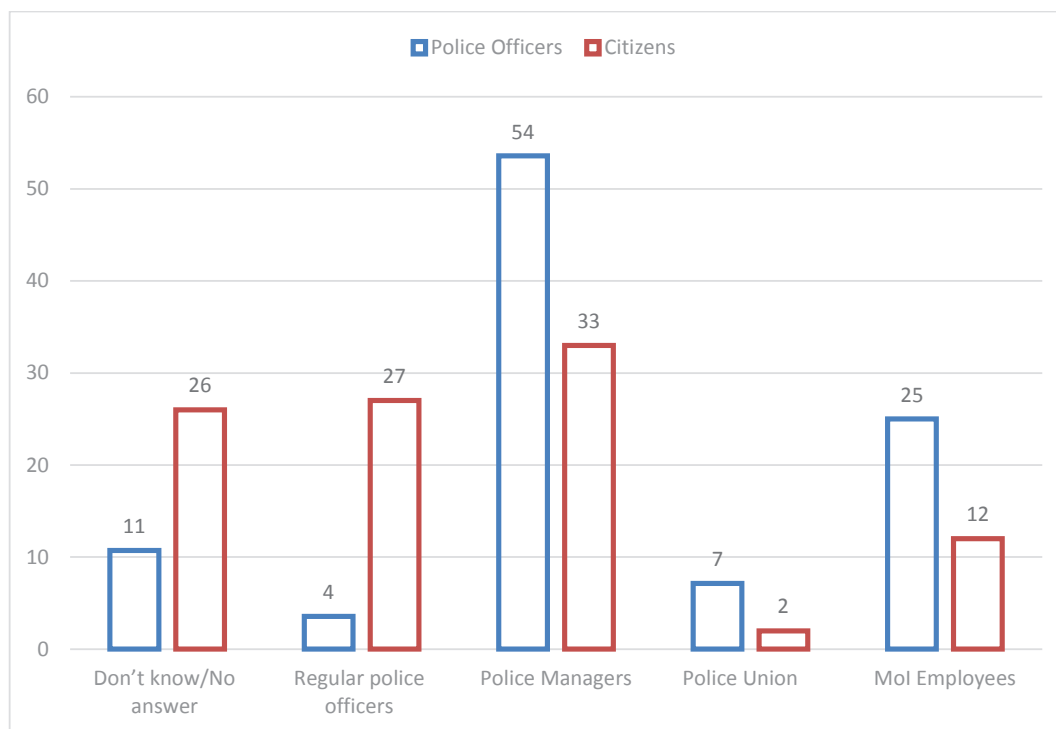
In public surveys on the police in Serbia, it is most often Traffic Police that ranks first on the list of most corrupt department in the service, which this survey too confirms. Both the citizens in Serbia (49%) and police officers (68%) deem traffic police officers to be most corrupt. Opinions differ when it comes to how citizens perceive Criminal Investigations Police and how police officers perceive the Ministry itself, which did not rank that high on the list in previous surveys. According to 12% of citizens Criminal Investigations Police is the most corrupt part of the police. It is possible that this position is influenced by recent scandals which associated the top ranks of the Ministry with organized crime groups,[4] but it can also be that members of the public express their opinion from experience (based on previous knowledge).

Chart 5: In your opinion where in the police organization does corruption most frequently occur (in percent)?

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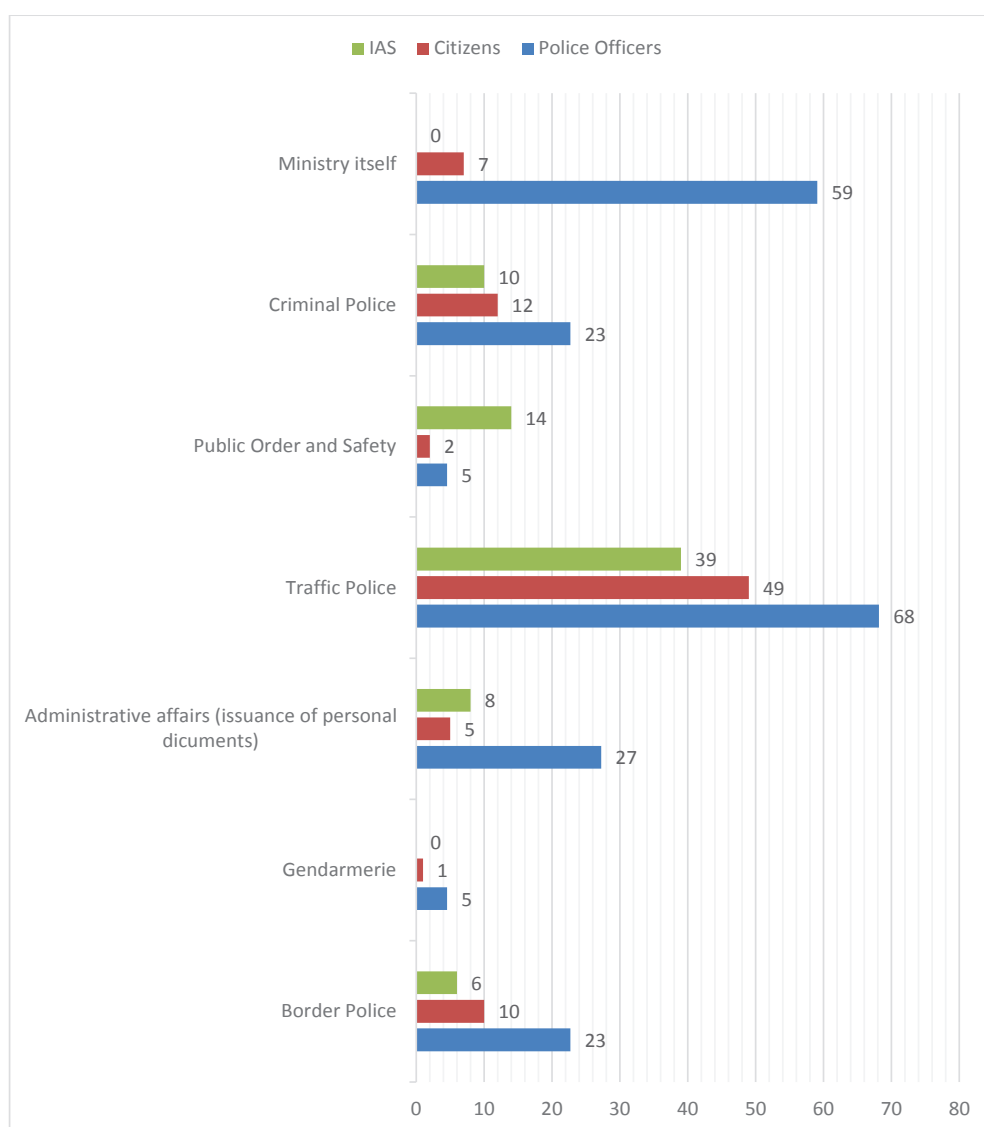
4   See: Center for Investigative Journalism 2012, Center for Investigative Journalism 2013.

