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AUTHORS:

Aurelija Đan | Saša Đorđević | Jan Litavski | Nevena Dičić Kostić

DESIGN AND LAYOUT:

Saša Đorđević

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PSYCHOLOGICAL SUPPORT FOR POLICE OFFICERS: THE ROLE OF MANAGER

Aurelija Đan, Saša Đorđević

Summary

Insufficient attention has been paid to the mental health of the police officers in Serbia. This topic is usually discussed after the incidents in which police officers commit suicide or a crime, which brings into focus all issues related to the lack of psychological support for police officers. There is even less discussion about the role of police managers in stress management and prevention. Police managers rarely notice psychological changes in their employees, while the police officers who have problems do not wish to seek psychological support and professional help. Moreover, some managers are not familiar with the existing system of psychological support in the MoI. Consequently, the effectiveness of the whole system of psychological support for police officers is questionable. The aim of this paper is to encourage discussion on the importance of improving the provision of professional psychological assistance to the police officers in Serbia and on the role of managers in supporting police personnel in their work.

Recommendations

1. The MoI's Department of Medical and Psychological Prevention should inform all police managers in Serbia about the provision of professional psychological assistance to police personnel. The following should be explained: (i) whom the managers can address (contact list) and how to do it (procedure), (ii) how to offer support to a police officer if he or she is not willing to be referred to a psychologist.
2. The MoI's Department of Medical and Psychological Prevention and the MoI's Health Care Institute should train police managers on how to recognise the first signs and symptoms of stress in police officers, and basic characteristics of mental and behavioural disorders.
3. Police managers, in collaboration with their assistants and deputies, should brief and debrief police officers before and after each high-risk operation that could potentially cause stress, in order to determine the current psycho-physical condition of employees and possible consequences on their mental health upon completion of action.
4. When assigning police officers to high-risk operations, police managers should choose those who have greater resistance to stress. First, they have to know the

qualities of each police officer who works in their organisational unit to be able to determine their ability to cope with stressful situations.

5. Police managers should ensure undisturbed work of their colleagues who provide support. Prior to that, it is necessary to choose those who should provide support to the police officers in all police organisational units, including the Ministry.
6. The number of psychologists in the police force should be increased so that each regional police directorate in Serbia has one psychologist, and it should be ensured that every directorate carries out independently regular mental state checkups and provides counselling and therapy to resolve various psychological problems.

INTRODUCTION

The traffic police officer from Jagodina, Saša P. (41), committed suicide in December 2013. Immediately before his suicide, this police officer had sent a message to his colleague saying “it is impossible to continue living like this” (Večernje novosti 2013). There

Such cases of suicide committed by police officers happen in Serbia on a regular basis. Police unions indicate that every year about a dozen of MoI employees commit suicide. Most of them are uniformed police officers.

are reasonable grounds to suspect that the police officer N.N. from Niš (45) committed suicide in December 2013. The reasons for this are unknown, but there is information that the police officer had previously attempted to commit suicide (Milenković 2013). The police officer Dejan M. (30) from Loznica committed suicide when the members of the Special Anti-Terrorist Unit entered his house. He had injured his wife before that and took her parents hostage (Vuković 2013).

Due to the nature of their work, police officers often experience levels of stress that far exceed the average level experienced by human beings in their everyday life. The causes and consequences of stress in police officers pose a significant problem for police administrators, police officers, and the public. In addition to affecting the police officers' quality of life, occupational stress has broader impact on job performance, family life, and the quality of services provided to the public (Hickman et al., 2011). In Serbia, the debate on the consequences of the work that affects the mental health and stability of police officers, and consequently, the safety of citizens, is triggered only by incidents, such as the suicide of police officers, or when the “short fuse” police officers threaten the life of a citizen. Police managers rarely notice psychological changes in their employees, while the police officers who have problems do not wish to seek psychological support or professional help.

The aim of this paper is precisely to encourage discussion on the importance of providing psychological support and professional psychological help to the police officers in Serbia. The timing is excellent because the institutional reorganisation of the system for

providing psychological support to police officers, through the establishment of the Central Psychological Service in the Ministry of Interior (Mol), has been announced (Smiljanić 2014). More specifically, the paper presents the role of police managers in the management and prevention of stress in police officers, which should be a daily practice of managers at all levels (lines) of work (Yarker et al., 2007).

At the beginning, the paper analyses the state of mental health in the police force on the basis of publicly available information, focusing on the needs of managers. The second part of the paper discusses the role of police managers in reducing the stress faced by employees in performing their daily tasks. The focus is placed on the skills that every manager should have in order to prevent stress and the ways to recognise stress in employees; the importance of the manager's decision to refer an employee who has problems to a psychologist in due time has also been explained. The paper ends with the guidelines for police managers with respect to providing support to their employees.

The paper is based on the analysis of publicly available information and interviews with the police managers (commanders) in the police stations and the police substation of the Police Directorate of the City of Belgrade. Since the percentage of women in management positions is smaller (10.9% in total – according to the Mol's response to the BCSP's questionnaire, July 2013) and the interviews were conducted only with male managers, it has been decided not to use gender-sensitive language in this paper and the managers are referred to in the masculine gender. Similarly, for practical reasons (the length of the text), the police officers are also referred to in the masculine gender.

SITUATION

Insufficient attention has been paid to the mental health of the police officers in Serbia. This topic is usually discussed after the incidents in which police officers commit sui-

Nearly half of regional police directorates in Serbia do not have a psychologist.

cide, thus bringing into focus all issues related to the lack of psychological support for police officers. Thus, for example, only one psychologist is in charge of providing professional psychological help in the biggest police directorate in Serbia (Belgrade). Some managers are not familiar with the fact that this one psychologist is available, although all of them believe that psychological sup-

port and assistance are necessary for police officers. Systematic health examinations are not carried out regularly because there are no sufficient funds. The legal framework is imprecise, because the responsibility for the provision of psychological support is given exclusively to the Mol's Health Care Institute,¹ without mentioning any other organi-

1 Art. 145, Law on Police (Official Gazette of RS, nos. 101/2005, 63/2009 – CC Decision and 92/2011); Art. 2, Rulebook on specific health care for Mol employees (Official Gazette of RS, no.

sational unit engaged in this activity, e.i. the Department of Medical and Psychological Prevention.

Due to the foregoing, this section of the paper analyses the mental health state of the police officers in Serbia, focusing on the needs of police managers. First, it solves the dilemma of whether the provision of psychological support to police officers is really the task of police managers. After that, the paper presents the main problems related to the stress of police officers in Serbia, with the aim of informing managers where to place the main focus in performing their management tasks.

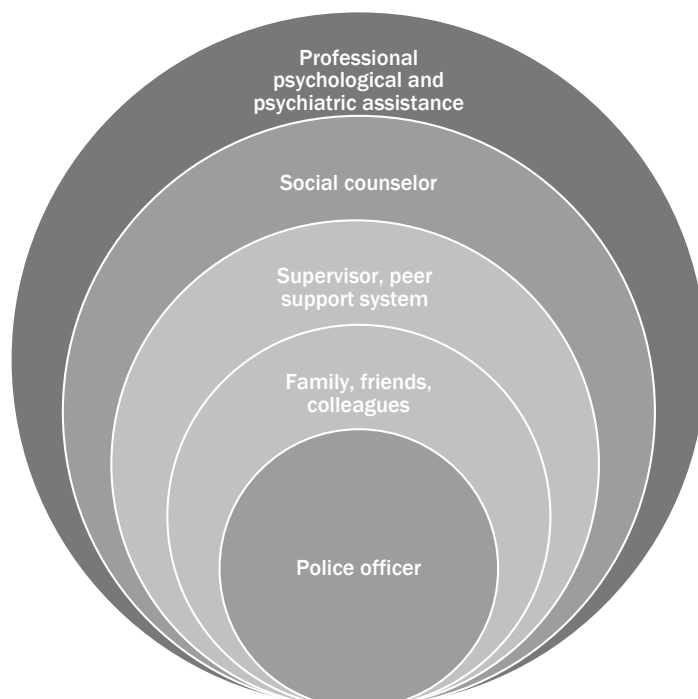
Knowledge and attitudes of police managers

Stress management is an integral part of policing, and managers have a special role in it. Appropriate psychological assistance is certainly desirable at any time and it cannot

Managers are not psychologists, but they can influence the decrease of stress in their employees.

be harmful, but it is necessary to bear in mind that psychologists may not be available to employees at any time in their daily work. Managers are those who manage the daily work of their employees; they can be in constant contact with them and act preventively or alleviate the work-related stress. This does not imply that managers should assume the role of psychologists, but their behaviour can have a positive impact on employees.

Figure 1: Process of providing support to police officers



Stress management should not be seen as an additional activity for managers, which hinders their everyday tasks, but exactly the opposite. The manager's role is to facilitate the daily work of employees, to create a pleasant working environment, and thus to directly contribute to improved performance. This is quite understandable because the manager is the first one to identify and solve the problems of stress in the police force, besides family members and other colleagues. Managers have a crucial role in making a decision that the employee should seek professional psychological help (Burger 2012) (Figure 1 above).

Police manager should provide support to his employees

There is no organisational awareness among the police managers in Serbia about the importance of recognising and preventing stress in their staff. The police managers in Serbia misunderstand the concept of support provided to the police officer in his work and identify it with the tasks performed by a psychologist or psychiatrist in the provision of professional assistance. Support does not necessarily require professional psychological help in order to reduce stress, but should be integrated in the unit both at the individual and organisational level. The individual level involves the provision of advice and manager's personal work with employees. The organisational level of support refers to the institutional functioning of the entire organisation and the goal is to reduce the organisational factors that contribute to stress, as well as to provide professional psychological help within the police service (Cox 1997).

Managers are not trained to provide quality psychological support to their employees

Police managers believe they do not have enough knowledge to provide quality support to their employees (especially when it comes to stress management), or they identify such support with the provision of professional psychological help. The knowledge they gained through the Criminalistic and Police Studies or at the Basic Police Training Centre does not meet the needs of the police service and its employees. Due to the workload, particularly in some organisational units, managers do not have enough time for providing support to employees and therefore consider that emotional detachment is necessary in performing police duties. Such a way of overcoming problems is not appropriate, because the emotional detachment remedies stress only in a short period of time. In the long run, the consequences can be much more serious.

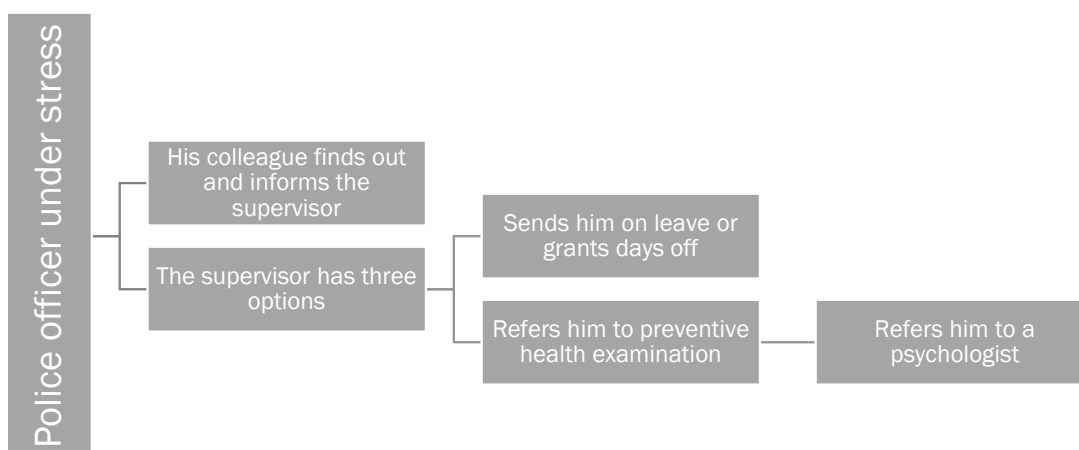
Some managers are not acquainted with the fact that a psychologist works in the police

The number of psychologists in the Serbian police service is not sufficient (see: Table 1). However, the problem is even more serious: some police managers are not aware of the fact that there is a psychologist who can provide professional assistance to those employees who need it. They are familiar with the fact that the health examination carried out at the Mol's Health Care Institute includes a mandatory psychological and psychiatric examination, but they do not know that there is one psychologist and one social worker engaged for the needs of Belgrade police. Neither are they aware of the existence of a special service for medical and psychological prevention within the Ministry. Some managers are even not familiar with the Peer Support project, which has been implemented since 2006, nor do they know how it functions, although its goal is the improvement of the working environment in the Ministry and strengthening the mental health of police personnel.

Visiting a psychologist is a last resort

It is not usual practice that police officers visit a psychologist regularly, especially after stressful tasks that involved the use of force, but it is considered to be a last resort, if determined that there is no other solution. Police managers mainly receive information about the health of their employees through other police officers who suggest that there are certain health or personal problems. In these situations, managers first try to determine the seriousness of the problem through conversation and then decide to send the police officer on leave or to refer him to preventive health examination at the Mol's Health Care Institute. The decision to visit a psychologist is made only at the end (Figure 2).

Figure 2: Police officer visiting a psychologist



This is justified by the fact that employees have a misconception about the actual work of psychologists, confuse them with psychiatrists and also have fear that other colleagues might find out about these visits.

Managers do not recognise gender differences

Despite the increased number of women in the Serbian police, managers still believe that policing is a “male profession” and that women are not able to physically and emotionally cope with the demands of the job.² The paternalistic attitude towards women is still predominant in the police (Martin 1996), which means that they are expected to do less demanding and dangerous work and that they are treated paternalistically.

Research shows that gender is a relevant factor in assessing stress in female police officers (Peter / Tomz 1996). Gender roles and gender-based behaviour in the police organisation are two major factors that may cause stress (He, Zhao / Ren 2005). This involves different criteria for men and women in the police force. Thus, the study of the Academy of Women’s Entrepreneurship (Bešlin / Markov 2012) has revealed that both men and women in the police directorates in Serbia assess the career advancement opportunities for women as very small and imprecisely defined. Sexual harassment is present in the police service and it is up to women to assess the boundaries of their colleagues’ proper behaviour, depending on the situation (Bjeloš, Odanović / Stojanović Gajić 2012). Another study confirms the fact that linguistic harassment is a major source of stress for women (Morash, Haarr / Kwak 2006).

Given the foregoing, we can assume that gender in the police service constitutes another factor that enhances the differences in the way stress in the workplace is perceived by women and men.

Police managers do not recognise gender differences in the perception of stress and do not take into account different gender roles that men and women have both in society and in the police. Moreover, it seems that police managers believe that in a certain way women are spared from the stress that arises from the nature of police work, because they usually perform the supporting or administrative duties. Although women work both as uniformed and non-uniformed³ police officers, their career in operational tasks ends either when they are married or when they get a child, after which the managers transfer them to a less demanding position.⁴ The managers interpret this practice as their acting

2 Interview with the managers in the Police Directorate of the City of Belgrade, December 2013.

3 Of the total number of employees with the status of authorised officer in the operational team, the percentage of women is 24.6, while 8.6% of women have the status of uniformed authorised officer (Mol, Additional responses to the BCSP’s questionnaire, July 2013)

4 Interview, Criminal Police Directorate, December 2013.

in good faith to help female police officers in finding a balance between their private and professional life, and state that women themselves often require to be treated this way.

Although police managers understand that a source of stress for women are their private/family problems, they rarely recognise that the organisation of work and unequal opportunities for men and women in the police force may be an additional source of stress for women, because they are not treated equally to men.

Mental health in the police

The European Pact for Mental Health and Well-being (2008) and the Mental Health Declaration for Europe (2005) point out that mental health is a human right of citizens, and therefore the right of police officers. The main recommendation of these documents refers to the recovery and social inclusion of people who have experienced stress or trauma, which led to the disruption of their mental health. Police officers are in this high-risk group. In addition, the documents stress the need for the development and implementation of an efficient system for preventing depression, suicide, and the need to improve working conditions. It is the organisation of police service and the established relationships that the police officers in Serbia perceive as potentially the greatest source of stress.

Neurosis is a major psychological and psychiatric problem

In the period January 2011- June 2012, a total of 499 police officers were sent to a targeted/control medical examination (Smiljanić 2012, 2).⁵ This was preventive health examination, which is carried out between two periodical health examinations, in case of

Because of a large number of incidents in the Gendarmerie, preventive health examinations of the members of this special police unit were carried out in December 2013, and the question about their mental health was raised.

