ASSESSMENT OF POLICE CORRUPTION IN SERBIA

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ACPS  Academy of Criminalistic and Police Studies
BPD   Border Police Department
CeSID Centre for Free Elections and Democracy
CPD   Criminal Police Department
CSO   Civil society organizations
DPE   Directorate for Professional Education
EU    European Union
GRS   Government of the Republic of Serbia
IAS   Internal Affairs Sector
MoI   Ministry of the Interior of the Republic of Serbia
PD    Police Department
SCOC  Service for Combating Organized Crime
UNDP  United Nations Development Program
UNODC United Nations Office on Drugs and Crime
ASSESSMENT OF POLICE CORRUPTION IN SERBIA

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1. **Transparent fight against police corruption**

The work of the MoI, and especially of internal control bodies in the police, should be available to the public and institutions responsible for external control and oversight. To begin with, it is necessary to publish documents important for the fight against police corruption, primarily the Action Plan for the Implementation of the 2011-2016 MoI Development Strategy, as well as the MoI Integrity Plan. The Strategic-Intelligence Assessment of Police Corruption, the Anticorruption Manual and the Police Ethics Manual should be published next. Afterwards, the MoI result report should become public and available on the Ministry web page.

2. **Depoliticisation of the police work**

The police director has admitted that political parties have substantial influence on the work of the police. Practice shows that this influence is mostly visible in the management of human resources and finances of the MoI. It is therefore necessary once again to point out and accept that the police service is responsible to elected institutions, but that it is not under the control of political representatives. Operational independence, control and responsibility must exist in an independent and professional police service.

3. **Establishment of an effective system of internal control**

Legal regulations should be introduced to regulate the authority and distinguish competencies in the operation of the three control bodies in the MoI, namely: the Internal Affairs Sector, Department for the Control of Legitimacy of Work of Regional Police Departments, Division for the Control of Legitimacy of Work within the Gendarmerie – as well as their coordination. The Internal Affairs Sector of the Police should report on its work directly to the National Assembly and the competent committee on internal affairs, especially following police scandals which have significantly undermined confidence in the police service. Finally, the human, material and financial capacities of internal control bodies in the MoI need to be strengthened, and the independent operation of the Ministry’s internal control bodies needs to be enabled.
INTRODUCTION

Results of public opinion polls on corruption conducted among police officers, assessment of police work, statistics on filed criminal complaints against police officers and different scandals in connection with the MoI work which occurred in 2013 indicate that there is significant corruption in the police and that this undermines the integrity of police and its officers. In addition to this, a harmonized system of internal police control, which, together with institutions of external oversight and control, should prevent the police from exceeding their competences and simultaneously ensure greater responsibility of police officers, does not work well in Serbia. Also, the implementation of strategic documents for reducing police corruption is questionable. All this together is not conducive to meeting the expectations of most citizens that the police should play the leading role in the fight against corruption in Serbia (CeSID, UNDP 2012: 25).

INDICATORS OF POLICE CORRUPTION

According to the public opinion, the Serbian police is the most corrupt police force in the region

According to a 2013 public opinion poll, the Global Corruption Barometer, the Serbian police service is the most corrupt police force in the region. As much as 69% of Serbian citizens believe that police are corrupt. This perception of police corruption exceeds the international average of 60% (Đorđević 2013: 4)

Citizens and police officers have similar views on police corruption

Citizens and police officers have similar positions regarding the problem of police corruption, above all its content, types and cause of origin. The main type of police corruption is receiving bribes from citizens, while the most corrupt persons are police heads. Political parties’ interests have the greatest influence on the generation of corruption in the police, so that politicization permeates nearly every single aspect of policing. There are certain differences in the positions of police officers and citizens, as a result of police culture in Serbia. Police officers do not want to discuss the issue of corruption publicly, despite being aware of its existence (Đorđević 2013: 54).