The Ministry itself is seen as most corrupt part of the police by 59% of police officers, which corresponds to previous findings on the degree of corruption of MoI employees. According to IAS research, most corrupt are police officers working traffic control (39%), followed by officers tasked with preserving public peace and order (14%), and ranking third on this list are officers tasked with crime suppression (10%) (Chart 5). According to the perceptions of police officers, most frequently committed acts of corruption in the police are: (1) taking bribes from citizens; (2) taking bribes from criminals; (3) using police resources for personal gain. Citizens stated identical opinions.

Politization

Politization is one of the main causes of corruption in the police that runs like a thread through all other forms of the phenomenon. This is clearly expressed in public discourse as well, which has been proven on several occasions in the course of the past two years. In February 2013, debate was initiated in the public on who the new police director would be, which evolved into a "dilemma" on whether the new police director would be close to Aleksandar Vučić or Ivica Dačić, presidents of two leading political parties in the executive branch of the Government. No one was talking about what the new police director was actually supposed to do, and what his future tasks may be in the process of police reform. The public of this country is obviously used to the situation where the police director "leads the Minister of Interior by the hand", or the other way round, and no one displayed any interest in the fact that, for example, the first two chapters that would be opened in the process of accession to the European Union are closely related with the work of the police: Judiciary and human rights (Chapter 23); Justice, liberty and security (Chapter 24). Before that, there was the notorious situation of appointment of Police Directorate Heads in Niš and Novi Sad (Đorđević 2012), delayed for over three years because of political interests.[5]

Respondents, both citizens and police officers, are of the opinion that the effect of politization is acutely evident in human resources management, especially in the course of hiring procedures and entering employment with the Police Service. Almost two thirds of citizens hold that the process of hiring in the police transpires in an unlawful manner or under unlawful influences. This is the opinion of all those respondents who stated that political connections were crucial in order to get employment in the police (36%), that family ties come as second in importance (21%), and that the entire process is facilitated by spreading the money of the person interested in obtaining the job in question (7%). The number of citizens who believe that a person can enter employment in the police by answering public calls for applications and on the basis of the candidate's knowledge and aptitude, is almost four times lesser (17%).

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5   In March 2013Srđan Grekulović was apponted Head of Niš Regional Police Department.

Respondent police officers are of similar opinion. Almost half of police officers (45%) believe that political connections are the measure of a person's merit to enter employment in the police, that family ties come second in importance (27%), while paying in money or giving bribes in order to get the desired position comes last (Chart 6). Such stern position demonstrated by both members of the public and police officers indicates that a thorough reexamination of human resources management in the MoI is in order.

Chart 6: How does a person usually enter employment with the police (in percent)?
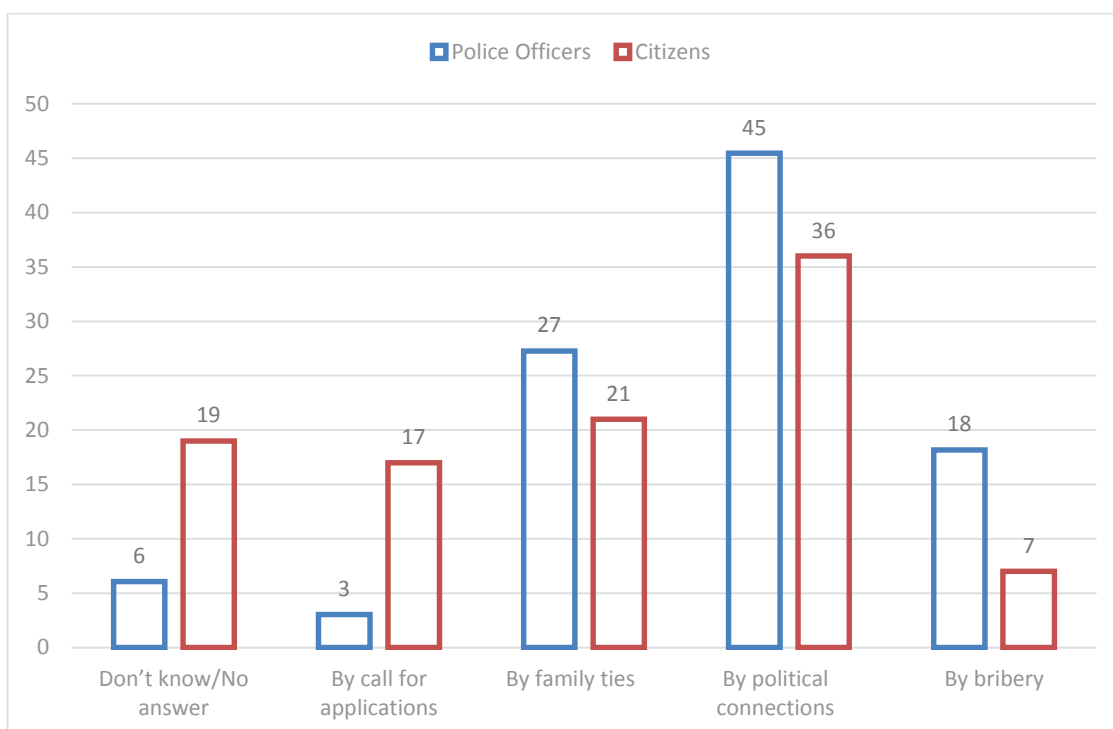
Respondents, both citizens and police officers, are of the opinion that politicians, either constantly or occasionally, obstruct the work of the police service (Chart 7). A little more than one third of respondent police officers (77%) think that political parties obstruct the work of the police. "Compliance" with a certain political option is considered key criterion for advancement. The Minister's discretionary powers, on the other hand, slow down or impede efficient and effective police work. Majority of police officers think that current efforts of the First Vice-Prime Minister Aleksandar Vučić in combating corruption will not significantly reduce the levels of corruption in the police. Some of the police officers expressed hope that the situation will be improved as a result of the First Vice-Prime Minister's efforts, but that the achieved results will be less significant in comparison to how they are presented as achievements to the public.