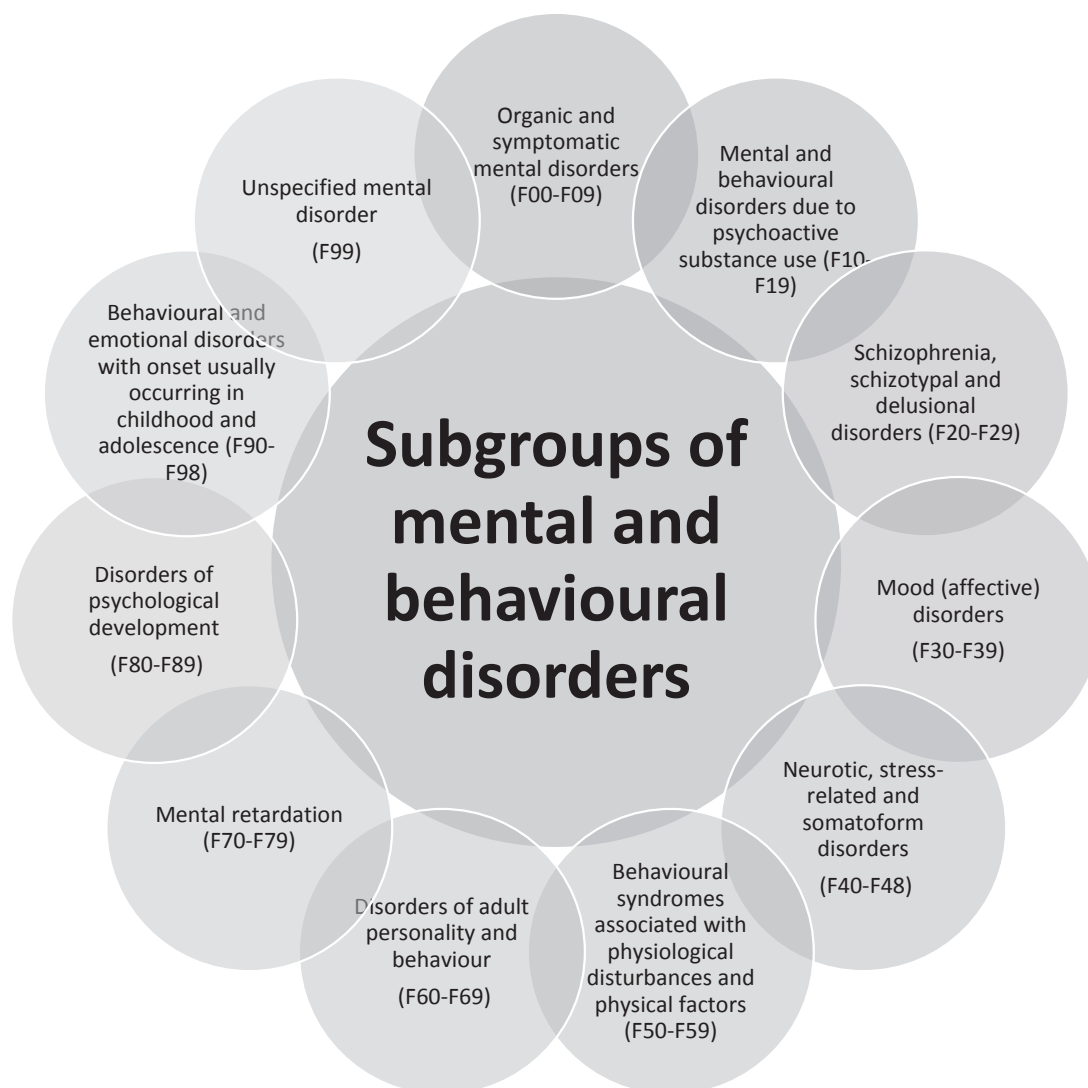
permanent changes in working ability.⁶ It is conducted at the legislator's or employer's request to assess the working ability after an incident at the workplace or in traffic. All police officers who were referred to the "targeted" medical examination were diagnosed with some mental or behavioural disorders (Figure 3). In the last four years, nearly 10% of uniformed police officers (2,385) were referred to extraordinary health ex-

5 The Belgrade Centre for Security Policy could not obtain data for 2013, because the MoI did not approve an interview with representatives of the Psychological Prevention Department in the Human Resources Directorate, who have data on the number of conducted targeted/control medical examinations.

6 Art. 114, Law on Health Care (Official Gazette of RS, nos. 107/2005, 72/2009 – state law, 88/2010, 99/2010, 57/2011, 119/2012 and 45/2013 – state law).

amination, out of whom 972 were diagnosed with mental and behavioural disorders (Vukosavljević, Više od 2.000 policajaca na vanrednom lekarskom pregledu - Over 2,000 police officers referred to extraordinary health examination, 2013). The problem with preventive health examinations is that managers do not believe in their quality.⁷ In addition, they are not carried out regularly.

Figure 3: Subgroups of mental and behavioural disorders⁸



Neurosis is the most common form of mental and behavioural disorder among the police officers in Serbia (Smiljanić 2012, 3), but this is not the most severe mental disorder. Neuroses are the result of excessive and sudden reaction of the mind and body

7 Interview, Police Station in New Belgrade, December 2013.

8 For more details about mental and behavioural disorders, refer to: <http://mkb10.rs/>.

to individual situations and ideas in life. Neurosis is accompanied by desocialization, which is one of the most common consequences of stress in police officers (Anderson, Litzenberger / Plecas 2002), along with vanity, which is widespread among police officers, according to police managers. The main symptoms of neurosis are agoraphobia, social phobia (such as fear of potential criticism), panic attacks, anxiety, hypochondria, dissociative amnesia, cardiac anxiety, depression, fear that something bad would happen (Erić / Kaličanin 2000). The second group includes affective disorders whose main characteristics are mood swings - from depression to elation. Most of these disorders are associated with stressful situations. Personality disorders and behavioural disorders constitute the third group of the most common forms of mental disorders among the police officers in Serbia, which include a variety of clinical conditions and patterns of behaviour towards oneself and others. They are often accompanied by varying degrees of sadness and problems of social existence (Erić / Kaličanin 2000).

“Obtaining” a diagnosis intentionally

We should pay attention to the situations where police officers intentionally obtain a diagnosis of mental or behavioural disorders from their private medical doctors in order to avoid field operations or to be granted days off. Often, they are unaware of the meaning of their diagnosis, and once they are not allowed to carry and use weapons, they feel the consequences. This happens due to the lack of motivation of police officers, which is also the result of the fact that it is difficult to lose a job in the police service (Interview, Police Station Mirijevo, December 2013).

Police officers with over 10 years of experience have most problems

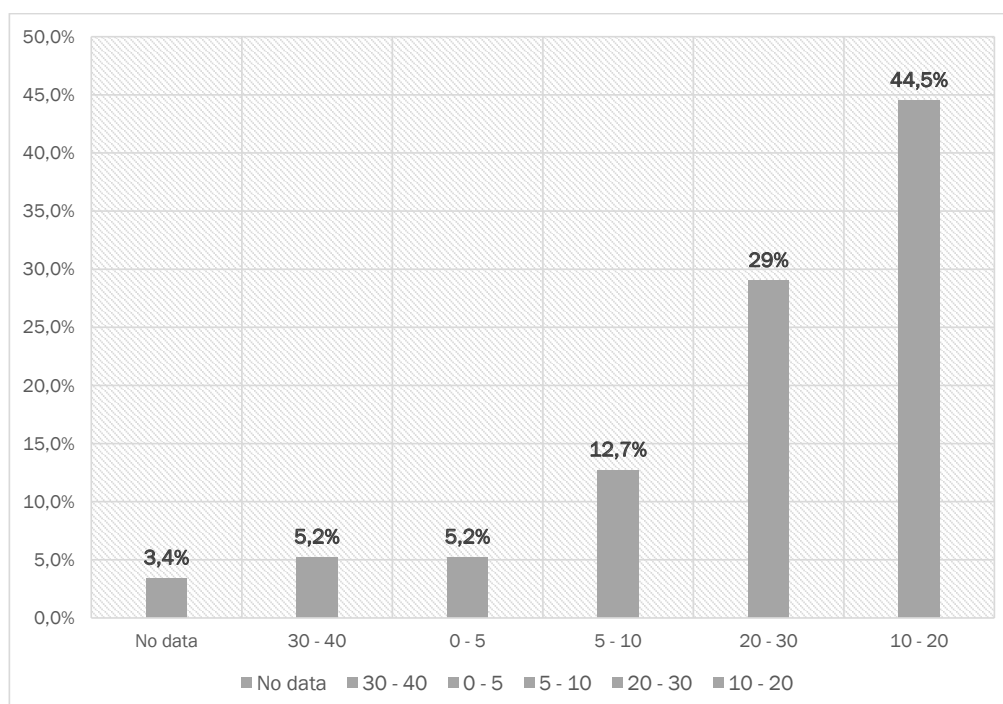
Behavioural and mental disorders affect mostly the police officers who have worked in the service between 10 and 20 years (Smiljanić 2012, 4) (Figure 4). These are the police officers who began working in the police at the time of the conflict in the former Yugoslavia, or at the beginning of police reform in Serbia after the October 2000 changes. The main consequence of the armed conflict in the 1990s is PTSD and a large number of police officers suffer from this disorder (the so-called Kosovo syndrome).⁹ The police reform in Serbia, related to the organisation of work, logistics support and performance appraisal, is also the potential cause of stress. These stressors are associated with the organisational structure of the police service, necessary operational funds and performance appraisal of police officers. They have been intensified after the adoption of the Law on Police in 2005.

A significant number of young officers (169) have been referred to preventive health examinations. This is, perhaps, a consequence of the fact that they decide to visit a

9 Interview, Police Station Voždovac, December 2013

psychologist easier than their senior colleagues.¹⁰ The reason for that lies in the fact that younger officers still do not have a family, and therefore do not have to worry about causing additional difficulties to their family members.¹¹ Also, younger officers feel more pressure from the work environment and from the expectations to achieve results.¹² The managers agree that more attention should be paid exactly to the junior police officers who are not yet sufficiently prepared to perform police duties responsibly. Experienced officers know much better how to cope with stressful situations.¹³ However, this does not mean that the latter should be neglected.

Figure 4: Structure of employees with mental disorders by years of service



Over 140 police officers committed suicide in the past 12 years

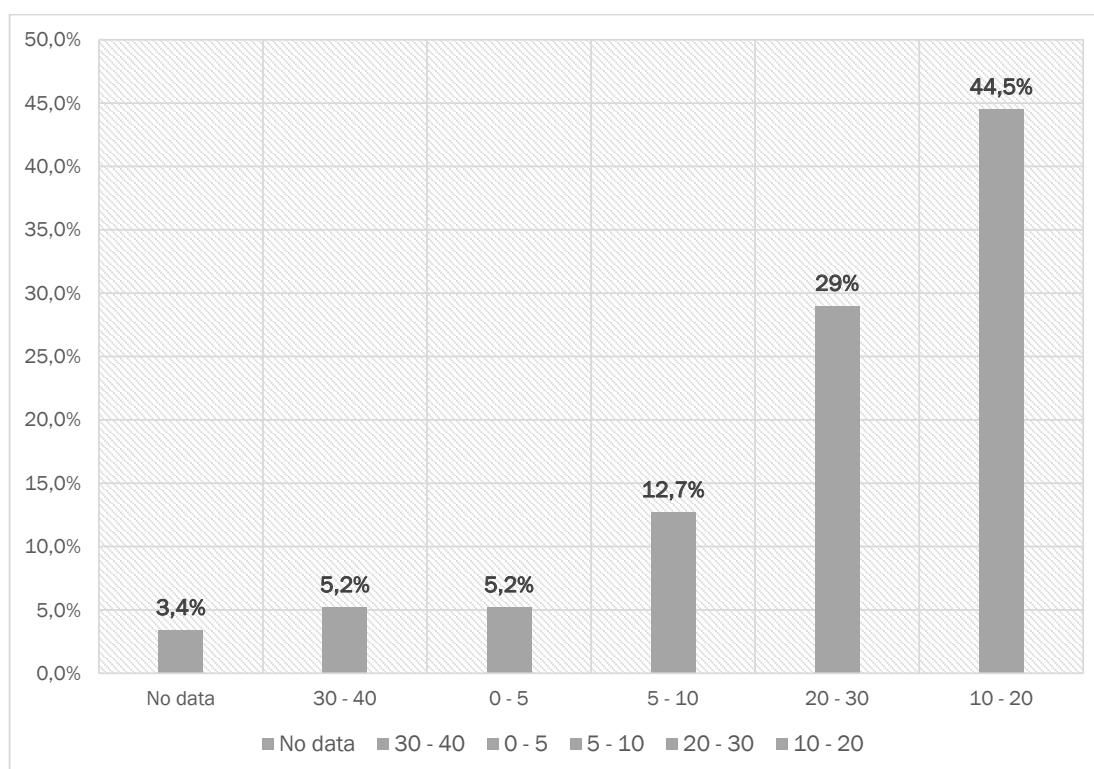
Suicidal tendencies are more frequent among police officers than among other citizens in Serbia. Specifically, in the period 2007 – 2011 the average number of suicides among police officers was 9.6 per 40,000 people, which is 2.6 more than among other citizens of Serbia. The average number of suicides in Serbia, according to statistics of the World Health Organization, is approximately 7 per 40,000 inhabitants (Vukosavljević 2013). According to the same statistics, the average age of suicide in Serbia is 52 years, while

10 Interview, Criminal Police Directorate, December 2013
 11 Interview, Police Station Voždovac, December 2013
 12 Interview, Police Substation Mirijevo, December 2013
 13 Interview, Police Substation Mirijevo, December 2013

the average age of the police officers who committed suicide is 35 years. It is these officers who are usually referred to preventive health examinations.

In the last 12 years, a total of 142 police officers committed suicide (Vukosavljević 2013). Possible causes of this situation are the large number of offences committed against police officers through public order violations, obstruction of their work and attacks on police officers. Moreover, since October 2008 the police officers have repeatedly announced a strike, and finally, at the beginning of February 2011, they exercised their statutory right to strike. The reasons were inadequate economic and social status of police officers, and a lack of necessary operational funds. In addition, the Mol's recruitment procedure does not include appropriate selection; there is a lack of staff development planning and there is no appropriate mentoring of junior officers (Smiljanić 2012, 3).

Figure 5: Suicide of police officers in Serbia



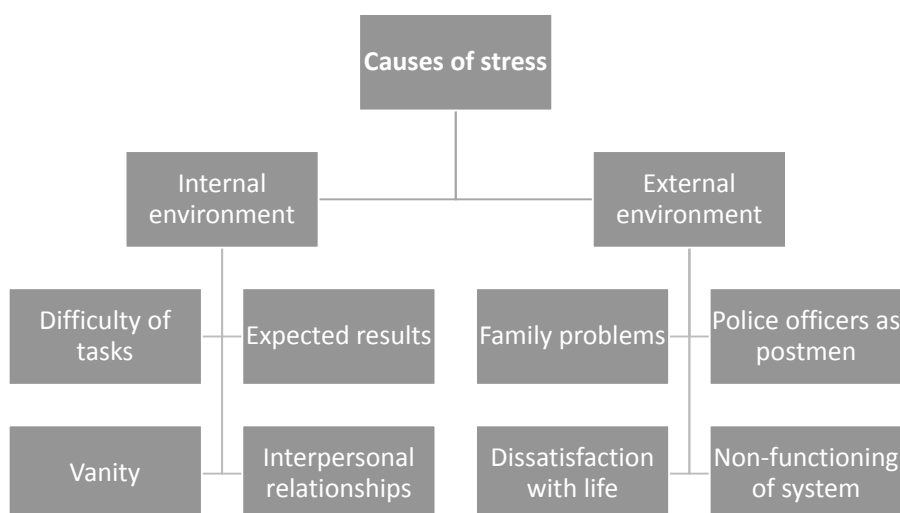
Causes of stress in police officers are equally related to work and personal life

Police managers believe that the stress of police officers is a consequence of pressures arising from the difficulty of tasks they perform, but also a result of disciplinary procedures against police officers or their colleagues, and public pressure. The financial situation greatly affects the occurrence of stress in police officers, but the situation where

changes in the service are unlikely to happen in the foreseeable future also contributes to stress. To a large extent, the police officers' dissatisfaction arises from the fact that they receive a huge number of orders from the judiciary, due to which "a police officer becomes a postman" because he has to serve court decisions on initiating enforcement and misdemeanour procedures. In addition, family problems also contribute to the intensity of stress (Figure 6).

Police managers have also noticed that female police officers are influenced more by their personal problems, while male police officers are influenced more by the problems related to the performance of tasks. In the opinion of police managers, the police stations with more police officers have a greater need for work-related support and professional psychological help.¹⁴

Figure 6: Causes of stress in police officers: opinion of managers



The most common consequence of stress in police officers is divorce. There are also situations where police officers, dissatisfied with job, decide to leave the police service. Other consequences have also been noticed: alcoholism, participation in fights, domestic violence, excessive or uncontrolled drug use, and suicide in the worst situations.

There is an insufficient number of psychologists in the police service

The existing capacity for building a stress prevention system for the police officers in Serbia is not sufficient, although the situation has improved since 2010. The situation is such that not all police directorates in Serbia have their psychologist (Table 1). The special police units (Gendarmerie, Anti-Terrorist Police Unit and Special Anti-Terrorist

14 Interview, Police Substation Mirijevo, December 2013

Unit) have their own psychologists. The Mol's Health Care Institute, although covering the whole territory of Serbia, has its dispensaries only in Belgrade, Zemun and Sremska Kamenica.

Besides the lack of psychologists, there are doubts that the existing staff members are sufficiently qualified to perform the duties of providing professional psychological help (Živanović 2013). The police service also has social workers who provide assistance to psychologists, since they are trained to apply stress prevention and reduction techniques and to train police officers on handling violent situations that may cause stress.

Table 1: Number of psychologists and social workers in the Serbian police service

Situation	Organisational unit Police Directorar	Number of psychologists	Number of social workers
Good	Psychological Prevention Department	5	0
	Gendarmerie	5	0
	Police Directorate for the City of Belgrade	1	1
	Police Directorate Vranje	1	1
	Police Directorate Kraljevo	1	1
	Police Directorate Niš	1	1
	Police Directorate Prokuplje	1	1
Satisfactory	Police Directorate Zaječar	1	0
	Police Directorate Zrenjanin	1	0
	Police Directorate Jagodina	1	0
	Police Directorate Kragujevac	1	0
	Police Directorate Leskovac	1	0
	Police Directorate Sremska Mitrovica	1	0
	Police Directorate Užice	1	0
	Police Directorate Šabac	1	0
	Special Anti-Terrorist Unit	1	0
	Anti-Terrorist Unit	1	0
Unsatisfactory	Police Directorate Bor	0	0
	Police Directorate Valjevo	0	0
	Police Directorate Kikinda	0	0
	Police Directorate Kruševac	0	0
	Police Directorate Novi Pazar	0	0
	Police Directorate Novi Sad	0	0
	Police Directorate Pančevo	0	0

	Police Directorate Pirot	0	0
	Police Directorate Požarevac	0	0
	Police Directorate Prijepolje	0	0
	Police Directorate Smederevo	0	0
	Police Directorate Sombor	0	0
	Police Directorate Subotica	0	0
	Police Directorate Čačak	0	0
Total:	31	25	5

ROLE

The police managers can affect the stress in several ways:

1. They can cause or prevent stress by their behaviour towards their staff;
2. Their actions may have an impact on the psychological consequences of stress;
3. Their practice may influence the reduction of psychological damage or the enhancement of psychological well-being;
4. If an employee suffers from stress, the manager will need to be involved in designing and implementing solutions;
5. By initiating some organisational changes to create a better working environment, they can influence the reduction of stress;
6. Managers are responsible for assessing the level of stress in their employees, and for determining the next steps to solve the problems (Yarker et al., 2007).