Serbian police is just beginning to fight corruption properly

Frequent presence of police corruption reduces investments. Foreign companies which find out that there is a high level of violence, corruption and organized crime in Serbia, and that the police do not respond to these issues appropriately, choose not to invest in the country. In 2012, the World Economic Forum described the reliability of the Serbian police as “medium”, which means that it is only beginning to fight corruption and crime properly (World Economic Forum 2012: 314–315).

One in nine criminal complaints are filed against police heads

During 2012, the IAS filed 146 criminal complaints against police officers. One in nine criminal complaints were submitted against police heads, including the one against the Zaječar Regional Police Directorate head. In addition to this, criminal complaints were also filed against police station chiefs, commanders and deputy commanders (IAS 2012:14). Most frequently, the filed criminal complaints referred to the criminal offense of abuse of office.
The largest number of police-related scandals since the democratic changes occurred in 2013

The year 2013 saw a record number of police-related scandals since the 5th October 2000 democratic changes. Their epilogue is still unknown and they frequently involved senior officials in the police and at the Ministry headquarters. The scandals referred to a security threat against the head of state, wiretapping of two leading Serbian Progressive Party members, election of the police director, meeting between the interior minister and a member of the Đorđe Đurić organized crime group, information leaks from the MoI, and finally to the Gendarmerie story. A common feature of all these scandals is that they were first disclosed by tabloids, which points to another form of political corruption: disclosure of police information. Such scandals always have enormous media coverage.

Weak implementation of strategic plans aimed at reducing police corruption

The reduction of police corruption largely depends on the implementation of three documents: the 2011–2016 MoI Development Strategy, the National Anti-Corruption Strategy and the MoI Integrity Plan. However, these documents were not properly implemented until late 2013. Only one activity was fully implemented in line with the deadlines provided in the Action Plan for the Implementation of the MoI Development Strategy. The Action Plan for the Implementation of the National Anti-Corruption Strategy contains a number of shortcomings, the biggest of which is that financial costs for a great deal of activities have not been envisaged. The actual implementation of the MoI Integrity Plan would result in the creation of a harmonious police system, resistant to the risks of corruption, especially in risky areas, such as financial and human resources management.

Purpose and structure of the report

All above mentioned facts emphasize the need for drafting an independent assessment of police corruption in Serbia. This report should therefore primarily help the public to understand police corruption better. Based on the report, civil society organizations will be able to formulate their positions for advocating appropriate ways to reduce police corruption. It is important to mention that only the IAS has so far made an assessment of police corruption based on interviews with police officers and citizens. However, this analysis should be taken with reservations, due to suspicions that police officers have not provided honest responses to the IAS questionnaire. Also, this report is not available on the MoI web page and the public cannot easily access the IAS findings on police corruption.

First of all, the report briefly explains the phenomenon of police corruption and police integrity. The second part of the report provides a comparative presentation of the views of citizens, police union members and police officers on various dimensions of police corruption. The third part of the report presents the main types of police corruption in Serbia. This is followed by an analysis of IAS work aimed at reducing police corruption. At the end of the report, there is a detailed analysis of the content and implementation of the three documents which are of importance for the reduction of corruption in the police: the 2011–2016 MoI Development Strategy, the National Anti-Corruption Strategy and the MoI Integrity Plan. The research methodology is presented at the end of the report.

1 Information obtained during the work of the focus group with IAS and BPD representatives, 30th October 2013
THE PHENOMENON OF POLICE CORRUPTION

Corruption undermines police integrity. Through corrupt practices, police officers abuse their powers while gaining profit, whereas their responsible behaviour increases their aptitude to resist the abuse of authority and strengthen integrity. This section explains the notions of police corruption and police integrity.

At the end of this section, you will learn:

- what is police corruption and what is police integrity;
- what are the causes of police corruption;
- what are the types of police corruption;
- what are the four principles of democratic policing;
- why is it important to strengthen the integrity of the police service.