Almost half of respondent citizens (48%) hold that politicians obstruct the police occasionally, while almost over one third (36%) think that this happens constantly. As opposed to police officers' opinion, a significant number of respondent citizens (32%) singled out Aleksandar Vučić as the most important actor in the fight against corruption. However, citizens in Serbia are of the opinion that Vučić's fight against corruption will be only partly successful, because some perpetrators will manage to escape the net. Such perception of the influence exerted by political parties on the work of the police thwarts the professionalization of police service in Serbia.

Chart 7: To what degree do politicians obstruct the work of the police (in percent)?
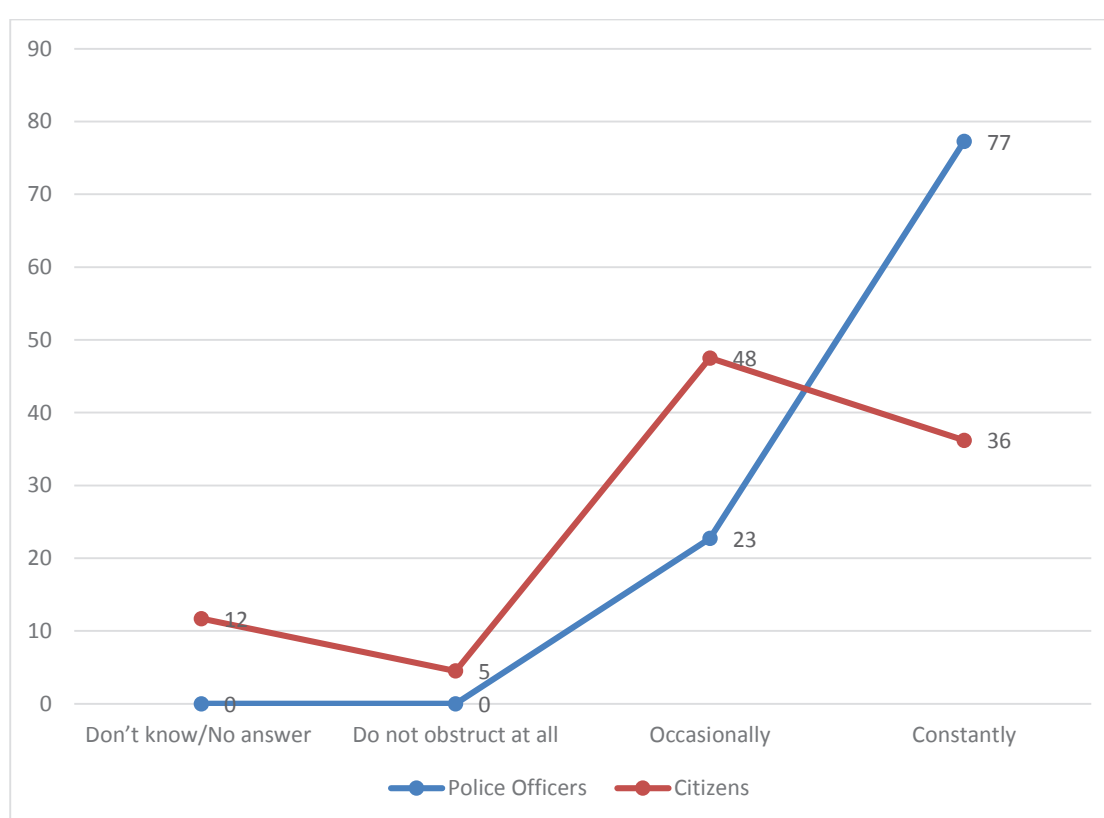
Citizens and police officers differ in how they understand the oversight function of the Minister in relation to the police. Ministry of the Interior is part of the executive branch of the Government that administrates the work of the police pertaining to safety and security, and creates internal security policy. It follows from the aforesaid that the Ministry should play an important role in democratic civilian oversight of the police, through the work of internal oversight bodies answerable to the Minister. Police officers perceive the Minister's control function more as that of monitoring the work of the police with the aim to fulfill his own personal political, strictly party oriented interests. Majority of police officer respondents (79%) are of the opinion that the Minister does not control the

work of the police, but that different political groups exert influence on police work. That leads to the creation of "cliques" within the police service that are in line with the exact interests of the said groups, which negatively affects the quality of police work. One third of respondent police officers (27%) are of the opinion that the Minister has control over the police, which is why the organization serves his personal interests. In the light of this opinion voiced by police officers, it is not surprising that over one half of those respondents (58%) hold that the Minister keeps informed on the issues pertaining to police activities based on information received from his "party" colleagues in the police.

Differing is the opinion expressed by almost half of respondent citizens who think that the Minister of Interior controls the police, while one third hold a completely opposite view, that the Minister has absolutely no influence on the work of the police. It was noticed that the number of those who believe that the Minister controls the police are greater among the citizens who completed only compulsory elementary school education, while the number of university graduates who believe the Minister has no influence on the work of the police is above average. Majority of the citizens believe that the Minister keeps informed on issues pertaining to police work in a formal manner, using official channels of communication, while 32% believe that the Minister uses his "party ranks" in order to keep informed on the results of police work (Chart 8).