However, in order to allow police managers to fully realise these stress reduction opportunities, it is necessary to establish an effective human resource management system in the MoI. Otherwise, police managers have limited options, because they will have to spend more time on correcting the mistakes of those employees who do not perform their duties in a responsible manner.

The following section of the paper presents the skills that every police manager must possess in order to appropriately respond when providing psychological support or referring an employee to a psychologist. It also presents the measures that may be used to recognise stress.

Stress reduction skills for managers

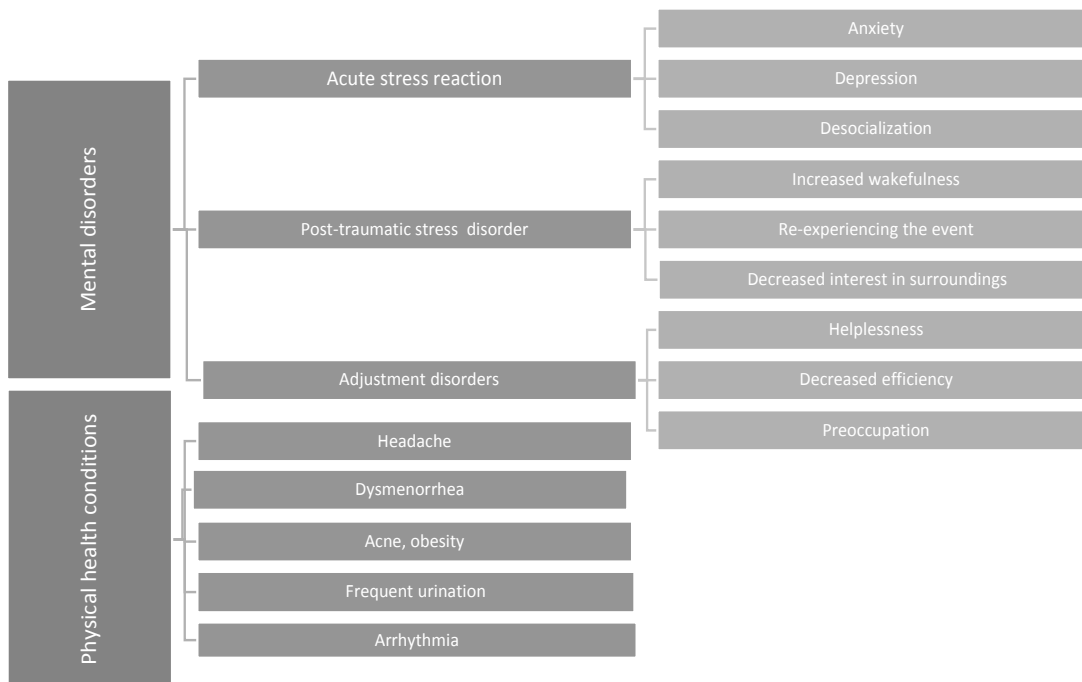
Managers can alleviate stress among their staff even through positive work-related communication, discussions about previous stressful/traumatic situations, but also through conversation that is not necessarily work-related, but concerns private issues. However, they must be very careful in the latter case, because not all employees react in the

Communication with employees is an initial tool for identifying psychological problems..

same way when their supervisors show interest in their private life.¹⁵ Nevertheless, by their behaviour, managers are not able to mitigate, reduce or prevent the potential impact of traumatic events on the further development of psychological disorders (Stephens / Long 2000). What managers can do is to have impact on stress reduction.

In spite of good health, positive attitude towards life or individual stress resilience, it is very unlikely that a person will resist the cumulative effects of stress (Flannery / Everly 2000). The accumulation of stressful events that may look harmless still has effects on human organism, and after some time may be manifested in the form of mental disorders or physical health conditions (Figure 7) (Zotović 2002).

Figure 7: The effects of stress on mental and physical health



Although the Mol's managers do not directly deal with the stress of their staff, they should possess and use some of the skills for preventing the consequences of stress (Yarrker et al., 2007). There are five most important skills.

Managing workload and resources

It is very difficult to manage huge workload, especially in the field of crime fighting or maintaining the public peace and order. A particular problem is that the police tasks

15 Interview, Police Station Voždovac, December 2013

It is necessary to monitor the employees' performance and their mental state. often pile up and new cases that need to be solved constantly appear.¹⁶ It is, therefore, important that supervisors monitor the workload of their employees in order to avoid overloading. Moreover, supervisors are responsible for setting realistic deadlines for the execution of tasks, because otherwise the excessive workload can contribute to stress and increase its effects. Insisting on results should also be realistic and supervisors should take into account the number of employees and the amount of work. It can be assumed that it is difficult for managers to achieve, given that the police service is understaffed.¹⁷ In addition, there is also a lack of motivation among employees since there are problems (for example, in cooperation with the prosecutor's office) that cause many stressful consequences for police work. The situation has been particularly worsened by the introduction of prosecutorial investigation.¹⁸

Applying a participatory approach in smaller organisational units

Managers should give police officers the opportunity to discuss, express their opinion and consult with them about the upcoming task, their doubts or previously performed work. This approach should have a positive effect on staff in preventing everyday stress. If police managers supervise a large number of employees, it seems unrealistic to achieve it and establish such contact with each police officer. In such situations, managers should have several assistants and deputies who can help them in applying this approach and who are qualified for their work. In cases where managers have a small number of people in the team, the participatory approach is feasible.

Individual approach requires much more time

If managers organise "one on one" meetings with their employees, ask them regularly how they feel and show interest in their private lives, it can alleviate stress in police officers. In addition, the individual approach requires from managers to address the situations of stress caused by their employees' personal problems and, for example, to approve their annual leave. When applying this approach, it is essential that managers be fully aware of the capabilities of their employees.

Good communication reduces stress

Lack of communication, lack of information and poor coordination in the work where

16 Interview, Criminal Police Directorate, December 2013

17 Interview, Policice Station Voždovac, December 2013

18 Interview, Criminal Police Directorate, December 2013

tasks are not clearly explained can lead to stress in employees. To prevent this, communication should be formal, through brief informational meetings or e-mails. Communication can also be achieved through five-minute meetings to highlight what has been done and what should be done. It is difficult to establish communication by electronic means

Every manager should be acquainted with the capabilities of his employees. in the Ministry of Interior, both due to the insufficient number of computers and the obsolescence of computer equipment. The Criminal Police Directorate has established good practice: managers organise short meetings before each operational

action in order to inform everyone in advance about the tasks that should be performed and the corresponding responsibilities.¹⁹ Besides, every manager needs to be confident about the abilities of his employees, and to choose more stress-resilient officers for potentially stressful operations, and to motivate them more.

Empathy should be encouraged

If managers show interest in private lives of their employees, they will understand the changes in their behaviour, and it will be easier for them to react and help them in certain situations. However, the police culture is specific and empathy is not present on a daily basis among police officers, because it is believed that police officers should be “strong” and that they can solve their problems by themselves. Since managers must be informed of the work performed by police personnel, it is important for them to be in constant contact with their staff and to recognise certain signs signalling that something is wrong.

In order to reduce stress in their employees, managers should also deal with work-related problems instead of avoiding them; they should plan and organise work well, empower, provide feedback, have a friendly approach towards their employees, but they

Managers should never avoid the problems of their employees. should also take responsibility, have knowledge of work, and manage conflict (Peter / Tomz 1996). It is important to note that management and dedication to employees varies between different police stations, because the numbers of police officers also vary. In addition, the number of police officers also

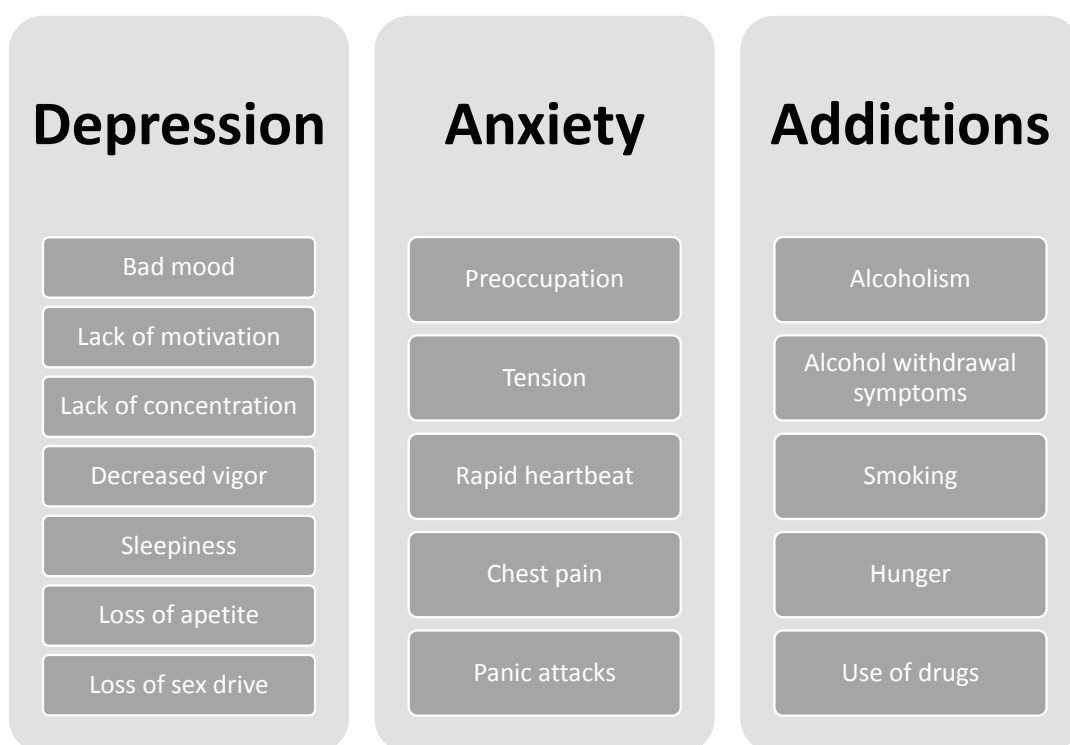
depends on whether they are uniformed or non-uniformed. The fact is that there are much more uniformed than non-uniformed police officers, which makes it more difficult for managers to apply participatory approach and individual approach, and to achieve good communication.

19 Interview, Criminal Police Directorate, December 2013

Stress recognition measures

Recognition of stress among police officers is very important, because only if stress is recognised, certain steps can be taken to prevent its further accumulation and negative consequences (Figure 8). However, the Ministry of Interior does not have defined procedures or rules that would clarify the managers' role in the management of stress among their employees, which means that its prevention, recognition and suppression depend on the manager's ability.

Figure 8: What are the symptoms of stress that managers need to recognise?



Managers are obliged to recognise the signs of stress

When sending a police officer to field work, managers have a responsibility to identify certain behaviours that are not normal and that could compromise the performance of police tasks. Managers ought to recognise whether a police officer is in a good mental and physical condition, and whether he can perform police tasks responsibly.²⁰ For example, police managers mention that it is easy to identify the officer who is intoxicated with alcohol or under the influence of psychotropic substances.²¹ Similarly, stress can

20 Interview, Police Station in New Belgrade, December 2013

21 Interview, Police Station in New Belgrade, December 2013

be recognised when an employee smokes excessively or complains of specific physical symptoms (stomach pain, headache, temperature, etc.). Although supervisors have a general responsibility to recognise the signals of stress, primarily because of its impact on the execution of tasks, each supervisor has an arbitrary responsibility to notice certain manifestations of stress in daily work, which do not necessarily affect the execution of tasks, and to take corresponding actions.

Police officers usually believe that they need to detach emotionally from stressful or traumatic events, and when the “job is done, they can get nervous”.²² This position supports the argument according to which managers take care of the stress of police officers only when it affects the execution of police tasks. For example, in one case the manager noticed that a police officer started to behave in an unusual way, manifesting religious beliefs in the workplace. Since her behaviour did not disrupt daily work activities, and did not affect the work environment, the manager considered that he did not need to intervene. Although every individual has the right to freely practice their private religious beliefs in the way that he or she wants, we may raise the question of whether the police service is the right place for such behaviour and whether a sudden change in behaviour was caused by stress, problem or something else.

The manifestations of stress are identified also by peers who inform managers about their observations. There are examples of cases where the colleagues of police officers informed supervisors about the symptoms of depression and irresponsible behaviour in the performance of duties.²³

Recognising difference between stress and irresponsible conduct

In assessing some situations, managers can identify irresponsible performance rather than stress, and apply sanctions. If there is absenteeism among employees, or laziness, managers may assume that it is a reflection of job dissatisfaction. One gets the impression that such signs are rarely associated with stress. Managers believe that police officers should not have understanding for someone’s individual problems, and therefore often interpret poor performance as breach of discipline (Milosavljević 1997). The entire police culture fosters this kind of supervisors’ treatment of staff, and therefore there is a lack of empathy for the problems faced by police officers. They often hide their problems, because they believe that their supervisors will not show understanding, and do not request a well-deserved leave.

22 Interview, Criminal Police Directorate, December 2013

23 Interview, Police Station Voždovac, December 2013

Managers are the first ones to identify and solve the problem of stress, which is an unavoidable part of every aspect of policing.

Briefing and debriefing about the stressful situation

Stress management does not consist only of stress recognition, but also of preventive actions in potentially stressful situations and debriefing after the stressful events. Since it is very difficult to predict whether a person will develop psychological and psychiatric problems after a stressful situation, it is important that police managers pay attention to the preparation of task, thus reducing the potential impact of stress on police officers.

Certain police tasks are unpredictable, which makes it impossible for supervisors to prepare police officers to stress in advance. This is particularly evident in the case of managers who manage a large number of uniformed police officers. Managing a large number of police officers prevents supervisors from devoting time to each officer individually, and therefore it is difficult to prevent potentially stressful situations. Although this is the reality of a large number of managers in the police stations in Serbia, we should not forget that managers are not alone in their work and that each of them has a deputy and several assistants, who could take some of the burden of responsibility and thus help managers to be more successful in their management. Managers are sceptical regarding this solution, because they feel that their deputies and assistants cannot be of great help.

It is important for the mental health of police officers to obtain the information on important aspects and possible experiences each of them may face in risky and dangerous situations while performing their duties. In addition, managers should provide the information about the availability of professional support mechanisms, if some of the alarming symptoms that indicate psychological problems appear. This information is educational and provides employees with knowledge about possible responses, i.e. strategies for the preservation of mental health.

There is no established practice of police managers, which would indicate that police officers receive appropriate support to overcome stress upon completion of highly stressful work. However, most managers stress the importance of discussion about the stressful event, as one of the key stress-reducing methods. As in the previous cases, discussion is the matter of managers' individual willingness and whether the police officer will have the support of his manager or not depends solely on that.

Referring police officers to a psychologist

Addressing the issue of stress in the police service is a complex process of reducing the negative consequences for the police officer and his environment. The Ministry of Interior does not manage stress in a consistent manner, and its signs and symptoms are rarely the reason for referring police officers to a psychologist.²⁴ This process seems even more difficult if we take into account that some managers do not understand the job of a psychologist or do not know that there is a psychologist in the police service.

There are two ways to solve the psychological problems of police officers in Serbia. All police managers are familiar with the procedure of “targeted” medical examination. Depending on the individual assessment of problems, which has to be done by the manager, the police officer is referred to “targeted” medical examination or to a psychologist in cases where the manager is familiar with the work and role of psychologists in the Ministry of Interior.

There are examples of good practice. When a police manager had learned that one of police officers had symptoms of depression and suicidal thoughts, he suggested the assistance of a psychologist. The police officer accepted the recommendation, which was necessary for referring the employee to a psychologist.²⁵ This helped him to recover and overcome problems. However, there are also situations where a police officer comes to work drunk, which is noticed by all employees, but the commander cannot decide to seek professional help or to refer him to a psychologist, because he thinks that it would threaten not only his own financial security, but that of his whole family.²⁶

Targeted medical examination is a measure proposed by managers when they suspect that the problem is serious and when a police officer may harm himself or his surroundings. Targeted medical examination includes psychological and psychiatric assessment, which consists of interviews with a psychologist and a psychiatrist, and psychological tests. The result of assessment may lead to the confiscation of service weapons (but not the personal weapons if the police officer has them) in the case of established psychological and psychiatric problems.

The fact that some managers do not know to whom to refer a police officer, although there is an obvious need, is disconcerting and indicates that the Ministry does not take

24 It is necessary to make difference between the symptoms and signs of stress. Symptoms are consequences of stress, such as depression, alcoholism or suicide. The sign of stress is the fact that confirms that a police officer is under stress, such as absence from work or coming to work visibly intoxicated with alcohol.

25 Interview, Police Substation Mirijevo, December 2013

26 Interview, Police Station Voždovac, December 2013

“Targeted” medical examination does not solve the psychological problem of police officer, but prevents negative effects of his mental state on the working environment.

enough care of the mental health of its employees. Even if a targeted medical examination has been conducted and a disorder has been diagnosed, the police officer does not receive psychological support to help him adjust to the new job position that does not involve the use of service weapons. Since the job description of police officers changes significantly after being diagnosed with mental and behavioural disorders,

it can cause additional dissatisfaction, which can contribute to the deterioration of the already established problem. This shows that targeted medical examinations can only prevent potential effects on the police officer’s environment, and can be used for downgrading him to a lower position, but it does not mean that it actively contributes to solving the police officer’s problem.

GUIDELINES

The available literature offers a few basic guidelines that can help police managers in fulfilling the task of providing psychological support to their employees.

Selecting “right” police officers to prevent trauma

Experts believe that it is possible, to some extent, to reduce the consequences of stress after a high-risk incident, by engaging the police officers with a high level of resistance to stressful situations. Since there are no clear criteria based on which it would be possible to measure the effects of police operational actions on police officers, the duty of every manager is to clearly determine the capacity and quality of his employees, and based on that to determine the responsibility for the performance of tasks (Paton 2005).