POLICE CORRUPTION

Scholars agree that it is very difficult to define police corruption because of its links with all other forms of unlawful police conduct (Miller 2013, Punch 2000, Newburn 1999). A broader definition of police corruption describes deviant, dishonest, improper, unethical or criminal behaviour of police officers, i.e. behaviour that deviates from fundamental social norms (Barker and Roebuck 1973). According to a more narrow definition of police corruption, a difference needs to be made between corrupt activities, such as receiving bribes, and non-corrupt criminal activities – robbery, burglary and theft without the use of legally obtained police competences (Miller 2013).

The Interpol Group of Experts on Corruption has defined police corruption comprehensively, because an act of corruption involves equally all players as well as all possible types of corrupt practices in the police (Box 1), where the two key elements of police corruption are clearly linked (Illustration 1).

Illustration 1: The two key elements of police corruption
**Box 1: Definition of Police Corruption Suggested by Interpol**

1. The solicitation or acceptance, whether directly or indirectly, by a police officer or other employee of a police force/service of any money, article of value, gift, favour, promise, reward or advantage, whether for himself/herself or for any person, group or entity, in return for any act or omission already done or omitted or to be done or omitted in the future in or in connection with the performance of any function of or connected with policing;

2. The offering or granting, whether directly or indirectly, to a police officer or other employee of a police force/service of any money, article of value, gift, favour, promise, reward or advantage for the police officer or other employee or for any person, group or entity in return for any act or omission already done or omitted or to be done or omitted in the future in or in connection with the performance of any function of or connected with policing.

3. Any act or omission in the discharge of duties by a police officer or other employee of a police force/service which may improperly expose any person to a charge or conviction for a criminal offence or may improperly assist in a person not being charged with or being acquitted of a criminal offence.

4. The unauthorized dissemination of confidential or restricted police information whether for reward or otherwise.

5. Any act or omission in the discharge of duties by a police officer or other employee of a police force/service for the purpose of obtaining any money, article of value, gift, favour, promise, reward or advantage for himself/herself or any other person, group or entity.

6. Any act or omission which constitutes corruption under a law of the Member State.

7. Participation as a principal, co-principal, initiator, instigator, accomplice, accessory before the fact, accessory after the fact conspirator or in any other manner in the commission or attempted commission of any act referred to in the preceding provisions of this Article.

Two types of factors affect corruption in the police. Constant factors are conducive to the appearance of acts of corruption in the police, which is why this phenomenon exists in every part of police development and in every police service. Variable factors determine the extent and severity of corrupt actions (Box 2) (Newburn 1999).

Types of police corruption can be quite different, ranging from those with less harmful consequences, to those which represent criminal offenses under the law. Nield (2007: 3-6) classified four groups of corrupt activities: (1) petty corruption; (2) bureaucratic corruption; (3) criminal corruption; (4) political corruption (Table 1).

**Box 2: Causes of Police Corruption**

**Constant factors**

1. Police officers have considerable freedom in deciding on the exercise of police powers. This enables them to make such decisions based on the assessment of potential gain rather than on the basis of professional judgement.

2. Line managers find it difficult to supervise the work of police officers directly because the latter are constantly in the field, which gives them flexibility in law enforcement and execution of tasks.

3. The public generally knows nothing about the day-to-day duties of police officers. Also, police officers have access to private property, where no supervision is possible. This all enables them to be flexible in the execution of tasks.