Chart 8: Does the Minister of Interior control the police – left side, and how does the Minister of Interior get informed on the work of the police – right side (in percent)?
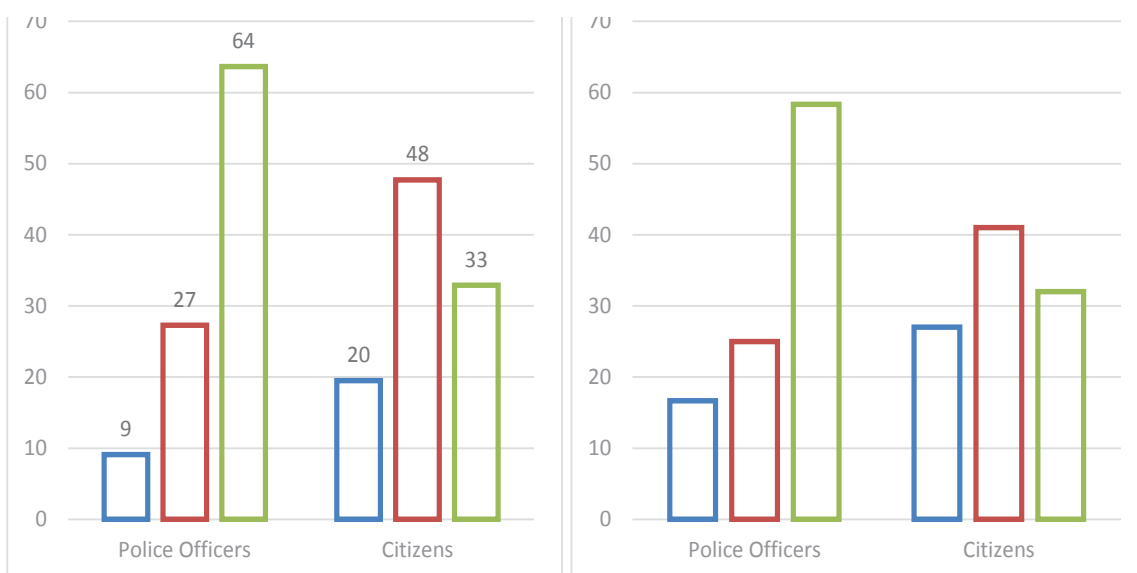

Taking into consideration frequent political changes in Serbia and announcement of same, which affect the performance of state administration agencies, including the po-

lice, it is necessary to determine what the minister in charge of internal affairs has accomplished in the area of corruption reduction in his ministry. That indirectly testifies of the willingness of the Minister, who has been in charge of the police for five years already, to enhance the capacities of the police to investigate crimes of corruption. That is why the question concerning the Minister of the Interior's role in the prevention of corruption was posed. Citizens mostly think that the degree of corruption in the police has remained the same when compared to the situation of several years ago when other ministers were in charge of the police. This is not such a great achievement because it actually proves that ministers of the interior want to preserve the existing state of affairs, without any intention to improve it. It is of importance to note that almost one third of respondent citizens are of the opinion that there is less corruption in the police service, in relation to the number of those who think that the Minister of Interior's actions augmented the scope of corruption.

It is difficult to find out what opinions police officers hold. Roughly the same number of police officers hold that the level of corruption in the police increased considerably, or increased slightly, or remained the same (Chart 9). Prevalent opinion among police officers is that the level of corruption increases. It is possible that this finding proves that police officers are in possession of more information on the exact scope of corruption in the police. By comparing the citizen's opinions with those of police officers, it can be concluded that both believe that, when it comes to combating corruption, the Minister's actions are aimed at preserving the current state of affairs.

Chart 9: Since Ivica Dačić took office as Police Minister, has the level of corruption in the police increased considerably, slightly increased, remained at the same level, slightly dropped, dropped considerably, or you do not know (in percent)?
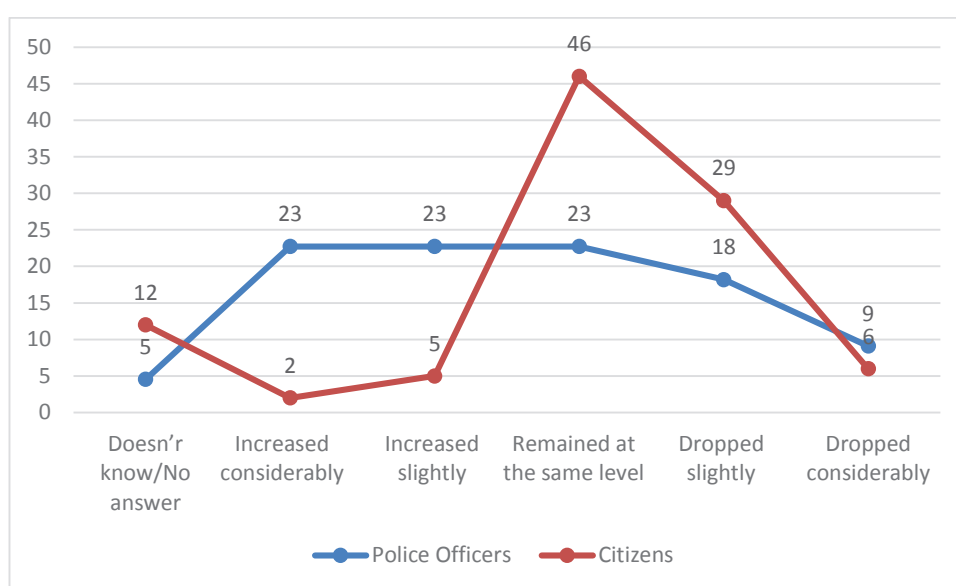
Fight

Facing and clearly defining the problem is the first step towards its resolution. If the police want to reduce corruption levels in the organization, it is crucial that they discuss this issue openly with the general public, police officers, police unions, and civil society organizations. Only 2% of citizens in Serbia think that the police openly discuss the problem of corruption in the organization. Half of the citizens in Serbia are of the opinion that the police never speak openly about corruption in their ranks, while 35% think that they do occasionally. This perception points to two facts: officers hesitate to speak about corruption in the police, and tend to see to it that corruption cases never become public knowledge and that they be solved "in the house". Opinions of police officers (55%) who state that the issue of corruption is occasionally discussed, meaning in their internal setting, and of those comprising almost one half of respondent officers, who state that it is almost never done, partly verify these two facts (Chart 10).