Managers must prepare their staff

The Ministry of Interior is obliged to train managers to prepare their employees for high-risk and stressful situations in a timely manner. This can be done through providing managers with psychological information to better manage stress. This would contribute to increase self-confidence of police officers and enable them to recognise and psychologically digest the experience they faced, thus reducing the negative effects of stress.

Managers should facilitate peer support

The mechanism of peer support has certain advantages over referral to a psychologist. The advantages are more apparent in determining the symptoms and signs of stress (Dowling et al., 2005). The police service is a closed system and each group has its

own code of conduct; therefore, in some situations it is easier that peers provide “emergency” assistance to their fellow colleagues, by taking the role of mediator. Moreover, a police officer, who is faced with a dilemma of whether to seek help from a psychologist upon his own initiative, is more likely to follow the advice of his peer than of his manager. Hence, it is important that managers fully facilitate the work of the police personnel who have been assigned to provide support to other employees in a particular organisational unit.

There is no need to hesitate with referring police officers to a psychologist

Police managers should not be treating a psychological examination as a last resort if they are sure that a police officer has some psychological problems or is under a lot of stress. Moreover, if they are sure that a particular police officer wants to use this mechanism to get days off or to be exempted from “field work”, the psychologist can determine the factual situation and suggest appropriate measures against such police officer. In the police service, as well as in Serbia in general, there is a stereotype about the psychologist’s role, whose primary task is counselling aimed at overcoming certain problems.

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NATIONAL CAPACITY, INTERNATIONAL AND REGIONAL COOPERATION IN COMBATING ORGANISED CRIME

Jan Litavski

Summary

A lot has been done to date in the field of fight against organised crime. A legal and regulatory framework has been built; organisations and institutions that should fight against organised crime have been established and the intense international and regional cooperation on this issue has begun. The latest amendments to the Criminal Procedure Code include, inter alia, changes to special evidentiary actions, primarily related to organised crime, which, although itemised in the previous Criminal Procedure Code, are now specified in a much clearer and more articulate way. Since 2002, in the short period of time, a number of international conventions have been ratified, a series of laws have been adopted and many institutions have been established, either fully or partially aimed at combating organised crime. This paper analyses the normative legal framework for combating organised crime and the provisions of the Criminal Procedure Code related to organised crime in the Republic of Serbia. The paper aims to analyse the work of public authorities in the Republic of Serbia, responsible for combating organised crime, and their regional and international cooperation, and to provide guidelines for further and

Recommendations

1. The Prosecutor's Office for Organised Crime, together with the Ministry of Justice and the Ministry of Interior, should continuously work on improving special investigative operational tactical, criminal intelligence and analytical operational methods to combat organised crime.
2. In order to establish successful international cooperation, it is necessary to monitor the implementation of regulations and recommendations of international institutions by all relevant institutions in Serbia and plan accordingly the accession to international conventions, where feasible.
3. The Prosecutor's Office for Organised Crime, the Ministry of Justice and the Directorate for Management of Seized Assets should develop a plan for joint work on the development of human and material resources and capacity of the Directorate for Management of Seized Assets.
4. The future priority goal should be the formation of joint investigation teams in order

to achieve coordinated cooperation at regional and international levels through establishing and maintaining the contacts of prosecutors, police and other authorities to identify common needs.

5. The Ministry of Interior and other national authorities should improve cooperation with foreign liaison officers in the fight against organised crime, but they should also constantly improve the network of liaison officers accredited in other states.
6. Continuously work and insist on establishing a regional network for combating illicit arms trafficking, which has been announced by the UN's South Eastern and Eastern Europe Clearinghouse for the Control of Small Arms and Light Weapons (SEESAC).
7. It is necessary to constantly analyse the domestic normative legal framework in terms of revising the existing laws and adopting the new ones, and to continue with the consistent application of international recommendations, initiatives and standards for combating organised crime.

INTRODUCTION

The Criminal Procedure Code, which was adopted in 2001/2, devoted an entire chapter to the procedural instruments for combating organised crime. In addition, a special law was passed in 2002 regulating the organisation of public prosecution, police and courts for combating organised crime, and their competences.

Since 2002, in the short period of time, a number of international conventions have been ratified, including the most important one: the United Nations Convention against Transnational Organised Crime and the Protocols Thereto. The result of the Serbia's accession to this Convention, in addition to substantial legislative changes in the Republic of Serbia, was the formation of specialised judicial and police bodies for fighting against organised crime. One of the most significant newly-formed bodies in this period was the Directorate for Combating Organized Crime (UBPOK), established on 1 October 2001. In December 2005, the UBPOK became part of the Criminal Police Directorate, its name was changed into Service for Combating Organised Crime and it retained only the operational investigative units from its original jurisdiction. Due to the change and development of organised criminal structures in Serbia, the Cybercrime Department was formed in 2007, while the Financial Investigation Unit and many other bodies were established in 2009. Some crucial anti-corruption laws were adopted, such as the law on conflict of interest, the law on access to information of public interest, the law on public procurement and other laws. The anti-corruption bodies were formed: the Government established the Anti-Corruption Council and later on the Anti-Corruption Agency with an educational and preventive function.

NORMATIVE LEGAL FRAMEWORK FOR COMBATING ORGANISED CRIME IN SERBIA AND THE ANALYSIS OF PROVISIONS REGULATING CRIMINAL PROCEDURE IN CASES OF ORGANISED CRIME

The most important laws governing the powers and actions of state institutions involved in the fight against organised crime are regulated by several laws: the Penal Code, the Criminal Procedure Code, the Law on Police, the Law on Organisation and Competences of Government Authorities in Suppression of Organised Crime, Corruption and Other Severe Offences, the Law on the Basis of Organisation of the Security Services of the Republic of Serbia, the Law on Security Information Agency, the Law on Seizure and Confiscation of the Proceeds from Crime, the Law on Liability of Legal Entities for Criminal Offences, the Law on the Protection Programme for Participants in Criminal Proceedings, the Law on Customs, the Law on Anti-Money Laundering, the Law on Tax Procedure and Tax Administration, the Law on Execution of Criminal Sanctions, the Law on Organisation and Competences of Government Authorities in Fight against Cybercrime, etc. There are two strategies that are particularly relevant to this area: the Strategy for Combating Organised Crime and the Anti-Corruption Strategy, which also provides a number of recommendations relating directly or indirectly to the fight against organised crime.

Our Criminal Procedure Code defines two basic and one severe form of association for the purpose of committing a criminal offence. The first basic form consists of organising a group whose aim is to commit criminal offences punishable with the imprisonment of three or more years.²⁷ A less serious offence is committed when the perpetrator becomes a member of this group. The second basic form of association for the purpose of committing a criminal offence exists when an organised criminal group is being organised.²⁸ Here we have a “clumsy” formulation, which speaks of “the organisation of an organised group (organisation)”. There is no doubt that the legislator should have been linguistically more precise and creative. The most severe form of association for the purpose of committing a crime is determined according to the criteria of the seriousness of the offences that are the aim of criminal association.²⁹ It is easy to notice that the legislator has decided to include the conceptual definition of organised crime in other laws, i.e. the Code of Criminal Procedure and the Law on Organisation and Competences of Government Authorities in Suppression of Organised Crime, Corruption and Other Serious Crimes, but in the end the notion of organised criminal group was established as a general term also in the Criminal Code. Therefore, the problem that arises and that needs to be removed is related to the fact that there are contradictions in different laws regarding the notion of organised crime, organised criminal groups, other organ-

27 Dorđe Ignjatović, Milan Škulić, *Organizovani kriminalitet*, Pravni fakultet, Beograd, 2010, str.176

28 Ibid. str. 176.

29 Ibid. str. 177.

ised groups and criminal organisations. By rectifying these inconsistencies, we would eliminate the confusion in our legal system caused by a number of different provisions that define the concept of organised crime and its organisational forms. This problem particularly contributes to the possibility of abuse when assessing whether a certain case of criminal offence may be classified as organised crime, and thus establishing the jurisdiction of state authorities constituted for combating such crimes.

As regards special evidentiary actions included in the Criminal Procedure Code, they are diverse and represent certain ways of collecting atypical evidence and apply only in relation to those crimes that are difficult to detect and prove, but are also very serious in terms of their consequences. The pool of offences with respect to which it is possible to apply special evidentiary actions has expanded significantly after the recent amendments to the Criminal Procedure Code, although not every evidentiary action may be applied to each group of offences.³⁰ According to the latest amendments to the Criminal Procedure Code, the special evidentiary actions include: a) covert surveillance of communications, b) provision of simulated business services and conclusion of simulated business deals, c) computer search of personal and other related data, d) engaging an undercover investigator, e) examination of cooperating defendant and f) controlled delivery.

Covert surveillance of communications

Covert surveillance of communications is determined by the public prosecutor and may last up to six months with the possibility of extension for important reasons, i.e. for the offences falling within the competence of special public prosecutor's offices, such as prosecutor's offices for organised crime. The public prosecutor's order on covert audio and video surveillance is exercised by the Ministry of Interior, the Security Information Agency and the Military Security Agency. If the provisions of the Code related to applying the means of surveillance are intended to ensure a balance between the efficiency of criminal procedure and the requirements to protect the rights and freedoms of citizens, they can be very effective. Precisely for this reason, we should make sure that the means are used under the conditions stipulated by the law, in justified and necessary cases, only with court decisions and well-organised control. If this is achieved, these methods do not compromise the rights and freedoms of citizens, or the right to defence, because the statements received in such way are neither forced nor obtained by deceit. There is also a problem if the prosecutor's office does not initiate a criminal procedure in which the results of these measures will be used, because the obtained recordings and transcripts should be destroyed under the oversight of commission. Since there have been some cases of misused recorded materials, it is necessary to define more precisely the

30 Ibid, str. 273.

legal provisions relating to the destruction of evidentiary material. Thus, for example, the disputable provision of the Law on Electronic Communications is the one providing that the provider is obliged to keep the information on electronic communication for the purpose of investigation, crime detection and conduct of criminal procedure. Rodoljub Šabić i Saša Janković have been repeatedly pointed out the problem arising from the fact that a court order is not required for obtaining listings of someone's phone calls. They were prompted by a large number of requested and obtained listings of citizens' phone calls by investigating authorities, which undoubtedly led to abuse of this possibility. Therefore, it would be necessary to introduce a mandatory court order, issued upon a timely submitted and properly explained request of the prosecutor's office, for obtaining listings of someone's phone or e-mail communication.

Provision of simulated business services and conclusion of simulated business deals

Provision of simulated business services and conclusion of simulated business deals require a written and reasoned order of the public prosecutor. These are the evidentiary actions used only in the most complex and serious cases, when it is certain that it would be very difficult to clarify and prove the criminal offence without them. Special evidentiary actions are conducted by the police or the Security Information Agency, and they prepare written daily reports about the execution of actions and submit them to the public prosecutor, along with the collected documentation. It allows the judge to have constant oversight of the execution of action. The problem, which is eliminated by the new Criminal Procedure Code, was the fact that the persons providing simulated business services and concluding simulated business deals were not prohibited to "incite and provoke the commission of criminal offence". It is certainly not the same to accept an illicit service or business deal with or without incitement. It is important to note that the task of the police must not be to incite the commission of a criminal offence, but only to provide evidence if they have the information that the suspects have already committed or prepared to commit the crimes that can be committed by concluding simulated business deals. The purpose of this technique is to prove easier the already committed criminal offences or to prevent those criminal offences that are being prepared, and not to incite the commission of new crimes.

Computer search of personal and other related data

This measure is implemented by the police, the Security Information Agency and the Military Security Agency, customs authorities and other bodies. However, the problem arises from the inattentiveness and unsatisfactory organisation and training of all parts of the executive authority and the public prosecutor with respect to the perpetrators of the most serious crimes, which hinders the identification of the network, scope and type of crime, but also the legitimate activities of the members of criminal organisations

and criminal groups. This kind of special investigative technique is still unknown to the competent public authorities in Serbia, as well as its repercussions on the protection of guaranteed human rights, in particular the right to privacy. Therefore, it is necessary to organise training and specialised seminars for the investigative authorities that should apply the specified investigative technique. Particular attention should also be focused on the role of the judiciary in approving this measure, which must not be used too widely, or in other words, the courts have protect the right to privacy and informational self-determination of citizens to a significant extent.

Engagement of undercover investigator

It is a very sensitive institute, because the activities of an undercover investigator are at the boundary between legal and illegal. Th condition for applying this action is that the criminal offence could not be discovered, proved or prevented otherwise, or it would be associated with considerable difficulties. The undercover investigator is heard without revealing his identity. The institute of undercover investigator has its justification and it can have positive effects in combating organised crime.³¹ However, our existing legislation should be further reviewed in relation to this issue, both in terms of eliminating some of the existing legal and technical deficiencies and in relation to some substantive issues. The actual efficiency of undercover investigators depends not only on the normative provisions contained in the Criminal Procedure Code, but above all, on the need to engage extremely well-trained individuals as undercover investigators and, at the same time, to guarantee their safety in the execution of such risky tasks by all means. In practice, there are organisational and financial problems, lack of technical equipment, lack of qualified staff, but there is also the problem of small communities where it would be easy to identify an undercover investigator. This institute is burdened by complexity and uncertainty, arising from its specific characteristics and circumstances in which it is applied. It is the most complex special investigative action, whose implementation requires the fulfillment of the highest number of conditions necessary for achieving its purpose.

Examination of cooperating defendant

Witness protection is especially important in the procedures concerning organised crime due to the fact that threats, blackmail, intimidation, use of violence, ruthless revenge and unscrupulous liquidation of any opponent are usual and generally accepted forms of behaviour of organised crime groups.³² The prosecutor's office has the ability to mitigate the cooperating defendant's criminal liability in order to prosecute someone whose

31 Ibid, str. 292.

32 M. Grubač, Zaštita svedoka u krivičnom postupku, Borba protiv organizovanog kriminala u Srbiji - Od postojećeg zakonodavstva do sveobuhvatnog predloga reforme, Beograd, 2008. str 148

crime is more serious. However, experience shows that the underlying motive of cooperating defendants may be to accuse someone of more than he is guilty. A particular problem which arises here is the level of professionalism and equipment of the unit for providing security to protected witnesses and cooperating defendants. The Witness Protection Unit (WPU) was established in 2006 as part of the Special Court in Belgrade and under the jurisdiction of the Ministry of Interior. The Unit should take care of witnesses and their families, not only while they are in the courtroom, but also when they leave the court and continue with their daily lives. In its resolution on Serbia, of 28 March 2012, the European Parliament draws attention to “serious deficiencies in the functioning of the witnesses protection programme regarding cases of war crimes, which have resulted in a number of witnesses voluntarily opting out of the programme after being systematically intimidated”.³³ A similar statement was given by the Council of Europe’s rapporteur Jean-Charles Gardetto, who stated in his report that witnesses, due to being treated inappropriately by the WPU members, changed their testimony or simply gave up testifying. He also states that complications arise when “insiders” have to testify, such as witnesses who are police officers. Such witnesses are reluctant to testify against their colleagues, especially when they need to be protected by those against whom they testify.³⁴ There is also the problem with the members of the Unit who are believed to have a criminal past, as evidenced by the Gardetto’s 2011 report to the Council of Europe in which he mentions several WPU members who are the former members of the police unit “Red Berets”, which is considered to be responsible for the killings in Bosnia, Croatia and Kosovo, as well as the assassination of the Serbian Prime Minister Zoran Đinđić in 2003. Obviously, it is necessary to transform the unit and put it under the jurisdiction of the Ministry of Justice, in order to resolve, at least partially, the problem of it functioning, arising from a potential conflict of interest. In this case, the Prosecutor’s Office would be responsible for providing support to witnesses from the beginning of the investigation procedure. In this way, we would also eliminate the lack of coordination and cooperation between the WPU, prosecutor’s office and courts. Another problem that arises in the work of the Unit is the lack of working space or adequate building, and there is also a lack of work uniforms and suits. Therefore, it is necessary to adapt the premises as soon as possible and allow smooth and adequate operation of the Witness Protection Unit.

Controlled delivery

The Criminal Procedure Code provides for four types of controlled delivery (Art. 181). One is delivery within the territory of the Republic of Serbia, while the other three are international deliveries: those originating from the territory of Serbia with the final destination in

33 BIRN, Zaštita svedoka još uvek problem u Srbiji, <http://www.balkaninsight.com/rs/article/ubistva-ukazuju-na-propuste-u-zastiti-svedoka>

34 Ibid.

another country; those originating from another country with the final destination in the territory of Serbia; and those originating from the territory of another country, transiting through the territory of Serbia, with their final destination in a third country. Unlike other evidentiary actions, this action is ordered directly by the competent public prosecutor, without the involvement of the judge for preliminary procedure. The public prosecutor also determines, by an order, the manner of conducting the controlled delivery (Art. 181 of the CPC). Upon the execution of controlled delivery, the police submit to the public prosecutor a report containing: data on the time of commencement and termination of the controlled delivery, data on the official who conducted the action, description of the technical means employed, data on the persons involved and results of the implemented controlled delivery (Art. 182, Para. 3 of the CPC).