4. Closed systems, like police, develop a self-protective culture governed by the 'code of silence'. In such an environment, the unwritten rule is not to report mistakes, misconducts or offenses committed by fellow colleagues.
Table 1: Types of corruption methods

<table>
<thead>
<tr>
<th>Petty Corruption</th>
<th>Bureaucratic Corruption</th>
<th>Criminal Corruption</th>
<th>Political Corruption</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Small bribes from citizens (traffic police in particular)</td>
<td>• Arranging and receiving bribes and services</td>
<td>• Arranging and receiving bribes from criminal groups</td>
<td>• Manipulating the public during criminal investigations</td>
</tr>
<tr>
<td>• Gifts and free services</td>
<td>• Theft of police assets and other resources</td>
<td>• Extorting regular pay-offs from criminal groups</td>
<td>• Initiating false investigations</td>
</tr>
<tr>
<td>• Selling information such as criminal files</td>
<td>• Selling information such as criminal files</td>
<td>• Providing support for criminal activities</td>
<td>• Providing confidential information to politicians</td>
</tr>
<tr>
<td>• Intentional “loss” of admissible evidence</td>
<td>• Intentional “loss” of admissible evidence</td>
<td>• Direct participation of police officers in criminal activities</td>
<td>• Suppressing freedom of speech and association during public demonstrations, trade union activities and strikes</td>
</tr>
<tr>
<td>• Theft during investigation</td>
<td>• Irregular and unlawful issuing of gun licenses and other permits</td>
<td>• Keeping seized contraband</td>
<td>• Carrying out or supporting political assassinations</td>
</tr>
<tr>
<td>• Keeping seized contraband</td>
<td>• Undermining internal investigations and discipline</td>
<td>• Protecting persons involved in illegal economic activities</td>
<td>• Suppressing freedom of media and freedom of thought</td>
</tr>
<tr>
<td>• Helping prisoners escape</td>
<td>• Accepting bribes and kickbacks for training, recruitment and promotion</td>
<td></td>
<td>• Leaking police information to illegal armed groups</td>
</tr>
<tr>
<td>• Use of police resources for personal gain (police vehicles, hiring out police weapons etc.)</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

5. Police managers are more concerned about preventing an act of corrupt from causing a public scandal that could threaten their position rather than about the consequences of corruption to the work of the police.

6. Police officers are often dissatisfied with their economic and social position which is not in line with their role in the society.

7. The nature of the job puts police officers in contact with people who have an interest in ensuring that police do not do its job properly. Furthermore, these people have significant financial and material resources, and use them for inciting corruption.

Variable factors

1. Social and political context in which police officers perform their duties significantly influences the scope of corruption. The higher the tolerance to corruption in a society, the greater the chance of police officers being corrupt.

2. Organizational culture of the police largely affects the extent of corruption. Chances for corruption decrease if an organizational unit of the police emphasizes the importance of professional work, development, and ethical and moral values.

3. The scope of police corruption depends on the quality of laws regulating police work, and their implementation level. If the sanctions for participation in an act of corruption are not implemented, there is a greater chance of corruption.

4. The scope of police corruption also depends on the quality of work of the internal and external control and oversight, as well as on public pressure.

5. Cooperation with law offenders and constant temptation to abuse police authorities is inevitable in police work. This is conducive to moral cynicism, which results in the disappearance of the sense of justice and fairness in exercising police authorities and increase of motives for the commission of acts of corruption.
Integrity is a shapeless term. It is interpreted differently in different social environments. It can be observed from the point of view of an individual or of an institution. It is difficult to measure the integrity of any institution, or to determine how disrupted or reinforced it is. Therefore, in measuring police integrity, various indicators of related phenomena associated with the use of police authority are being used. Although the term integrity is not entirely clear, it has a distinct rhetorical power that draws police into a discussion about the abuse of police authorities, police corruption and misconduct by police officers (Klockars, Kutnjak Ivković and Haberfeld 2007: 251). The reason for this is that everybody, police service included, want to strengthen their own integrity and responsibility. Modern understanding of police integrity is related to four principles of democratic police work (Illustration 2) (Bayley 2001).

Illustration 2: Modern understanding of police integrity

In addition to this, the development, maintenance and promotion of the culture of integrity among police officers constitutes the basis for police democratization (Caparini and Marenin 2004). Police integrity is the rule shaping the ability of police officers to resist temptations and abuse of rights, authorities and privileges in the course of their employment (Klockars, Kutnjak Ivković and Haberfeld 2007: 251). In Serbia, the observation of these principles and the principle of police “integrity” have been debated ever since the 5th October changes.