Chart 10: Do police openly discuss the problem of corruption in the police?
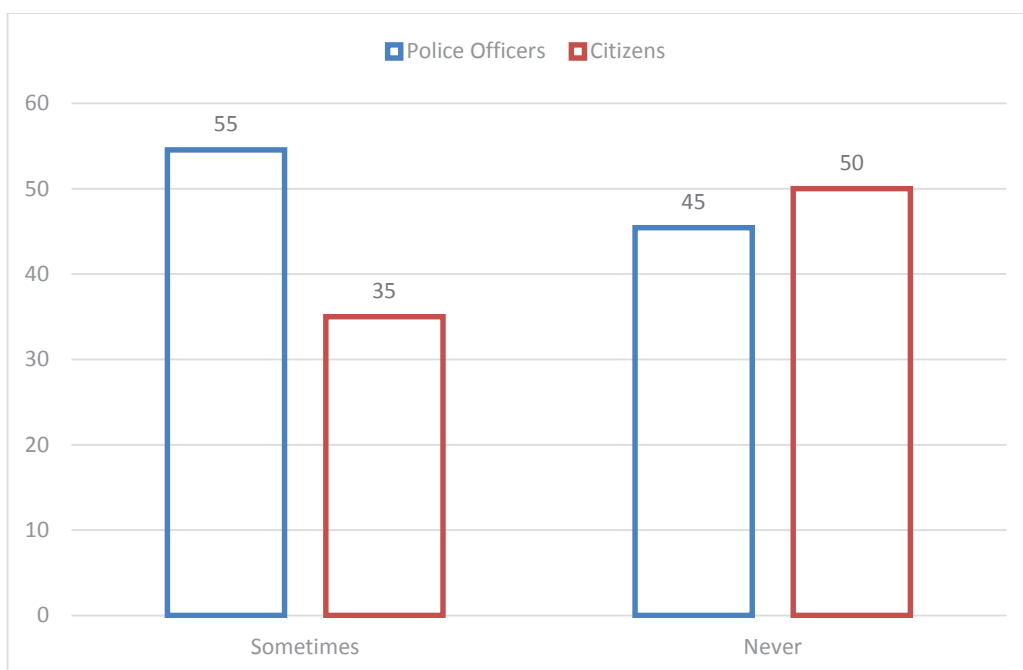
Serbian general public and police officers share the opinion when it comes to who is the main actor in combating corruption and how this fight should be conducted: it is the institutions who should lead the fight against corruption, not individuals. Citizens have the highest expectations in the suppression of corruption in the police from the IAS. Over one third of citizens (35%) are of the opinion that it is the task of IAS to combat corruption in the ranks of police. Add to this percentage of respondents who are in support of institution-lead fight against corruption the 10% represented by those who believe that

this is the job for police officers themselves, and 6% represented by those who think it is police director's job. Police officers think that combating corruption in the police is the task for police officers themselves (34%) and for the IAS (29%). Equal number of police officers (10%) is of the opinions that, after police officers and IAS, next in line in the fight against corruption are the Minister and Police Director (Chart 11).

Chart 11: Who should combat corruption in the police?
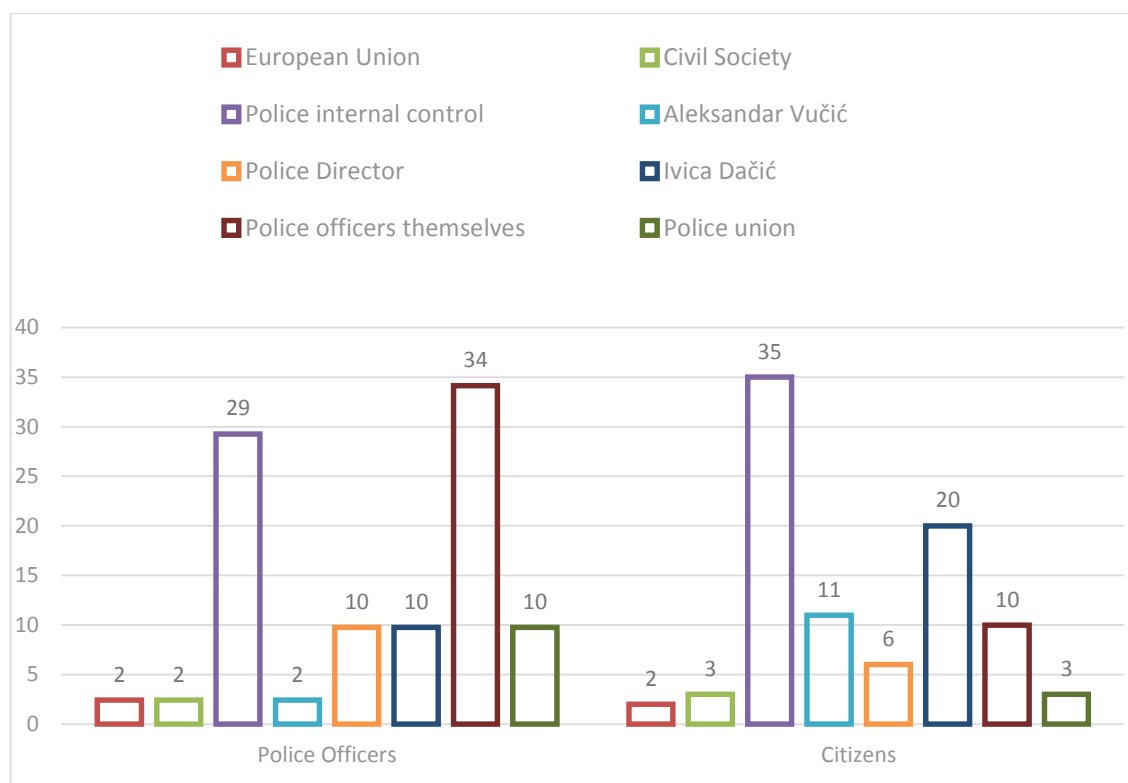
The view held by police officers, that combating corruption in the police is their task, is worth noting. It can be understood in two different ways. First, it means that it is crucial to continue the efforts aimed at creating accountable police officers with competences that enable them to provide adequate service to the citizens, whose demeanor emulates an institution in which there exist clearly defined procedures for accountability, democratic oversight and control, and protection of human rights. In that case, what needs to be done first is to reduce illegitimate influence of political parties on police work.