Seizure and Confiscation of the Proceeds from Crime

Chapter Seven of the Criminal Code envisages the confiscation of proceeds from crime. It is often not possible to establish criminal gains and subsequently to seize them in the form in which they were obtained. The items gained through crime are often sold and the money is either spent or used for buying other valuables. Therefore, in such cases it is necessary to establish legally acquired property, so that the court could order a temporary security measure with respect to certain assets or rights, from which, upon completion of criminal procedure, the injured party's claim could be settled or illegally obtained gain confiscated. In the criminal procedures conducted in cases of organised crime, confiscation of material gain is executed in accordance with special provisions of the Criminal Procedure Code. Namely, when there are grounds for suspicion, or a reasonable suspicion that a criminal offence of organised crime has been committed, the court may order a measure of temporary seizure of proceeds and objects even beyond the conditions set forth in the provisions of the CPC. The problem that often arises relates to the fact that it is not possible to prove that a particular material gain has derived from crime. Taking into account the fact that in certain cases there is a reasonable suspicion that a person has acquired gain by committing a criminal offence, a *reverse burden of proof* was introduced.³⁵ It is a process of shifting the burden of proof onto the defendant who is required to prove the legal origin of property. However, it is evident that in our judicial practice the penalty is still used as a major tool to fight organised crime. This is partly the consequence of the opinion that these legal provisions do not provide sufficiently strong possibilities to establish and seize the proceeds from crime within the fight against organised crime, and therefore the existing provisions are not sufficiently

35 Radmila Dragičević – Dičić, Oduzimanje protivpravno stečene imovinske koristi – međunarodni standardi i uporednopravna rešenja, Borba protiv organizovanog kriminala u Srbiji - Od postojećeg zakonodavstva do sveobuhvatnog predloga reforme, Beograd, 2008. str.294

used in practice.³⁶ It is also evident that there is a lack of appropriate and efficient financial investigations in such cases. In addition, the legislator did not provide precise and binding powers to investigating authorities. This actually means that financial criminal investigation, which is explicitly established and specified in some European legal systems, is not implemented in practice in our country. Moreover, the question that is inevitably linked to the previous issue is whether the police and the prosecution have qualified personnel for conducting such financial investigations. Therefore, in cases of organised crime, it is necessary to ensure that investigations are conducted by the people who are trained and specialised in tracking the flows of money and assets, and who would conduct parallel financial investigations.

National Strategy for Combating Organised Crime in the Republic of Serbia

The National Strategy for Combating Organised Crime, although adopted without public debate and with a significant delay, as “one of conditions” for full membership in the EU, describes rather well the current situation in Serbia. The Strategy is in line with the National Programme for Integration into the European Union. The Ministry of Interior, the Security Information Agency, the Military Security Agency, the Ministry of Justice and the Ministry of Finance have been involved in its development and implementation. In the specified period, i.e. within six months, the Action Plan for the Implementation of Strategy was adopted. The Strategy provides only a general framework, but this deficiency has been removed by the Action Plan. The Strategy indicates that its goal is development of proactive approach in the fight against organised crime, increase of efficiency through the appropriate implementation of preventive and repressive actions, and confiscation of the proceeds of crime. However, although the Strategy places focus on proactive approach, it lacks specific and detailed explanation of such approach. The goals of Strategy include also the harmonisation of national legislation with international standards, strengthening the capacity of all public authorities involved in its implementation, strengthening cooperation at the national, regional and international levels, as well as strengthening cooperation between public authorities, private sector, civil society and the media. There is no doubt that civil society organisations are an important player in the fight against organised crime and it is good that the Strategy stresses the significant role of civil society organisations and the media in combating organised crime. Effective fight against organised crime requires cooperation between public institutions, private sector and civil society, which is recognised both in the Strategy and in the Action Plan, but there is still more room for cooperation. The institutions involved in the fight against organised crime must constantly keep in mind that if civil society is accepted as a serious partner, it may be the main promoter of best practices and expertise in the fight against organised crime.

36 Ibid.

ANALYSIS OF THE WORK OF COMPETENT PUBLIC INSTITUTIONS IN THE REPUBLIC OF SERBIA INVOLVED IN COMBATING ORGANISED CRIME

The Law on Organisation and Competences of Government Authorities in Suppression of Organised Crime, Corruption and Other Severe Offences regulates formation, organisation, competences and powers of public authorities and their special organisational units, for detection, prosecution and trial of criminal offences stipulated by the Law. The employees of specialised bodies that are officially involved in combating crime and other specific offences have special and to some extent privileged employment status. Not only in principle, but as a rule, they face greater professional challenges than the staff handling usual criminal cases. In addition, these persons have some specific duties.³⁷

Prosecutor's Office for Organised Crime

The Prosecutor's Office for Organised Crime is responsible for handling criminal cases governed by the aforementioned law. It is very important that the Prosecutor for Organised Crime has a high degree of independence and autonomy in his or her work. However, since the State Public Prosecutor has a discretionary power to dismiss the Prosecutor for Organised Crime at any time without explanation and established procedure, there is no real independence and stability in the performance of this function. If the Prosecutor for Organised Crime assesses that a certain case involves organised crime, he or she should request from the State Public Prosecutor to delegate or transfer jurisdiction over the disputed case to the Prosecutor for Organised Crime. The State Public Prosecutor has a discretionary power to transfer jurisdiction over the case to the Prosecutor for Organised Crime. The Law on Organisation and Competences of Government Authorities in Suppression of Organised Crime, Corruption and Other Severe Offences does not say anything about how the Prosecutor for Organised Crime should handle every crime that is considered to contain elements of organised crime. The Law neither mentions in which way the power of transferring jurisdiction should be implemented or which rules or principles should apply in transferring jurisdiction.

Deputy Prosecutors for Organised Crime are designated to the Prosecutor's Office for Organised Crime at the request of the Prosecutor for Organised Crime, but the Law does not specify the criteria that Deputy Prosecutors for Organised Crime should meet for that position. This may lead to the situation where this office is assumed by the Deputies who do not have the required experience. Namely, the Deputy Prosecutor for Organised Crime can be any public prosecutor or deputy prosecutor. The Deputy Prosecutor for Organised Crime should meet the same requirements for this post as the Prosecutor for Organised Crime. Moreover, the Law does not provide sufficiently detailed and precise

37 Đorđe Ignjatović, Milan Škulić, *Organizovani kriminalitet*, Pravni fakultet, Beograd, 2010.

criteria for the selection of Prosecutor for Organised Crime either. This is particularly important because the Prosecutor for Organised Crime needs to deal with specific matters that require specific skills. Hence, setting forth specific and detailed criteria is a necessary condition for the formation of the Prosecutor's Office for Organised Crime, which is capable of high-quality and professional performance of tasks related to combating organised crime.³⁸ Indeed, hiring professionals specialised in various fields, and not just prosecutors, should be an important element of any specialised prosecutor's office. The legislator also envisaged the possibility that, if it is necessary for the conduct of criminal procedure, the Prosecutor for Organised Crime can request from the state body or organisation to assign an employee to the Prosecutor's Office for Organised Crime for up to one year, with the employee's consent, whereas the official in charge of such body or organisation renders a decision, without delay, about that request. The Law does not clearly state why such employment is limited to the employees of state bodies or organisations. The employment of experts who are not civil servants (but come from civil society, private organisations and the media) would allow the Prosecutor for Organised Crime to set up a team of specialists who could help in dealing with specific cases. Taking into account the Strategy that stresses cooperation with civil society, it would be necessary to amend the Law and practice of employment specified in the Prosecutor's Office for Organised Crime.

Since the Strategy suggests a proactive approach to combating organised crime, the Prosecutor's Office for Organised Crime should establish and improve the procedures of proactive investigations of organised crime in the future. In addition to a more efficient fight against organised crime, the number and quality of adopted instructions on the procedures in combating organised crime will be an important factor in the process of accession negotiations with the European Commission. Moreover, the Ministry of Justice, together with the Prosecutor's Office for Organised Crime, should establish cooperation with other relevant institutions at the national level, through a series of meetings, workshops and consultations, in order to develop proactive investigations as efficiently as possible.

Furthermore, through the improvement of performance and the increase of efficiency of the Prosecutor's Office for Organised Crime, it is necessary to develop institutional conditions for efficient detection and proving of trafficking in narcotics and human beings, money laundering, corruption, cybercrime, and for confiscation of the proceeds of crime. In this context, it is particularly important to eliminate non-transparent management of seized property. According to the knowledge of the Center for Investigative Journalism, out of 55 lease agreements concerning the seized property, not less than 12 agree-

38 N. Važić, Specijalno tužilaštvo, Borba protiv organizovanog kriminala u Srbiji - Od postojećeg zakonodavstva do sveobuhvatnog predloga reforme, Beograd, 2008.str. 186

ments were concluded with the persons from whom the property had been seized.³⁹ The Prosecutor's Office for Organised Crime, the Ministry of Justice and the Directorate for Management of Seized Assets should develop a plan on joint efforts towards the development of human and material resources and capacity of the Directorate for Management of Seized Assets.

It is also necessary to establish cooperation with other countries at regional and international levels in implementing and developing the procedures of proactive investigations. Particular progress has been made in this field by signing a *Joint statement on cooperation in the field of security between Serbia, Bosnia and Herzegovina and Montenegro*⁴⁰, which specifies the areas in which the three countries can enhance cooperation. The signed Statement particularly emphasises the intention of regional cooperation in the fight against organised crime. It stresses the importance of the Ministries' activities aimed at strengthening cooperation in the fight against all forms of organised crime and taking joint actions to prevent, detect and combat all forms of this crime, with the aim of enhancing regional security.

The Ministry of Justice, together with the Prosecutor's Office for Organised Crime, should work on further analysis of the normative legal framework in order to improve the existing legislation and adopt new laws, and they should continue with Serbia's active accession to international conventions, bearing in mind the need for full and consistent implementation of international recommendations, initiatives and standards for the fight against organised crime. It is therefore necessary, in order to have successful international cooperation, to monitor the implementation of regulations and the recommendations of relevant international organisations, and to plan the accession to international conventions for which the proper conditions have been met. Besides contributing to successful fight against organised crime, the number of ratified international documents and the number of initiated procedures for accession will be a very important indicator of Serbia's European integration.

The Prosecutor's Office for Organised Crime, together with the Ministry of Justice and the Ministry of Interior, should continuously work towards developing special investigative operational tactical, criminal intelligence and analytical operational methods of combating organised crime. Special emphasis should be placed on getting acquainted with best practices before applying special measures.

39 Centar za istraživačko novinarstvo, Nettransparentno raspolaganje oduzetom imovinom: <http://www.cins.org.rs/?p=10997>

40 Blic, Dačić i Komšić: Dobri odnosi BiH i Srbije <http://www.blic.rs/Vesti/Politika/405276/Dacic-i-Komsic-Dobri-odnosi-BiH-i-Srbije>

Service for Combating Organised Crime

Service for Combating Organised Crime is established within the Ministry of Interior to perform police duties related to the criminal offences of organised crime. The Service has to act on the request of the Prosecutor for Organised Crime, which has the managing role with respect to the Service. This legal provision indicates the Service's subordination to the Prosecutor for Organised Crime and the significant influence of the Prosecutor's Office on electing the Head of Service, which is understandable because this Service is "servicing" the Prosecutor's Office for Organised Crime in a certain way.⁴¹ The Minister of Interior, in accordance with the opinion obtained from the Prosecutor for Organised Crime, appoints and dismisses the Head of Service and issues an act specifying in detail the activities of the Service. All state bodies and organisations are obliged, at the request of the Service, to allow the use of any technical means at their disposal without delay and ensure timely response of all their staff. If during preliminary criminal investigation, the police find out that an organised crime offence is being prepared or has been committed, they are obliged to immediately notify the Service.

The law does not say anything about the criteria and required qualifications for the election of the Head of Service and its staff. Given the specificity and sensitivity of the matter, the detailed criteria and qualifications of the Head of Service and other staff had to be specified and this matter should not have been left to internal rules adopted by the Minister of Interior.⁴²

Acting at the request of the Prosecutor for Organised Crime means that the Prosecutor and his or her Deputies are entitled to give instructions and make requests for performing certain actions directly to the Service staff. The channel of communication between the Special Prosecutor's Office and the Service should be permanently open and without the interference of hierarchical structures, in order to avoid any kind of external influence or influence within the Service by its hierarchical structures. However, the text of the Law does not clearly indicate whether it is possible that the Prosecutor's Office has an open channel of communication with the Service that would not be burdened by the interference of hierarchical structures of the Ministry of Interior. The biggest problem lies in the fact that the Law allows the Minister of Interior to independently regulate the operation of the Service, without needing the approval of the Prosecutor for Organised

41 N. Važić, Policijska služba za suzbijanje organizovanog kriminala, Borba protiv organizovanog kriminala u Srbiji - Od postojećeg zakonodavstva do sveobuhvatnog predloga reforme, Beograd, 2008.str. 187

42 Ibid, str. 188.

Crime. Moreover, the Law does not define the consequences for the Minister of Interior if he fails to act in line with the Prosecutor's opinion in electing the Head of Service for Combating Organised Crime.

The problem also arises from a one-sided relationship between the Service and other state institutions, because the Law envisages cooperation only at the request of the Service or the Prosecutor and not at the initiative of other institutions. Moreover, the Law does not define the relationship between the Service and the regional police station concerning all other matters related to operational field work for the needs of the Service. Based on the legal provisions, the Service is obviously excessively centralised, which in practice has resulted in huge operational problems, especially in the detection of criminal offences and the collection of evidence in preliminary criminal investigation.⁴³ Therefore, in order to achieve successful performance of tasks in combating organised crime, it is necessary to introduce regional department of the Service for Combating Organised Crime, which would be located within the regional units of the Ministry of Interior.

Also, in the future it is necessary to clearly define the work of the criminal intelligence service and make a strategic plan for the establishment of criminal intelligence system in the Mol. They should provide the main support in obtaining data on organised crime groups, which would improve the overall quality and quantity of collected criminal intelligence data. New Criminal Intelligence Service would practically unify the work of police officers in the Ministry of Interior.

Furthermore, the Ministry of Interior, the Service for Combating Organised Crime and the Prosecutor's office should work more actively on developing a system of efficient instruments for strategic analysis through improving the existing organisational units for strategic analysis and establishing the new ones. The quality and importance of exchanged data both at national and international level are very important aspects in the fight against organised crime. Hence, it is necessary to develop efficient and timely collection, submission and exchange of information of strategic importance at the national, regional and international levels. In order to make all this possible, it is necessary to provide and continuously deliver specialised training in strategic analysis for all future strategic analysts in the institutions that fight against organised crime, and to ensure continuous improvement in using analytical software for automated analysis of collected data.

It is necessary to establish new and develop the existing organisational units for combating organised crime, within the Ministry of Interior. In this context, particularly important is the Financial Investigation Unit, whose further capacity building and development may play a crucial role in the detection of corruption and economic crimes. The established Financial Investigation Unit with full capacity in terms of human and material resources

43 *ibid.*, str. 189.

will certainly be one of the main pillars in the fight against organised crime groups and in the detection of their illegal transactions.

A special aspect of fight against organised crime, envisaged in the action plan, relates to the correspondingly increased salaries of the police officers involved in detecting and combating organised crime.⁴⁴ To make this possible, it is necessary to define clear criteria for rewarding the employees who work on cases with increased risk. Moreover, in order for the Service to be able to completely fulfill the role defined under the Law, it needs to have an up-to-date material and technical base. To this end, it is necessary to assess the needs and draw up an equipment procurement plan in accordance with the latest standards and specific needs of the Service.

Regional and international police cooperation is a very important element in the fight against organised crime and to achieve this aim, it is necessary to work on the improvement and development of cooperation at regional and international levels in the field of combating organised crime. In this way, the quality of exchanged information will be improved and the number of liaison officers in other states will increase.

Special departments of competent courts

Special departments of competent courts include the High Court in Belgrade, as the first-instance court for specific criminal cases, and the Appellate Court in Belgrade, as the second-instance court that decides in these cases. The Supreme Court of Cassation adjudicates the conflicts of jurisdiction between regular courts in respect of specific criminal cases. Special departments are established in all the courts that have jurisdiction over the cases of organised crime. However, these are not special courts, as sometimes superficially and wrongly explained by the lay public, but they constitute a particular form of criminal justice specialisation.⁴⁵ A Special Department for processing specific criminal cases is established within the Higher Court in Belgrade and its work is administered by the President of the Special Department of the High Court. The President of the Special Department of the Higher Court is appointed by the President of the High Court, for a four-year term, and he or she is required to have at least a ten-year professional experience in the field of criminal law. The problem that arises here is that the Law does not lay down any criteria for the appointment of judges to the Special Department for Organised Crime, or for the appointment of the President of that Department. This may lead to the situation where the President of the Higher Court in Belgrade may

44 Action Plan for the Implementation of the Republic of Serbia's Strategy for Combating Organised Crime.

45 Đorđe Ignjatović, Milan Škulić, *Organizovani kriminalitet*, Pravni fakultet, Beograd, 2010. str. 252

appoint to the Special Department any judge who has experience in the field of criminal law, regardless of whether he or she has ever worked on complex criminal cases related to organised crime. Working on complex criminal cases of organised crime requires an extensive professional experience and expertise in criminal matters, and for that reason it was necessary to set forth professional criteria for the appointment of judges to the Special Department. The lack of these criteria is a major shortcoming of the Law.⁴⁶

A Special Department for processing specific criminal cases is established within the Appellate Court in Belgrade and its work is administered by the President of the Special Department of the Appellate Court. The President of the Special Department of the Appellate Court is appointed by the President of the Appellate Court, for a four-year term, and he or she is required to have at least 12 years of professional experience in the field of criminal law. In the case of this specialised court department, like in the case of first-instance court and its Special Department for Organised Crime, there are no prescribed criteria for the appointment of the President and judges to that department, so that all shortcomings identified in the legal regulations governing the first-level court department for organised crime refer also to the Appellate Court's department.

Special Detention Unit

A special detention unit is established at the Belgrade District Prison for detention pronounced in criminal procedures for specific criminal offences. It is used for remanding in custody a person against whom criminal proceedings for organised crime are conducted. They are placed in the room separated from the premises where there are detainees against whom proceedings for other criminal offences are conducted. Organisation, operation and handling detainees are regulated in more detail by an internal act of the Ministry of Justice.

It is important to emphasise that care should be taken to prevent the misuse of detention, whose purpose is to ensure the presence of defendants in criminal procedures, because in such cases the fight against organised crime would become meaningless. Ordering and extending detention even when it is inappropriate leads to the misuse of this institute and it becomes an instrument for punishing political opponents and not for combating organised crime. Such a situation may also indicate the political nature and selectivity of the criminal prosecution of citizens.

46 N. Važić, *Sukob nadležnosti i način rešavanja, Borba protiv organizovanog kriminala u Srbiji - Od postojećeg zakonodavstva do sveobuhvatnog predloga reforme*, Beograd, 2008.str. 191

REGIONAL AND INTERNATIONAL COOPERATION IN THE FIELD OF COMBATING ORGANISED CRIME

Organised crime is one of the primary and fundamental threats that endanger national, regional and international security. Since the international criminal organisations in different countries have become increasingly connected, due to the opening of borders and liberalisation, it has also become more complex to deal with them. The fight against organised crime more and more requires the implementation of special mechanisms for its suppression and detection. However, despite that fact, there is still no common international policy related to organised crime. Although there are numerous documents of different international organisations, such as the UN, EU, Council of Europe and others, these efforts yield the desired results only exceptionally.

The Republic of Serbia has ratified several international conventions that are fully or partially related to the fight against organised crime, from the UN Convention against Transnational Organized Crime to the Council of Europe Convention on Laundering, and all other relevant conventions on mutual legal assistance, extradition, transfer of criminal cases and others. Moreover, there are obvious efforts to harmonise legislation with the most important international instruments that regulate these issues. In this regard, it is still necessary to constantly analyse the domestic normative legal framework with the aim of revising the existing laws and adopting new ones, and continue with the consistent application of international recommendations, initiatives and standards for combating organised crime.

Combating organised crime and its weakening in the Western Balkan countries can only be achieved if there is an open, professional and timely cooperation of the states in the region. The Regional Conference of Police Chiefs, recently held in Belgrade and attended by police representatives from Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Macedonia, Greece, Hungary, Montenegro, Moldova, the Republic of Srpska, Romania and Slovenia, is a major step forward in regional cooperation in the fight against organised crime. At this conference, the Minister of Interior of the Republic of Serbia pointed out that in the process of screening Serbia would confirm its commitment to European integration and its determination to strengthen the fight against organised crime, which, as he said, was an ongoing challenge that required flexibility and adaptation to the situation, in order to respond to new circumstances more efficiently.⁴⁷

Also, the Protocol on the Establishment and Functioning of the Joint Centre for Police Cooperation, signed on 20 November 2013 between Serbia, Bosnia and Herzegovina

47 N. Važić, Sukob nadležnosti i način rešavanja, Borba protiv organizovanog kriminala u Srbiji - Od postojećeg zakonodavstva do sveobuhvatnog predloga reforme, Beograd, 2008.str. 191

and Montenegro is a huge step forward in the fight against organised crime. The Protocol was signed after a trilateral meeting of the Ministers of Interior of Serbia, Montenegro and Bosnia and Herzegovina, held in Budva, and envisages the establishment and functioning of the Joint Centre for Police Cooperation in Trebinje.⁴⁸ It regulates the issues of exchanging data and information, joint risk analyses and coordination of joint activities along the border and record-keeping of various statistical data. The Joint Center will contribute to the improvement of police cooperation between the three states and the exchange of operational information for the purpose of suppression and prevention of cross-border and organised crime.

Another important aspect of regional cooperation in the fight against organised crime is the Southeast Europe Police Chiefs Association (SEPCA). In recent years, SEPCA made a significant contribution to increasing the level of safety of citizens and the region as a whole through the improvement of policing and the delivery of training for the police personnel of the countries in the region. The SEPCA's role is to coordinate the work of police forces in the region, promote professionalism through their cooperation and support community policing. This organisation has a huge potential and is able to provide to the countries in the region important mechanisms in combating organised crime and corruption, both at the national and regional levels. If SEPCA succeeds in being legally defined and restructures its internal organisation, it can be successfully transformed and become a pillar of regional police cooperation. The Southeast Europe Police Chiefs Association - SEPCA consists of police representatives from Albania, Bulgaria, Bosnia and Herzegovina, Moldova, Romania, Croatia, Montenegro and Serbia. SEPCA also signed a Memorandum of Understanding with Austria, Italy, the International Criminal Investigative Training Assistance Program, the International Association of Chiefs of Police, the Federal Bureau of Investigation of the United States, the United Nations Development Programme, and has good cooperation with Interpol, Europol and the Migration, Asylum, Refugees Regional Initiative. At a conference held in Belgrade on 3 December 2013, the Police Director of the Republic of Srpska officially handed over to the Police Director of the Republic of Serbia the chairmanship of the Southeast Europe Police Chiefs Association.⁴⁹ SEPCA brings together the police chiefs of the SEE countries, who invest joint efforts in considering the strategic issues faced by the member countries and on clearing paths for efficient fight against all forms of organised crime and corruption.⁵⁰ If

48 RTS: Osnivanje zajedničkog centra za policijsku saradnju u Trebinju, <http://www.rts.rs/page/stories/ci/story.html>

49 Blic: Veljović preuzeo predsedavanje nad SEPKA <http://www.blic.rs/Vesti/Hronika/424627/Veljovic-preuzeo-predsedavanje-nad-SEPKA>

50 Vlada Republike Srbije, Regionalna saradnja u borbi protiv organizovanog kriminala <http://www.srbija.gov.rs/vesti/vest.php?id=200844>

SEPCA develops a strategy and improves its operational action, it will undoubtedly play an important role within the police organisations of the EU, primarily Europol, since it was repeatedly highlighted that SEPCA must and should be present in the work of Europol.⁵¹

As regards the European Union, as a union of states that the Republic of Serbia aspires to join, the European Council, as its body, back in 1975 established cooperation between the Ministers of Interior and the police agencies involved in the fight against terrorism. This collaboration was named the Trevi Group and it served for exchanging information about the activities of organised criminal groups. By the Treaty of the European Union, this cooperation was institutionalised and the Trevi Group was incorporated into the “third pillar” of the European Union.⁵² The most important mechanism of EU cooperation in combating organised crime and terrorism are regular meetings of the Ministers of Interior and the Ministers of Justice of the Council of the European Union. The second important mechanism is Europol, which is a form of permanent cooperation between Member States in certain areas of police work. The third mechanism of cooperation is Eurojust, the executive body of the European Judicial Network, which was established by a decision of the Council of the EU in order to improve effective cooperation between judicial bodies of the Member States. Parallel to negotiating the revision of the Amsterdam Treaty, the Member States have adopted an Action Plan for fighting organised crime. The Action Plan stresses that prevention is as important as an effective fight against organised crime and provides recommendations at the EU level regarding the mechanisms for improving the fight against money laundering, as well as recommendations on practical steps for coordinating the work of national police forces, customs and judiciary and recommendations on the priority areas for the harmonisation of national laws in this field. At the European Council meeting in Tampere the EU concretised the existing mechanisms and formulated a framework for new mechanisms in the fight against organised crime.⁵³

The Strategy for Combating Organised Crime in the Republic of Serbia states that its adoption and implementation is of the broadest interest to all citizens of the Republic of Serbia and an important step forward in the process of joining the European Union. It also points out that the Strategy is in accordance with the National Programme for Integration into the European Union and the ongoing reform processes in the country. Since the European Council recently decided to start the EU accession negotiations with Serbia, we must bear in mind that accession is a complex process conducted concurrently at several interrelated levels. Special attention in the EU accession negotiations

51 Vlada Republike Srbije, Regionalna saradnja u borbi protiv organizovanog kriminala <http://www.srbija.gov.rs/vesti/vest.php?id=200650>

52 Maja Bjeloš, Saradnja članica EU u borbi protiv organizovanog kriminala i terorizma, Pojmovnik, Centar za civilno vojne odnose.

53 Ibid.

will be placed on judiciary and fundamental rights (Chapter 23) and justice, freedom and security (Chapter 24). One of the most important achievements of the European Union was to establish an area without internal frontiers in which people move freely, without passports checks and without border controls. The EU pays special attention to security measures at the external borders in order to allow the EU citizens to fully exercise this right, including the freedom of choice in which Member State they will live and work. Besides fighting against illegal migration and having a common visa policy, the strengthening of border security also involves the fight against organised crime, which requires efficient cooperation between police, judicial and customs authorities of the Member States and partial harmonisation of criminal legislation. Regardless of differences in national legislation, the EU citizens are allowed to access courts in any Member State, and it is also stipulated that judicial decisions made in one Member State are to be respected and implemented in the entire territory of the Union.⁵⁴ The Schengen Convention provides that police cooperation is an essential element for the abolition of internal borders and for efficient fight against organised crime, which is nowadays mainly cross-border crime, and therefore the police forces of the Member States must work together to prevent and prosecute perpetrators. In addition to Europol, the European Police College is also intended to strengthen police cooperation. It provides training and research capacity development of the senior police officers from the EU Member States, primarily in order to establish police cooperation networks and to strengthen cross-border cooperation in the fight against crime and protection of safety. In this context, the basic requirements for Serbia in the negotiation process will be the establishment of mechanisms for facilitating the exchange of information, which will contribute to more efficient operations and organisation, and the strengthening of institutions, and to the harmonisation of legislation, both at national and international level.⁵⁵ Special attention will be taken to ensure that Serbia has harmonised the areas related to protection of safety during international football matches, where special focus will be placed on the establishment of national contacts for cooperation and exchange of police information. The novelty within the EU, to which Serbia will also have to adjust its regulatory mechanisms, is that a network for the protection of public figures has been established within the EU, which is another area where it will be necessary to exchange information, even officers, and best practices. Serbia will also have to align with the Council of Ministers' decisions on joint investigation teams. Other very important elements in the EU accession negotiations will be the way of cooperating in the detection of cross-border traffic of stolen vehicles, the method of exchanging certain data with Interpol, and the joint use of the visa officers abroad. Harmonisation and simplification of procedures for exchanging police and intelligence information between the Member States, and the

54 Pregovaračka poglavlja 23 i 24, O čemu Pregovaramo, Vodič za novinare, http://www.seio.gov.rs/upload/documents/publikacije/vodic_za_novinare.pdf

55 Ibid.

protection of personal data in judicial and police cooperation in criminal matters, will also be the subject of negotiations between Serbia and the EU. In the negotiations, the European Commission will certainly take into consideration the following: the amount of exchanged information and the number of joint operations with the countries of the region and the EU countries; the amount and quality of the information provided in the regional and international police cooperation; continuous exchange of views with the expert teams from other countries in the area of cooperation in the field of justice and home affairs; the contacts established by the Serbia's Mol with regional and international partners; the speed of processing the results of analysis by the recipients of analysis in the internal cooperation within the framework of justice and home affairs: the number of initiated professional development programmes for prosecutors and police officers in the area of organised crime; the number of ratified international regulations in the field of home affairs, and a common position of all actors in the fight against organised crime.

In the area of combating organised crime, Serbia will have to show credible track records on applied laws and prosecuted organised crime. A particularly important aspect that the European Commission will pay attention to refers to whether the authorities of the Republic of Serbia are capable of tracking the entire course of criminal proceedings for organised crime, from the beginning to the final judgment. During the negotiations, the statistical data collected over years will be an important indicator of how Serbia deals with this problem.⁵⁶ Serbia will have to achieve further progress in the following areas of combating organised crime: statistics, seizure of assets, capacity for complex investigations, risk assessment, crime mapping, investigations conducted on the basis of intelligence data, information exchange, witness protection, implementation of special investigative measures, cooperation among the institutions dealing with these issues, and international cooperation. Moreover, given the complexity of money laundering cases, it will be necessary to further strengthen the capacity of all competent institutions involved in the prosecution of organised crime, whose results are supposed to show how Serbia deals with these cases. A crucial element for successful negotiations will be the strengthening of administrative capacity and training competent authorities for implementation, which is the most important aspect, in order to ensure effective fight against organised crime in practice.

What is undoubtedly necessary to do in the coming period is to strengthen all forms of cooperation and coordination of public authorities responsible for the fight against corruption at the regional and international level. This involves the improvement of international cooperation of the Ministry of Justice in the fight against organised crime, the conclusion of bilateral agreements between the Prosecutor's Office for Organised Crime and its regional counterparts, in order to regulate relations in all areas of the

56 Ibid.

fight against organised crime, and further improvement of police cooperation with all international organisations (in particular Europol) in combating against organised crime. The Ministry of Interior and other national institutions need to improve cooperation with foreign liaison officers in the fight against organised crime and to constantly enhance the network of liaison officers accredited in other states.

The formation of joint investigation teams for the purpose of implementing coordinated cooperation at the regional and international levels, through the establishment and maintenance of contact networks including prosecutor's offices, police and other authorities to identify common needs, should be the primary goal in the future. The adopted legislation, established contacts, conducted investigations and prepared reports on common needs in this area will be among the important criteria that will certainly be taken into account in the EU accession negotiations.

CONCLUSION

In the overall democratic process and in the light of the accession negotiations starting between Serbia and the European Union, which require changes in the political, economic and legal systems, an efficient fight against organised crime is a major goal. The aforementioned strategic documents and regulatory framework are an expression of political will to combat organised crime. It is evident that by adopting and drafting laws, the Government of the Republic of Serbia is seeking to create and promote legislative conditions for the fight against crime. However, it is very important that the Serbian government should remain fully committed to creating a conducive environment in which newly-adopted laws may be fully implemented, thus allowing for an effective fight against organised crime.

This paper shows that a series of laws have been adopted and numerous international conventions have been ratified, dealing with the issues of corruption and organised crime, which confirms the fact that at the international level, at least formally, the Republic of Serbia is determined to join the efforts of modern states to fight against the most serious forms of crime. Also, the strategic framework has been improved by adopting the Strategy for Combating Organised Crime and the Anti-Corruption Strategy, the National Judicial Reform Strategy and the National Strategy for Combating Money Laundering and Terrorist Financing, along with the corresponding Action Plans.

By examining the organisational structure, capacity and powers of public authorities in the fight against organised crime, and by analysing the regulatory framework for establishing the state and administrative authorities responsible for combating organised crime, we can conclude that there are certain shortcomings in the regulatory framework, weaknesses of the institutional framework and gaps in the capacity of state and

administrative authorities analysed this paper. The paper reveals that the majority of administrative authorities involved in the fight against organised crime should continuously work on improving special investigative operational tactical, criminal intelligence and analytical operational methods of combating organised crime. We can also notice the need for amending some laws that regulate the organisation of authorities involved in the fight against organised crime in order to enhance their independence and build staff capacity. In addition, there is an obvious need for upgrading and introducing some changes into substantive and procedural laws that stipulate the powers and procedures of the state that handle cases of organised crime. In addition to the need to expand and deepen both regional and international cooperation, the paper has shown that certain bodies and institutions are not interconnected and evidently lack coordination and multi-sector cooperation necessary for successful fight against all forms of organised crime.

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HUMAN RIGHTS AND POLICE – THE ROLE OF POLICE TRAINING AND EDUCATION

Nevena Dičić Kostić

Summary

Professional policing based on respect for human rights is an essential foundation for the legitimacy and efficiency of the police. Only the police that are able to ensure the rights and freedoms of citizens deserve the trust and respect of the public. The key to a relationship of trust between the police and citizens lies in respecting human rights, which is impossible without having a good knowledge about them. Occasional human rights violations by police officers are clear indicators of the need for improving training in human rights at all levels of police education. Education on human rights must not be left to chance anywhere, particularly in the countries where the observance of human rights is not at the highest level, but it must be appropriately supported and systemic. As part of their formal education, all prospective police personnel should acquire relevant knowledge in the field of human rights, which they will translate into skills and apply in their daily work; they will also acquire a positive attitude towards the concept of respect for human rights and their necessity. Taking into account the role of police officers in the protection of human rights, human rights should be a key element in the professional development of each police officer. This paper seeks to stress the importance of education and training in the field of human rights and to highlight that familiarity with human rights issues facilitates a proper transfer and application of skills, knowledge and attitudes in everyday activities. This paper also highlights the importance of police training and describes the position of human rights in the system of police education in the Republic of Serbia, through the overview of human rights education within the Ministry of Interior, which is based on the examination of the curricula of police educational institutions and available teaching materials; the administration of a short questionnaire, which was designed with the aim of finding out the students' attitude about the level of knowledge related to human rights acquired during schooling; a comparative overview of the practice of human rights education in the police force of the Republic of Slovenia and the overview of important and useful international documents that recommend the ways and obligations of police training on human rights.

Recommendations

1. A constructive attitude of the police towards human rights should remain high on the police priority list.
2. Education on the observance of human rights should be properly designed, planned

and implemented to provide skills and a positive attitude towards human rights, in addition to knowledge.

3. Forming a positive attitude towards the observance of human rights should be based on the inclusion of human rights issues in the overall curricula of educational institutions, and not only in the Human Rights and related courses.
4. Along with learning about human rights, police officers should continuously improve their communication skills to be ready to deal with conflicts of different interests, intentions and needs.
5. More practical work and practical examples should be introduced, and meetings with members of various vulnerable groups, civil society organisations, representatives of international human rights organisations, should be facilitated within the framework of training programme.
6. It is necessary to investigate more in-depth and more comprehensively what attitude to human rights is created in the existing educational system and whether the obtained results indicate that it should be changed.
7. It is necessary to develop the concept of community policing, which is a good platform for a deeper understanding and implementation of human rights.

INTRODUCTION

In the past decade, human rights became an acceptable and common topic in Serbian society, which does not mean that there are no problems related to their realisation. In the recent past, human rights in Serbia were openly and grossly violated, and in that process the police were an instrument of repression and violation of rights.

Professional policing based on respect for human rights is an essential foundation for the legitimacy and efficiency of the police. Only the police that are able to ensure the rights and freedoms of citizens deserve the trust and respect of the public. The key to a relationship of trust between the police and citizens lies in respecting human rights, which is impossible without having a good knowledge about them.

The link between confidence in the police and respect for the rights was demonstrated in a series of studies conducted by the European Union Agency for Fundamental Rights (FRA).⁵⁷ Thus, for example, a survey that included 23,500 interviewed immigrant and ethnic minority people in all 27 EU Member States revealed a significant number of unreported crimes.⁵⁸ Sixty-five per cent (65%) of those who had suffered racist attacks or

57 European Union Agency for Fundamental Rights, available at: <http://fra.europa.eu/en>

58 European Union minorities and discrimination survey, 2008, available at: <http://fra.europa.eu/en/project/2011/eu-midis-european-union-minorities-and-discrimination-survey>

threats did not report the incident to the police, and over half of them (55%) stated that they had not reported it because of the “lack of confidence” in the police.