In addition to this positive explanation, there is also a negative one. The opinion expressed by police officers that they themselves are tasked with combating corruption in the police can also be viewed from the angle of dealing with the problem in "their own house", so that there is no need for an external actor who will act as a go-between or act directly in order to reduce corruption in the police. Such negative stand stems from the

existing police culture in Serbia, which requires that problems be confronted on one's own, without external actors' intervention that may disturb the setting within which police officers operate. A number of facts may serve to prove that the negative interpretation of the role of police officers in combating corruption is prevalent. Police officers are reluctant to report corrupt colleagues, or to discuss their experience with corrupt fellow officers. This is not something characteristic of the police in Serbia, the situation is the same or similar in other countries as well.

The survey on corruption in the police conducted by IAS has revealed an upsetting fact indicating that 75% of police officers are averse to reporting a corrupt fellow officer (Internal Affairs Sector, 2012, 37). This study confirms a similar attitude. Almost half of all respondents from the police (45%) would never report a corrupt fellow officer, while one third (36%) would do it only when they will not face adverse consequences, such as disciplinary proceedings against the whistle blower, or suspension from duty. Most citizens think that police officers are not willing to report corrupt fellow officers (62%), or that they would do it only when they cannot face adverse consequences (19%) (Chart 12). The difference in citizens' opinions and those of police officers is evident, because police officers are aware of what the consequences for reporting corruption in the police may be. That too is the reason why most police officers refuse to talk about their experiences with corrupt fellow officers.

Members of the public and police officers both understand the strength and the role of internal organizational units of the police in the fight against corruption. Answers to the question on what is the main task of internal control in the fight against corruption confirm the role of this department of the police. Although they mention other internal control tasks (to protect human rights of both the citizens and the police), most citizens' think that combating corruption in the police service comes as this division's first priority. It is worth noting that the majority of citizens who would decide to report police corruption, would report it to IAS. Also, this is in line with the opinion of the majority of citizens in Serbia (85%) that control and oversight of the police need to be enhanced in order to improve citizens' safety.

Shared opinion of citizens and police officers regarding the role of IAS in combating corruption in the police notwithstanding, police officers think that in current circumstances IAS is not capable to do it, because individuals lacking professional skills, employed because of their political ties, individuals who lack credibility have been employed to work in the Internal Affairs Sector; also, the work of IAS is affected by external factors, predominantly those political in nature. Such severe criticism of internal control is understandable, because of the generally accepted notion that in every police service there is a certain degree of mistrust towards those that "hunt" police officers. The view expressed by respondents from the police, that the main role of IAS is to protect human

rights of citizens, and not those of police officers, proves this. This negative perception of the role of IAS in the fight against corruption can be rectified through the implementation of measures for the realization of the National Strategic Plan for the Fight against Corruption, which envisages merging of the Department for the Control of Legitimacy with Internal Affairs Sector. Prior to this it is necessary to check into the reasons for police officers' criticism concerning the work of IAS.

Chart 12: In your opinion, are police officers willing to report a corrupt colleague?
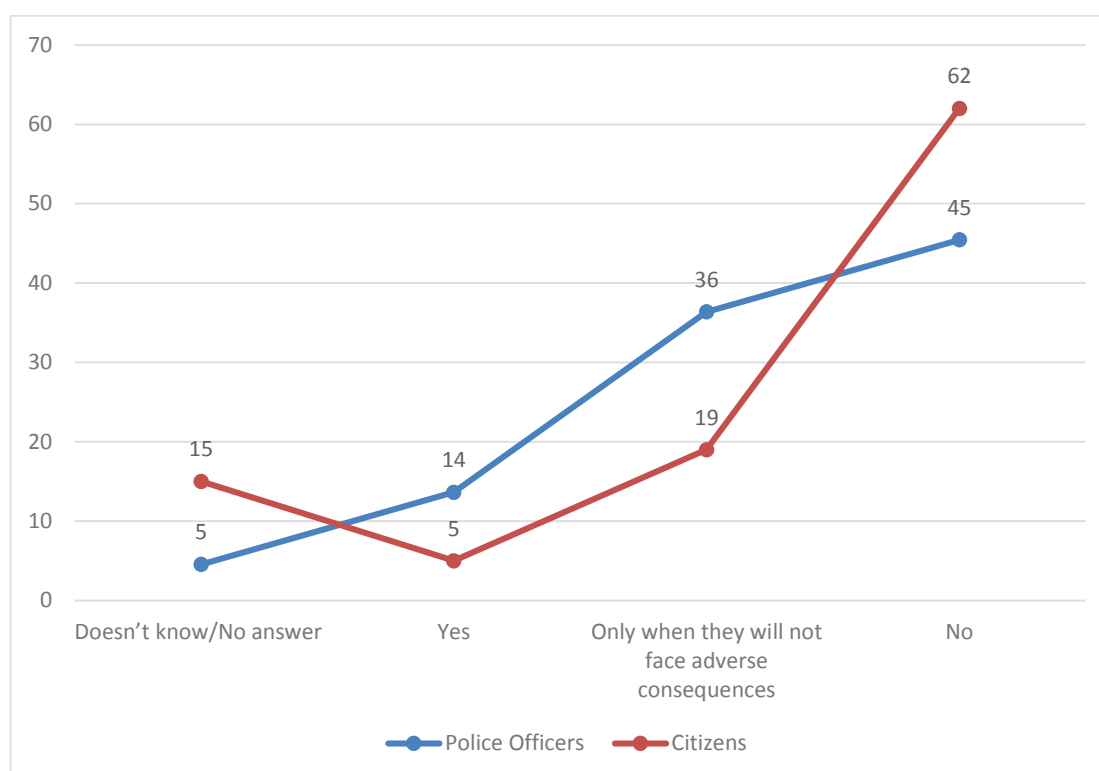
Improvement

Members of the public maintain that strict punitive measures should be the principal method of combating corruption in the police. Perpetrators of acts of corruption deserve strict sanctioning (71%), but corrupt senior police officials should also be sanctioned more severely (66%). This corresponds with the previous finding that senior police officials are the most corrupt, or even encourage police officers to take part in acts of corruption. It is significant that one half of citizens believe that it is necessary to encourage members of the public to report police corruption. However, one of the most serious obstacles to achieve this goal lies in the fact that 72% of citizens would not report, or are not sure they would report corruption in the police, if they are required to give their name and other personal information. This indicates that the feeling of distrust in the police is still strong among the citizens, as is the belief that their personal information may be

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misused, or used to intimidate them. Two other issues testify to the unpredictability of the outcome in fight against corruption. Over 70% of citizens do not know to whom they should report police corruption.