According to media reports, there is a tendency of growing trust in the police in Serbia, where citizens’ confidence in the police increased by 13% in the period 2010-2013; namely, 45% of respondents expressed their trust in the police.⁵⁹ Most people do not doubt the willingness of the police to deal with security challenges, and even 42% of respondents claim that the police are able to do so. However, as many as 55% of respondents would not report organised crime activities if they had knowledge of them. As many as 80% of the respondents who are not willing to testify about criminal activities justify their attitude with the fear that they would not be protected.⁶⁰

The results of public opinion polls conducted in 2012 reveal an interesting fact: speaking about the necessary changes in the police, citizens mainly stress the need for improving the education and competences of police officers.⁶¹

The police should particularly build trust among vulnerable groups. In Serbia, some population groups, particularly Roma, LGBT people, women, persons with disabilities and ethnic minorities are exposed to discrimination more often. Police officers at all levels must be prepared to recognise and prevent discrimination, since the protection of human rights is impossible without knowledge of the concept of non-discrimination. Knowledge and understanding of the characteristics of these groups leads to an increase in confidence and a willingness to cooperate with the police. On the other hand, lack of trust negatively affects the ability of the police to respond appropriately when necessary and consequently to prevent the growth of social tensions. The examples of the police officers’ attitude towards the LGBT community and Roma show the importance of familiarity with human rights and the principle of non-discrimination.

There are no accurate statistics about the victims of homophobic violence, because LGBT people often do not report the violence they experience.⁶² The reason for that is usually fear, but also a belief that nothing will be done with respect to their or other in-

59 In addition to the Serbian Orthodox Church, which has no political dimension, the police are most trusted by the citizens of Serbia.

60 Raste poverenje građana u policiju, *Politika*, 27. januar 2012, dostupno na: <http://www.politika.rs/rubrike/Hronika/Raste-poverenje-gradjana-u-policiju.lt.html>

61 Stav građana prema radu policije, *Istraživanje javnog mnjenja – decembar 2012*, dostupno na: <http://balkandata.net/wp-content/uploads/2013/05/OSCE-decembar-2012.pdf>

62 Debate Position of Human Rights Defenders in Serbia - National Policy?, held on 14 December 2012 in the Human Rights House, available at: http://www.bgcentar.org.rs/images/stories/Datoteke/Ljudska_prava_u_Srbiji_2012.pdf

idents of violence. Reasons for not reporting to the police are manifold and range from distrust of the police to fear from the police.⁶³

During 2013, the police attitude towards Roma repeatedly showed that understanding and respect for human rights by the police must be improved. One of these examples is the latest escalation of racist violence against Roma citizens in the Belgrade suburban settlement Zemun Polje. On that occasion, the safety of Zemun Polje residents was compromised because of organised protests and lack of adequate response of public authorities.⁶⁴ The reason for the protests was a statement given by one of the parents of children who attended the local school, who accused the settled Roma for spreading scabies. After that, a group of some 200 residents of Zemun Polje organised multi-day street protests. During the protests, the police were present only to prevent violence, but did not respond to the insults and threats against the Roma community.

These examples indicate that the police must always respond timely and appropriately to prevent the escalation of violence. Confidence in the police, particularly among vulnerable groups, has to be built through the daily work and through giving examples. By protecting the rights of citizens, the police are gaining the trust of society, which will lead to increased reporting of crimes, more efficient fight against crime, better treatment of victims and decrease in social tensions, both in a long and short term. Inadequate number of reported crimes creates an unrealistic picture of the crime problem, which prevents the police to protect citizens and calls into question the fundamental rights of victims.

Such a generally positive attitude of citizens imposes an obligation not to abuse the trust of citizens and to eliminate the reasons for distrust.

The police attitude towards human rights has recently undergone a transformation, and it is evident that among the decision-makers in the police there is more and more willingness to improve the respect for human rights. However, as human rights were openly and grossly denied in the recent past, it is now necessary to integrate this topic properly in police training and education curricula.

Occasional violations of human rights by police officers may also indicate the existence of gaps in their training and education at all levels. Training on human rights must not

63 Ibid.

64 Krivične prijave zbog protesta protiv Roma u Zemun polju, Politika, 9. novembar 2013, dostupno na: <http://www.politika.rs/vesti/najnovije-vesti/Krivicne-prijave-zbog-protesta-protiv-Roma-u-Zemun-polju.lt.html>

be left to chance anywhere, particularly in the countries where the observance of human rights needs to be improved, but it must be properly designed, planned and delivered.

HUMAN RIGHTS AND THE ROLE OF POLICE SERVICE

The role of the police in modern society is extremely complex because the expectations related to policing can be quite opposite. The police are expected to be effective, to have and use sweeping powers to suppress crime and ensure public safety. On the other hand, the police are expected to use less power, to be more accessible and not to rely on the power of public authority. These conflicting demands result in the need to find new guidelines for policing (Dujmović, Šuperina, 2010).

Some of these guidelines certainly state that the police should act as service to citizens, and the requirements are accountability before the law, transparent actions and protection of human rights, particularly those on which the police can have a great impact, such as freedom of speech, freedom of association, freedom of movement, freedom from arbitrary arrest and detention, and impartiality in performing official duties (Litmanovitz, 2012).

A trend of shifting the police role from a force to a service in the last few decades is visible in many processes of police reform. This concept takes into account the key elements of the provision of services, such as community policing, intensive public relations and accountability structures.

Some of the factors that have contributed to the changing of police role into a service to citizens is a transition from authoritarian to democratic systems in Central and Eastern Europe, emerged from the changes in the functioning of states in line with the principles of democracy and respect for human rights. The same role-changing process was happening in the developed Western European democracies where there is also a public concern about the abuse by the police. In these countries, the public pressure led to the reforms that opened the door for the transformation of the police into a service to citizens.

Generally speaking, viewing the police work through the prism of human rights has become a dominant perspective. It is based on the idea of responsible state whose main role is to provide services to its citizens. Trust and confidence building have been increasingly recognised as an essential prerequisite for successful policing. Without that trust, the public would not be willing to cooperate with the police, for example, to report crimes or provide the information required by the police.

The police have a great potential to become a leader in strengthening democratic society, because the interaction between the police and society can contribute to building confidence in the rule of law, but it can also have impact on giving up the rule of law (Litmanovitz, 2012).

NECESSITY OF KNOWING AND LEARNING ABOUT HUMAN RIGHTS

The obligation of continuous learning about human rights, which are proclaimed in a number of international documents, calls upon the system of training and education to develop and design curricula and to implement them in accordance with these guidelines. We can say that the earlier police training curricula did not contain appropriate content on human rights, and the textbooks included definitions such as this: “green movements, women’s movements and human rights movements are potential enemies of the state and its order, and therefore, the security forces should pay particular attention to them”. It was a reflection of the general attitude towards human rights in all the countries of Central and Eastern Europe. It was also the case with Serbia, which has made a huge leap forward in the process of reform, despite its late start (Milosavljević, 2004).

Taking into account the role of the police in the protection of human rights, human rights should be a key element in the professional development of each officer. Knowledge of human rights makes it possible to properly transfer and apply skills, knowledge and attitudes in everyday activities.

The police attitude towards human rights should be high on the police priority list, because the nature of policing often brings police officers in situations where human rights may be violated or where they themselves may cause human rights violations. We have seen numerous examples recently.

Serbia is a multi-ethnic state and consequently the potentially conflicting situations occur very often. In Serbia, the police have a major role in resolving inter-ethnic conflicts and in giving an example of tolerance and non-discrimination. In tense situations, the police should know how to react to calm the situation and to contribute to the improvement of relations.

The police have a significant role in protecting vulnerable groups, as shown by the example of multi-year problem with the Pride Parade and the protection of the LGBT community. The European Commission’s 2013 Progress Report on Serbia states that the police

have responded better and more effectively to attacks on the LGBT community.⁶⁵ Also, according to the statements of civil society organisations, the police attitude towards the LGBT community has been changing for the better and they now provide security of the places where the LGBT people gather.⁶⁶ Another confirmation of progress in human rights is the fact that the “Rainbow” award was assigned to the Division of Organisation, Prevention and Community Policing of the Police Directorate of the Ministry of Interior (Mol). The award is assigned for contribution to the fight against homophobia and transphobia and improved position of LGBT population in Serbia.⁶⁷

On the other hand, the violation of human rights by the police indicates that, among other things, there is room for improvement of police training. Accordingly, one of the questions that arise is whether the police training curricula contain appropriate content on human rights, and what the quality of training delivery is in terms of feasibility and proper understanding of the police role.

In view of the foregoing, it is important to note that human rights cannot be viewed only through legal standards and norms. Although it is essential to be acquainted with these standards, the understanding of human rights goes beyond legal requirements. Respect for human rights requires certain skills and a positive attitude that helps the police to make right decisions when interacting with citizens. According to the Fundamental rights-based police training manual of the European Union Agency for Fundamental Rights, the acceptance of human rights through education is a complex and multifaceted process.

The biggest challenge in performing police duties is the protection of human rights in the least invasive way. The police should primarily be a service to citizens and act in accordance with the law; the police should be transparent in their activities and should protect human rights.

CHALLENGES TO THE EDUCATION SYSTEM

The police service is becoming more and more specialised and professionalised, and police officers are better educated than ever before. A tendency of constant change and progress is a major challenge for the education system. Policing has become an increasingly intellectually demanding and stimulating profession. Thanks to the increasing

65 Progress Report, http://ec.europa.eu/enlargement/pdf/key_documents/2013/package/sr_rapport_2013.pdf

66 Human Rights in Serbia 2012, Belgrade Centre for Human Rights, 2013

67 Available at: <http://gsa.org.rs/2013/05/nagrada-duga-odeljenju-za-rad-u-zajednici-ministarstva-unutrasnjih-poslova/>

appreciation of the importance of training content and methodology, police officers at all levels think more broadly and consider the issues and options in greater depth and detail (Haythorne, 2004).

It is commonly believed that police officers usually consider that human rights are an obstacle rather than the foundation of their work. This negative attitude can be certainly felt in learning about human rights. It is one of the reasons why it is necessary to insist on the dual role of the police, on respecting and protecting human rights, refraining from actions that unjustifiably violate human rights and taking all necessary and appropriate measures to protect these rights. Through learning, the police should adopt the attitude that the traditional understanding of policing goals, such as the maintenance of public order and the fight against crime, is no longer sufficient. The central elements of human rights based policing are: special role of the police given its monopoly on the use of force, professionalism, strict adherence to the law, internal and external accountability, transparency and the relationship of trust with the public (Haythorne, 2004).

Appropriate police training is the first and most important step in creating an efficient and professional police service. Knowledge and understanding of human rights contribute to their respect and protection by the police. Indeed, knowledge of human rights is most important when the citizens' highest values are threatened, such as the right to life and freedom of movement, because in such cases it is obvious to which extent it is necessary to respect the principles of legality, necessity and proportionality, which are fundamental for the development of a democratic society. And yet, human rights violations are not harmless even when they are less visible, i.e. when some less obvious freedoms are violated and when life is not directly threatened.

Education in the field of human rights should provide knowledge and skills and a positive attitude towards human rights.⁶⁸

During their education, police officers must understand the function, importance and development of the concept of human rights, the meaning of the principle of non-discrimination and proportionality, the state's obligation to respect and protect human rights, the universality and indivisibility of human rights, the basic elements of the system of human rights protection and the content of legal norms relevant to their operation.⁶⁹

68 OSCE/ODIHR, Guidelines on Human Rights Education for Law Enforcement Officials, September 2012.

69 Fundamental rights-based police training manual, European Union Agency for Fundamental Rights, 2013.

In addition to knowledge, it is necessary for police officers to acquire skills that will enable them to apply the principles of human rights (in particular the principles of necessity and proportionality) in practical work and to communicate professionally with the community in which they work, especially in dealing with minority communities and vulnerable groups.

Education should provide a foundation for fostering respect for self and others, which is based on respect for the dignity of all people, regardless of gender, race, ethnicity, language, sexual orientation, religion, political or other opinion. According to the Fundamental rights-based police training manual of the European Union Agency for Fundamental Rights, police officers should develop awareness of their own responsibility and empathy for others. Along with learning about human rights, police officers should continuously improve communication to compensate for the lack of communication in some parts of society. They must be trained to resolve the conflict of different interests, intentions and needs.

Access to human rights based education requires the integration of human rights in the entire curriculum development process (from planning and defining, through implementing, to monitoring and evaluation) and the pursuit of the general goal of improving human rights.

Human rights education must always be accompanied by ethics. Ethics training for police officers at all levels is a requirement of lawful exercise of police powers. The police are in a special position, because they can apply the toughest measures against human life and body, i.e. interfere with and restrict a much larger number of guaranteed rights and freedoms than any other civil servants. Ethics should be incorporated in the foundations of any police training curriculum.

Individual cases of excessive police powers and human rights violations require from the education system to devote even more attention to learning about human rights.

Importance of knowing own rights

In addition to the aforementioned elements, knowledge of one's own rights is very important for appreciation of human rights. The police officers' knowledge of human rights must be seen from a dual perspective: the police is indeed an authority indispensable for the exercise of citizens' rights, which is the foundation of any democratic society, but police officers are themselves the holders of human rights, which they have to be aware of and which must be respected. Therefore, it can be required, in the full sense, that police officers respect the rights of others.

The police usually expect to be criticised for their work; moreover, public expectations from the police in Serbia have been growing on a daily basis, while the police capacity has not been increasing in proportion to the expectations. In such an atmosphere, it can be expected that police officers take a defensive attitude and that they are not open for new insights. This fact indicates that the primary goal of human rights education is to overcome scepticism and create a positive attitude towards human rights.

It is not uncommon that police officers, while learning about human rights, question their own human rights, because they feel insufficiently protected. It is for this reason that learning about human rights in general should be accompanied by learning about one's own rights. Through knowledge of their own rights, police officers will better understand the rights of others and, most importantly, they will feel as part of the sector that provides security to citizens and society, and not as their opponent.

Availability of training and employment in the police

With regard to respect for human rights and the principle of non-discrimination, the rights of minorities and vulnerable groups regarding employment in the police are particularly important. The Law on Protection of Minorities⁷⁰ provides that the ethnic composition of the population⁷¹ must be taken into account in the procedure of employment in public service, including the police. However, there are no records on representation of national minorities in public service, including the police service. Although it seems that keeping such records would not be in accordance with the freedom of expression of national affiliation, guaranteed under the Framework Convention, the Constitution and the Law on Protection of Minorities, it would be desirable to have such data available, particularly because the records on the ethnic composition of the population are already kept for other purposes (e.g. for determining whether the right to official use of minority languages is exercised). Although these records (due to the respondents' right not to declare their nationality) would not fully reflect the actual representation of ethnic minorities in the police, it could serve as an indicator of the need to introduce affirmative action measures in order to achieve full equality in the participation in public affairs, including the police.

The position of women in the education system is extremely sensitive. Although women's rights are guaranteed by numerous international treaties, including the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)⁷², the Univer-

70 Law on Protection of Rights and Freedoms of National Minorities, Official Journal of FRY, no. 11/2002, Off. Journal of SaM, no. 1/2003 – Constitutional Charter and Off. Gazette of RS, no. 72/2009 – state law and 97/2013 CC Decision.

71 Art. 21.

72 Convention on the Elimination of All Forms of Discrimination against Women (Official Journal of

sal Declaration of Human Rights and the International Covenant on Civil and Political Rights⁷³, the process of integration of women in the education system was impossible and difficult in the past. The Police College is the first police education institution that enrolled women as early as in 1973. For years, the number of women was limited by very low quotas, but after their abolition, the number of women began to grow rapidly.⁷⁴ Before the academic year 2002/03, the Academy of Criminalistic and Police Studies (former Police Academy) did not accept women, due to the fact that the Ministry of Interior, which established the enrolment quotas, did not show interest in educating women for managerial positions.

As regards the availability of specialised training and certain positions for women in policing, the findings show significant differences in the attitudes of women police officers and their male peers on this issue - about 60 per cent of male and just over 30 per cent of female respondents believe that all training and positions are equally available to all police officers. This indicates the need for reforming the system of human resources management within the national police forces to make all positions equally available to women and men in practice.⁷⁵

POSITION OF HUMAN RIGHTS IN THE EDUCATION SYSTEM OF SERBIA

The aforesaid leads to the conclusion education should provide all prospective police officers with relevant knowledge in the field of human rights, which they will translate into skills and apply in their daily work, and use for developing a positive attitude towards the concept of human rights and their necessity.

In accordance with this is the Fundamental rights-based police training manual of the European Union Agency for Fundamental Rights, which advises that respect for human rights by police officers, is based on three equally important factors in the field of training and education: knowledge, skills and attitudes.

The Manual recommends that all three levels (knowledge, skills and attitudes) should be considered in planning human rights education.

SFRY- International Treaties, no. 11/81)

73 Official Journal of SFRY- International Treaties, no. 7/1971

74 D. Spasić, Žene u sistemu policijskog obrazovanja, stanje i perspektiva ženskih ljudskih prava, <http://www.doiserbia.nb.rs/img/doi/1450-6637/2008/1450-66370803041S.pdf>

75 Istraživanje, Položaj žena policajaca u zemljama jugoistočne Evrope (Survey, Position of Women Police Officers in Southeast Europe), available at: <http://www.npss.rs/component/content/article/98-opte/541-istraivanjapoloaj-ena-policajaca-u-zemljama-jugoistone-evrope.html>

Namely, as regards knowledge, the Manual suggests that it is necessary for participants to understand the role of human rights in society, development of human rights, the principle of respect for human rights (in particular the principles of necessity and proportionality, the principles of non-discrimination, universality and indivisibility), and to get acquainted with relevant national and international documents, and organisations and institutions dealing with human rights. In addition to knowledge, they need to acquire relevant skills to be able to apply the principles of human rights in practical work, to communicate professionally with the community in which they work, including minority communities, to analyse the situations they meet on a daily basis from the perspective of human rights, and to know how to resolve conflicts peacefully.