Like members of the public, police officers (82%) deem that strict punitive measures against perpetrators of acts of corruption are most needed in the efforts to reduce corruption in the police. It is especially important to implement such measures against senior police officials. Until 2010, five years after establishment, IAS never initiated procedures against senior police officials (Vukosavljević 2010). The situation has changed, according to the results IAS made public for the year 2012, because the number of criminal charges filed against senior police officials increased. In 2012, IAS filed 16 criminal charges against high ranking police officials (Internal Affairs Sector 2013), including one Head of Police Directorate in Zaječar. This is still not satisfactory, as the percentage of criminal charges filed against senior police officials is too low in comparison to the total number of reported cases.

Chart 13: In your judgement what is most needed to prevent corruption in the police?

POLICE OFFICRS	CITIZENS
Carry out strict sanctioning of wrongdoers	Carry out strict sanctioning of wrongdoers
Sanction corrupt high officials in the police more severely	Sanction corrupt high officials in the police more severely
Encourage citizens to report corrupt police officers	Political will of the Minister and high officials to resolve the problem
Increase police officers' salaries	Enhance competences of Internal Affairs Division
Political will of the Minister and high officials to resolve the problem	Encourage police officers more to report corrupt colleauges

The main difference between the opinions of the citizens and those stated by police officers on what needs to be enhanced in the police in order to reduce police corruption, concerns the competences of Internal Affairs Sector. Police officers think there is no

need to strengthen IAS competences. These competences are adequate; what is necessary is to see that the existing competences be fully utilized. Citizens hold the opposite view.

Solving the problem

Two sets of facts are relevant in order to determine the consequences of corruption in the police, taking into consideration the opinions of citizens and police officers, as well as the findings of surveys on corruption conducted so far. First, citizens and police hold similar opinion on the issue of corruption in the police, primarily when it comes to the subject, forms and causes of corruption. Certain differences appear in opinions expressed by citizens and those of police officers, and those result from the police culture in Serbia in which police officers refuse to speak in public about the problem of corruption, although they are aware of its existence (Table 2). Second, the list of risks for the occurrence of corruption is long, and affects the functioning of the police in all areas: management of human, material and financial resources, operational police work, as well as that of internal and external oversight mechanisms (Đorđević 2013, 63-69). By analyzing these two sets of facts it is possible to identify both internal and external factors which are the basis for the development and implementation of anti-corruption measures in the police (Table 3).

Table 2: Compared opinions of citizens and police officers on corruption in the police

Area	Different opinions	Shared opinions
PERCEPTION	/ Citizens think that corruption is very much present in the police. Police officers do not share this opinion. / The main reason that corruption exists in the police is that other police officers also do it. Police officers think the reason is inadequate salary. / Police officers think that civilian personnel in the MoI are more corrupt than "ordinary" police officers. Citizens do not share this opinion. / Greater percentage of police officers than that of citizens think that police unions are corrupt.	/ Citizens and police officers think that health care and judiciary are the most corrupt institutions in Serbia. / Degree of corruption in the police is the same as in other institutions. / Corruption in the police is generated by senior officials by triggering such behavior in ordinary police officers. / Traffic police is number one on the list of most corrupt departments in the police service. / Most common form of corruption in the police is taking bribes from citizens.

POLITIZATION	/ Majority of police officers think that activities of Aleksandar Vučić will not significantly contribute to reducing corruption in the police. Citizens are more optimistic in this regard. / Citizens of Serbia think that Minister of Interior controls the police. Police officers believe quite the opposite.	/ Politization is the predominant cause of corruption in the police. / Political and family ties are the main criteria for getting employment in the police. / Politicians either constantly or occasionally obstruct the work of police service. / Activities of the Interior Minister are aimed at preserving the state of affairs as they are, when it comes to fight against corruption in the police.
FIGHT	/ Police officers do not have trust in Internal Affairs Sector's capacities to reduce corruption in the police. Opinion of the citizens is not known.	/ Police do not openly discuss the consequences of corruption in the police service. / Institutions should lead in the fight against corruption, not individual persons. / Internal affairs Sector and police officers themselves are responsible to reduce corruption in the police. / Police officers are reluctant to report corrupt colleagues. / Fight against corruption in the police is the priority area of the Internal Affairs Sector.
IMPROVEMENT	/ Police officers think it is not necessary to enhance competencies of the Internal Affairs Sector. Citizens demand exactly the opposite.	/ Essential measures for the reduction of corruption in the police are: (1) Exercising strict sanctioning of wrongdoers; (2) sanctioning corrupt high officials in the police more severely; (3) political will of the Minister and high officials in the police to solve the problem.

Internal Setting

Some progress has been made in recognizing the risks for corruption, in that police officers have recognized the role of internal control in combating corruption in the police. Members of the public share this view. Internal Affairs Sector should play the main role in the fight against corruption in the police.

Also, Internal Affairs Sector has developed a clearly outlined Vision laid out in six points: (1) joining forces with Criminal Police Directorate in order to efficiently and effectively investigate all offences that can be treated as crimes of corruption; (2) creating simpler procedures in order to inform citizens on the outcomes of investigations based on their complaints; (3) creating a unified data-base of all complaints, grievances and commendations concerning the work of MoI personnel; (4) enhancing cooperation with organizations of civil society and independent state regulatory agencies; (5) initiating the process to amend the legal framework that links corruption and police service functions; (6) increased number of preventive inspections (Internal Affairs Sector 2013).

Finally, 14 police unions are active in the police service, of which two are representative unions, whose statutes promote creation of an accountable police service. Joint action of police unions can produce effect in reducing corruption in the police by demanding changes in the process of police reforms.

Although they have a clear understanding of what Internal Affairs Sector is supposed to do, police officers do have no trust in how IAS performs its tasks, or its capacities to resolve cases of police corruption. Moreover, respondent police officers are of the opinion that the fight against corruption IAS conducts is selective.