Most importantly, they need to have a positive attitude towards human rights, respect the dignity of others and their own, be aware of their own responsibility and have empathy for others, especially for vulnerable groups, be open and accepting of diversity, and be ready to deal with criticism.

Human rights can be studied during basic police education and later throughout the professional career. Ethics may be included in one or more particular courses, either compulsory or elective. Anyhow, education should include lectures and practical training on the application of acquired knowledge. For example, the European Code of Police Ethics specifies the following types of police training: general or initial training, specialist training, practical training and management and leadership training.⁷⁶

The Code of Police Ethics of the Republic of Serbia⁷⁷ states that general police education seeks to be as open as possible to society and to fully recognise the need to combat racism and xenophobia. Through in-service training, based on the values of democracy, the rule of law and protection of human rights, police officers develop the skills they need to carry out police tasks.

In Serbia, future police officers meet with the concept of human rights more than once throughout their education, from basic police training at the Basic Police Training Centre in Sremska Kamenica, through academic and vocational studies at the Academy of Criminalistic and Police Studies, to various forms of in-service training in the workplace or for needs of the workplace.

76 Recommendation Rec(2001)10, adopted by the Committee of Ministers of the Council of Europe on 19 September 2001.

77 Off. Gazette of RS, no. 92/2006.

The Strategy for Developing the System of Training and Education⁷⁸ of the Republic of Serbia's Ministry of Interior defines the following types of police training: basic police training, specialist training (basic, advanced and higher level) and in-service training (basic and advanced level).

Specialist training is designed for those who have completed basic police training and are preparing to perform the duties of general, traffic, border or criminal police; security jobs, tasks of gendarmerie, special units, police management and so on. The highest-level of education (post-secondary vocational training, university education and higher levels of education) is conducted in higher education institutions.

Based on the review of the curricula of police education institutions, available teaching materials and interviews with a Professor of the Academy of Criminalistic and Police Studies, we have made a summary of human rights studies through all forms of police training. In addition to the overview of curriculum, we present the results of a short questionnaire designed to find out the opinions and attitudes of students about the level of knowledge acquired during education. For the purpose of comparative study on human rights education, we conducted an interview with a representative of Slovenian police force.

Basic police training

The Basic Police Training Centre in Sremska Kamenica is the only institution for basic police training in the Republic of Serbia. Until August 2009, the Police Secondary School and the Basic Police Training Centre (BPTC) operated concurrently. In line with the reforms introduced by the Ministry of Interior of the Republic of Serbia in the field of education and training, since 2007 the Centre has been training both women and men. The one-year training course is designed to provide only necessary professional knowledge and skills, which are to be further improved through specialised courses throughout the professional career. The training includes the course Human Rights and Code of Police Ethics in the duration of 35 school hours. The number of school hours indicates that significantly more time is allocated for this course than for some other courses, such as Police Officers: Rights, Responsibilities and Duties (25), Administrative Affairs and Misdemeanour Procedure (16), Basics of Security (9). It is important to mention that the Communication Skills course, necessary for a comprehensive understanding of human rights, is studied as many as 76 hours.

78 Available at: <http://prezentacije.mup.gov.rs/upravzaobrazovanje/strategija-5.html>.

Higher police education

The students of the Academy of Criminalistic and Police Studies meet with the concept of human rights in the course of basic, specialist and master studies.

During Basic Vocational Studies, students are acquainted with the concept of human rights through several courses, primarily Constitutional Law and Protection of Human Rights, and Criminal Procedure Law. Although the introduction of human rights is not the primary goal of these courses, a significant part of lectures is devoted to this topic. The Constitutional Law provides students with knowledge related to the existing constitutional provisions, as well as the institutional mechanisms for the protection of human rights. The lectures deal with the concept, evolution and division of human rights, the general principles of exercising human rights, human rights in emergencies, and the protection of human rights. The Criminal Procedure Law deals with human rights to the extent to which they are related to criminal procedure and focuses on the respect for human rights and freedoms of individuals/citizens in the process of detecting and solving crimes.

In addition, the course Police Organisation and Operations provides students with knowledge about the structure of the police and its functions. In addition to special measures of protection and observance of human rights, this course addresses police communication and organisational behaviour.

Human rights are taught also in the course SFO III – using means of coercion, which enables students to gain qualitative understanding and evaluation of the use of force in line with international standards and comparative practice.

The Human Rights course is elective in the third year and it is chosen by about twenty students on average.⁷⁹ During the semester, students acquire necessary knowledge about human rights, including human rights in the constitutional system of Serbia, and possible forms of human rights violations by police officers. The course is both theoretical and practical. The theoretical part includes the study of concept and historical development of human rights; theory of human rights; internationalisation of human rights; legal sources; classification of human rights; general principles of the enjoyment of human rights; limitation of human rights; mechanisms of human rights protection; human rights in armed conflicts; human rights in emergency situations; personal rights; political rights; economic rights; social rights; cultural rights; minority rights; rights of foreigners.⁸⁰

79 Information obtained from Professor Darko Simović, interview conducted on 26 December 2013

80 The used textbook: D. Simović. R. Zekavica, Policija i ljudska prava, Kriminalističko-policijska

During the semester, the course also seeks to cover all this material through practical exercises, concrete examples and solutions. Students are often given the opportunity to discuss the topics of their concern that cause controversy in society (e.g. abortion, rights of the LGBT community).

Human rights and protection mechanisms are studied in the course Public International Law, where in addition to public international law, special focus is placed on the ways of protecting certain categories of people.

The Specialist Academic Studies deal with human rights within the elective course Security Risk Factors, which touches upon the relationship between human rights and security.

The Master Studies include the course Police and Human Rights, which provides students with basic knowledge of human rights, with special focus on basic police powers and their use in accordance with international standards. The topics of the lectures are: police position in the constitutional system of government; principles of the rule of law, legality and proportionality; principle of non-discrimination; factors that contribute to human rights violations by police officers; relation between discretionary police powers and human rights; international instruments of particular importance for police conduct; international standards for police conduct, the police attitude towards vulnerable groups and police accountability for human rights violations.

In-service training

The Directorate for Police Education, Professional Training, Development and Science deals with training during career. It comprises the Basic Police Training Centre (BPTC) in Sremska Kamenica and the Centre for Specialised Police Training and Professional Development.

The Directorate's goal is to develop an appropriate system of continuous training through the establishment of regional training centres, where selected police officers, temporarily removed from their working environment, will be trained.⁸¹

The Centre for Specialised Police Training and Professional Development does not provide additional education in the field of human rights, but there is a training programme Peer Support, which is included in the list of programmes and available to police officers, and which can help in developing tolerance and empathy among employees. The goal of

akademija, 2012.

81 Available at: <http://prezentacije.mup.gov.rs/upravaobrazovanje/lat-zadaci.html>

the training programme is to educate the police officers, selected through an appropriate procedure, to provide primary prevention assistance, which is a significant support to expert services, medical doctors and psychologists, but also to senior officers who, within their competences, have also an obligation to take care of the humane aspect of policing.⁸²

The in-service training programme of the Republic of Serbia's Ministry of Interior includes human rights topics and sets up an obligation for employees to attend this kind of training in the course of the year.

Textbooks

Having reviewed the available textbooks of the Academy of Criminalistic and Police Studies, which include human rights issues, we have gained an impression that this topic is sufficiently present at the formal level.

The textbook *Constitutional Law*⁸³ deals substantially with human rights through the explanation of concept, historical development and division. The most important part refers to the principles of human rights: equality, direct applicability, prohibition of human rights abuses, and prohibition of lowering the level of achieved rights. The most important rights for policing, which are thoroughly elaborated, are personal rights, with the focus on the right to life, the right to inviolability of person's integrity, the right to personal liberty, the right to movement, the right to inviolability of the home.⁸⁴ The textbook also specifies the economic, social and cultural rights, and the rights of national minorities. It provides a summary of the protection and restrictions on human rights and temporary derogations from human rights.

The *Introduction to the Police Ethics*⁸⁵ deals with ethical aspects and issues of policing. Ethics and morality of police officers to a large extent intertwine with respect for human rights, which is explained in this textbook along with the fact that human rights law is a particularly important source of police morality. The relationship between human rights and ethics is highlighted also through the examples indicating that the police protect human rights from violations by other people, but also from violations that the police may commit or be liable for. This leads to a conclusion that the police largely protect human

82 Available at: <http://prezentacije.mup.gov.rs/upravazaobrazovanje/aktuelno/csoup%20obuke%20lat.pdf>

83 M. Živković, D. Simović, *Ustavno pravo*, Kriminalističko-policijska akademija, 2009.

84 In addition to this principle, it also discusses the freedom of thought, conscience and religion, the right to personal data protection, the freedom of expression and national affiliation, the rights of the child, the right to inviolability of correspondence, the right to citizenship.

85 M. Jevtović, *Uvod u policijsku etiku*, Kriminalističko-policijska akademija, 2009.

rights particularly through their own morality. The textbook gives examples of a person's right to integrity, prohibition of torture, and also provides an overview of the international instruments of human rights law and humanitarian law. In addition to being a source of morality, they are applied to protect rights and freedoms.

The course National Security⁸⁶ provides an overview of the concept and history of human rights and freedoms, the relationship between national security and safety of people, and the system of rights and obligations within that relationship.

The Community Policing⁸⁷ is one of the courses that can have the greatest impact on the development of positive attitudes towards respect for human rights, because both concepts include the principles of communication, tolerance and understanding. In addition to the elaborated concept and background of community policing, the textbook thoroughly analyses the conduct of community police through police-community partnerships, meetings with citizens, the development of communication, work in local communities and police actions aimed at reducing the fear of crime. It is insisted on citizen-oriented policing.

The textbooks used in education, which include some topics related to human rights, provide rather detailed theoretical foundations of human rights law. However, the relationship between human rights and the police is not presented quite clearly due to the lack of practical examples.

Results of a short questionnaire

At the time of writing this paper, we interviewed 27 current and future police officers who have completed or are undergoing police education and training.⁸⁸ We interviewed 5 students of the Academy of Criminalistic and Police Studies, 15 former students with 5-8 years of work experience after graduation and 7 police officers who completed police training (two of them completed training two years before, one of them 6 years before, three of them 4 years before and one of them 10 years before). They responded to four short questions:

1. Do you remember which courses that you attended included human rights topics?
2. Did you choose Human Rights as an elective course and why?
3. Do you think that you have a sufficient knowledge of human rights to be able to make the right decisions in practice?

86 S. V. Mijalković, Nacionalna bezbednost, Kriminalističko-policijska akademija, 2009.

87 Ž. Nikač, Policija u zajednici, Kriminalističko-policijska akademija, 2010.

88 The interviewed police officers wanted to be anonymous.

4. Do you have suggestions for better and more efficient education in this subject area?

All interviewees remembered which courses included human rights topics; 13 of them noticed that human rights had not been the topic covered by exams or had been covered only to a small extent.⁸⁹ None of the respondents who had the option to choose the Human Rights course did so, basing their decisions at that time on the complexity of the syllabus and the exam passing scores. All respondents believe to be sufficiently familiar with human rights, but that they acquired relevant knowledge later on, through additional training and work. They consider that formal education was theoretical and did not provide them with the opportunities to link the acquired knowledge to practical examples. Seven respondents suggested that video and audio materials, such as the videos showing the examples of good or bad actions, should be used more in the teaching process.

Although the sample of this study is small (27), and hence, the conclusions cannot be generalised, the respondents' opinions provide useful guidelines, in particular those saying that human rights lessons are mainly theoretical, that interactive teaching materials and methods for bringing human rights closer to students should be used more, and that practical examples from policing practice should be introduced. It is necessary, indeed, to further investigate this subject matter on a larger sample.

SYSTEM OF POLICE EDUCATION IN SLOVENIA

The Police Academy in Slovenia has established a number of educational programmes and training models. The educational programme for prospective police officers includes 30 hours devoted to the issues of human rights, professional ethics and integrity. These topics are also an essential part of education in the vocational school (basic training) within the courses Police Powers and Professional Ethics.

At the Academy, the course Police Powers and Their Application includes 15 - 60 hours devoted to human rights. During this course, students should assume the attitude that human rights are not an obstacle to their work, but an integral and most important part of the job. The course provides knowledge about the development of constitutional and international human rights protection, the protection of human rights in Slovenia and the role of the Ombudsman. The course Human Rights and Police teaches about the observance of human rights in daily work, how the police can prevent abuse of force, and about the work of the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT).

⁸⁹ This is an impression of interviewees, rather than the fact.

The course Professional Ethics includes 12 hours devoted to human rights and 12 hours devoted to social skills. In addition, the Academy conducts two-day seminars in the form of workshops and discussions. The focus is placed on developing awareness of stereotyping and fighting against it, explaining the causes and consequences of prejudice and prevention of discrimination in multi-ethnic communities. When characteristics of a particular community and their members are discussed in the training course, a representative of the community is always present, so that students are focused on establishing dialogue and cooperation, particularly with regard to security issues. Representatives of various organisations, such as Amnesty International, regularly come to observe training sessions.

The Slovenian police service has developed a single curriculum on police ethics and integrity, which links the theoretical and abstract concepts, while stressing a practical approach to education and training.

One of the most successful programmes implemented by the Ministry of Interior was a training programme for police officers and representatives of the Roma community.

There is a high degree of tension between Roma and non-Roma communities in Slovenia.⁹⁰ Like everywhere else, the police are often the first to respond to any crimes involving Roma as victims, perpetrators or witnesses. The introduction of the concept of community policing required from the Slovenian police to quickly accept high standards, as expected of the police: to consult with the community in which they work, to understand and respond to the needs of community, to solve problems jointly, to be accountable and transparent.

The difficulties in this process led to the programme in which police officers participated in training together with Roma, opening the possibility for mutual understanding and discussion. The programme was based on the gathering of police officers and Roma national and local leaders in joint two-day training sessions. Through a brief introduction, police officers were acquainted with human rights and multiculturalism, and then learned some basics of the Roma language and culture from Roma participants. On the other side, police officers taught Roma about the rights and obligations they have in a democratic society, including what to expect from the police in terms of safety, security and methods of investigation.

Since 2003, over 1,500 police officers have completed this training, learning about Romani dialects, culture, tradition and understanding the origins of prejudice against

90 S.Strobl, Nothing to be done about them without them: The Slovenian National Police and Roma joint-training program, *International Journal of Comparative and Applied Criminal Justice*, 2013.

this community. About 14 training sessions, each for 20 police officers, are held every year.

This programme has contributed to building trust between the police and Roma citizens at the local level. The objectives of this programme were to educate police officers on human rights and help them understand ethnic differences in order to better cooperate with the local Roma population. Participation of non-governmental organisations and Roma community leaders is an integral part of the training which aims to provide police officers with the opportunity to get directly acquainted with the local Roma whom they will meet later in their work.

Through dialogue with representatives of the Roma community, police officers have a unique opportunity to fully understand the environment in which they work, but also to find out about the police image among the local population, to understand the negative effects of stereotyping and learn to use dialogue as a means of conflict resolution.

The methodology of training: The training of police officers, who were selected on the basis of the extent to which they have contact with Roma, takes place in a police station. On the first day, training is delivered only to police officers, without participants from the community. Police officers are required to wear their civilian clothes and sit in a circle, which helps in creating an informal atmosphere and facilitating an open discussion. Participants are fifteen to twenty police officers of different positions in the hierarchy and different years of experience.

The training starts with an exercise during which the participants describe and analyse their social and economic position in the Slovenian society. For example, they talk about whether they grew up in a rich or poor family, whether they have ever been ridiculed because of their characteristics or behaviour. Participants discuss the stereotypes that both they and society as a whole have towards Roma and possible effects of prejudice on policing. Most often, this discussion is a part of exercise that involves displaying images of the same person in different clothes, with different religious or ethnic characteristics. In addition to this discussion, participants consider again the basic mechanisms for the protection of human rights within the framework of the UN, the European Union or the Council of Europe, which they learned about in their previous education.

During the first days of training, through a role-play exercise, police officers put themselves in the position of Roma to have the opportunity to realise the limitations that Roma may have in the contact with the police officers who do not understand them. Representatives of the Roma community join the second day of training in order to establish cooperation with the local police in a direct way. Discussion is focused on specific problems faced by police officers and Roma in the community, with an emphasis on mutual

understanding of needs and specific characteristics. After that, police officers learn to communicate in the local Romani dialect at basic level, directly from representatives of that community. They also discuss about Roma culture and what the police can expect when visiting a Roma settlement or home. On the other hand, police officers explain their legal powers, how to get information from the police at the local level, and they also provide contact details and other useful information.

This and similar training programmes have greatly contributed to understanding of and respect for human rights by police officers, by bringing policing closer to the community, but they have also helped the police to understand the dynamics of the community and its members.

CONCLUSION

In order to work well, police officers need to gain the trust of citizens, which requires respect for human rights. It is impossible to achieve respect for human rights without knowledge of them, but also without relevant skills and positive attitude. All of this should be achieved through the educational system, which has a difficult task of adjusting to changes and faces new requirements in the performance of duties.

In Serbia, there is a trend of growing trust in the police. Such a generally positive attitude of citizens imposes the obligation to justify their confidence. Primarily, the attitude towards vulnerable groups should be improved. The police attitude towards Roma or LGBT community has repeatedly demonstrated that understanding and respect for human rights by the police must be improved. Occasional violations of human rights by police officers indicate that some of the reasons for such behaviour are certainly shortcomings in police training at all levels. Knowledge of human rights that police officers acquire should be less theoretical and based more on practical examples clearly showing the connection between human rights and policing. It is not the most important whether the Human Rights course is compulsory or not, because during schooling everybody has the opportunity to learn sufficiently about the concept of human rights through other courses. It is more important that teaching materials and methods are suitable for developing proper decision-making skills to ensure making the right decisions in policing.

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