The Minister may assign another organizational unit in the Ministry to work on the case IAS investigates at that time, which undermines the independence of IAS work. This situation is detrimental, not only because the Minister's vast discretionary powers, but also because internal oversight is fragmented, which all makes internal affairs less efficient. Internal Affairs Sector did not participate in the development of integrity plans for MoI employees, which is one of the ways to create an accountable police service (Đorđević / Milosavljević 2013). In addition, the deadline for the adoption of integrity plans expired, and it is not clear when these plans will be adopted. Finally, human, material and financial capacities of the IAS are not sufficient for it to be fully dedicated to combating corruption in the police, especially if it is corruption linked to procurement of resources for the MoI needs (Đorđević-Milosavljević 2013).

Corruption in the police if very rarely discussed. Opinion shared by majority of citizens and police officers, namely that the police in Serbia never talk openly about the problem of corruption in the organization, offers proof to this. The weakness which hinders the fight against corruption lies in the fact that most citizens and most police officers are unwilling to report cases of police corruption, for fear that they may suffer adverse consequences for doing so.

Although police unions in Serbia are many, their capacities are such that chances for their cooperation are slim, if not downright impossible. Police unions in Serbia demonstrate almost no motivation to come to a mutual agreement and join forces to combat corruption in the police.

External Setting

Independent state regulatory agencies (Ombudsman, Commissioner for Information of Public Importance and Personal data Protection, State Audit Institution, and Anti-corruption Agency) have a special role in the prevention of corruption in Serbia. Time and again they raise the issues of corruption in the police, and in that way exert pressure on the Ministry to speed up the reform process. This was done, for example, by promoting the idea of "whistle blowers" in the security sector, and calling attention to bad management of financial resources in the police and cases of police corruption. However, according to the views expressed by police offices, this role of independent state regulatory agencies has still not been acknowledged by the police.

Two strategic documents regulate, adequately for the most part, the possibility to formulate plans for the fight against corruption in the police: these are the MoI Development Strategy 2011 - 2016; and the current Draft National Strategy for the Fight against Corruption

The MoI development document, fight against corruption is dealt with in the fourth chapter, which sets up the objectives to develop internal and external oversight systems, and operational transparency. However, this section of the strategic plan does not demonstrate understanding of the notion of police corruption, nor does it recognize the current natiional plan for the fight against corruption as a program document for the suppression of corruption in Serbia, or the Law on Anti-corruption Agency which offers definition of corruption that should serve as guideline to concretize and operationalize the concept of corruption in all state administration agencies. This relegates the legal obligation of the Ministry of Interior to provide initial preconditions for the suppression of corruption and implementation of national and international standards in the supression of corruption.

Said shortcomings have partly been rectified in the current draft of the National Strategic Plan for the Fight against Corruption. Objectives from the MoI Development Strategy are stated again, thus establishing connection between the two plans, which is a positive development; on the other hand, the document does not offer information on the actual situation concerning corruption in the police or the risks for its occurrence. In the Draft National Strategic Plan, combating corruption is limited to internal oversight mechanisms and strengthening of police officers' integrity. There is no mention of exter-

nal oversight, or the role of independent state regulatory agencies, in the fight against corruption.

Implementation of projects supported by the international community is an exceptional opportunity to strengthen the capacity of the police to think analytically and operationally remove the risks for corruption in their organization. The first assessment of corruption in the police was made with the support of the UK Serious and Organized Crime Agency. Estimated costs for the implementation of the project in the Ministry of Interior in Serbia amount to over 150 million Euros for the period 2013-2018. Especially important is implementation of the project which aims to introduce a modern concept of human resources management in MoI, worth 1.5 million Euros. Joint efforts of police unions in creating an accountable police service, or in advocating career advancement in the police service can significantly contribute to reducing the number of risks for the occurrence of corruption in the police.

Civil society can have an effect on the reduction of corruption in the police through activities aimed at strengthening of democratic governance in the police; by promoting greater public confidence in the police; assessing compliance with international standards on policing and corruption; improving police services to the public (Born et al. 2012, 185-186). However, it is necessary to point out the shortcomings pertaining to the number of civil society organizations in Serbia and their capacities to participate in the debate on police corruption and formulation of anti-corruption measures in the police. At this point, there are at least 30 civil society organizations in Serbia whose activities are targeted at corruption in the police (Đorđević 2013). Police officers' views of civil society organizations are still affected by the perceptions which prevailed in the '90s, namely that NGOs are managed by foreign countries, and that the validity of their findings and recommendations is questionable, because of hidden interests behind them.

The most serious threat to the success of the fight against corruption is the omnipresent politization of the police service, which is one of the main causes of corruption in the organization. This situation adversely affects professionalization of the police. Connected to the politization of the police is the problem of human resources management. For instance, the most common way to get employment in the police is by using political or family ties, instead of applying for publicly advertised vacancies. Police officers even believe that the department tasked with the role of oversight in the Ministry is under strong influence of political parties, and is therefore perceived as an instrument of ruling powers. In addition to politization, police connections to organized criminal groups and tycoons, and involvement of the police in their activities, represent yet another threat to jeopardize fight against corruption in the police.

Table 3: Analysis of the fight against corruption in the police

	Strengths	Weaknesses
INTERNAL SETTING	/ Police officers deem that Internal Affairs sector is the main "chain link" in the fight against corruption in the police / Internal Affairs Sector has clear vision of what they want to achieve in the future. / 14 police unions that advocate creation of an accountable police service are active in the police.	/ Police officers do not trust the work and capacities of Internal Affairs Sector. / Gaps in legal framework and lack of human, material and financial resources affect the work of Internal Affairs Sector. / Police officers are reluctant to report corruption in the organization. / There is lack of adequate level of cooperation, and motivation to foster deeper cooperation between police unions.
	Opportunities	**Threats**
EXTERNAL SETTING	/ Recommendations and pressure exerted by independent state regulatory bodies significantly contribute to the fight against corruption in the police. / There exists a clearly defined strategic framework, which is interconnected and indicates the course and development of the fight against corruption in the police. / Ongoing is designing and implementation of different projects which can have an effect on analytical thinking and practical elimination of risks for corruption in the police. / Civil society organizations can contribute to the fight against corruption in the police.	/ Police service in Serbia is under dominant influence of political parties, which negatively affects its work. / There is ground to suspect that the police service and its work are under considerable influence of organized criminal groups and tycoons. / Citizens are reluctant to report cases of police corruption.

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