In fact, police integrity should imply individual honesty of a police officer, and his or her compliance with the law, moral and ethical values. Integrity also refers to the institutional integrity of police work and sustainable police conduct in line with the legal and strategic framework. A “police officer with integrity” should serve as an example to other colleagues, because he/she fights corruption, protects the right to non-discrimination, and promotes the feeling of equality in the police service. The undermining or strengthening of integrity is affected by the values, rules and behaviours represented in the police service, which jointly shape police culture (Kobut 2012: 67). For this reason, police culture and integrity are intertwined, and, together, they affect the work of individual officers and that of the entire organization.

The violation of integrity of the police and its employees brings into question its fundamental role, which is to maintain and improve citizens’ safety. Police corruption violates the integrity of police service.
CITIZENS AND POLICE OFFICERS ON POLICE CORRUPTION

After comparing the views of citizens and police officers, one can conclude that their opinions rarely differ or are dissimilar. The following section analyzes the views of police officers and citizens on the most important factors of police corruption.

At the end of this section, you will learn:

■ how citizens and police officers see the content, form and causes of police corruption;
■ why citizens and police officers perceive politicization as one of the major causes of police corruption;
■ what needs to be done in order to reduce police corruption, according to the citizens and police officers;
■ what are the similarities and differences in the interpretation of police corruption provided by citizens and police officers;
■ how do men perceive police corruption, and what is the perception of women.

Data on the positions of citizens on police corruption were obtained through a BCSP public opinion poll, conducted by CeSID. The field research was conducted on a representative sample of citizens made up of 1,185 adults in the territory of Serbia, without Kosovo and Metohija. The police officers’ views on corruption in the police were obtained by in-depth interviews with twenty-two representatives of police trade unions in Serbia. They also answered a questionnaire made up of twenty questions, identical to those posed to citizens in the BCSP research. Therefore, this study primarily represents a comparative analysis of the positions on corruption of primarily citizens and police union members, but also of citizens and police officers. Understandably, this is the case because police union members are still employed in the police. The study results have methodological limitations, though. The research sample of police officers is not representative.

PERCEPTION

Police is not resistant to corruption

Both citizens and police officers believe that police is neither the main subject of corruption in Serbia, nor particularly resistant to its existence. Such a situation is a further discouragement for the general fight against corruption in Serbia, because its “leader” (CeSID, UNDP 2012: 25) is just as corrupt as the institutions in which it should investigate corruption cases. Police officers and citizens see the police as part of the overall state of corruption in Serbia, because more than half of citizens (59%) and police officers (55%) believe that there is as much corruption in the police as in other institutions (Graph 1).

2 The report did not cite individual opinions of police unions in order to maintain their anonymity; instead, the aggregate findings were used as common for all. Specific and separate opinions of police union members participating in the research were cited in some parts of the study, because they are important for understanding police corruption. This was done without naming the source.
Graph 1: How corrupt are police officers?

<table>
<thead>
<tr>
<th></th>
<th>Police officers</th>
<th>Citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Same than in other institutions</td>
<td>55</td>
<td>59</td>
</tr>
<tr>
<td>Less than in other institutions</td>
<td>32</td>
<td>13</td>
</tr>
<tr>
<td>More than in other institutions</td>
<td>0</td>
<td>15</td>
</tr>
<tr>
<td>Don’t know/NA</td>
<td>9</td>
<td>11</td>
</tr>
<tr>
<td>Not corrupt at all</td>
<td>5</td>
<td>2</td>
</tr>
</tbody>
</table>

Colleagues do not “give each other away”

It is notable that nearly one-half (45%) of the polled police officers believe that inadequate salaries represent the main reason for police corruption. Also, one-third of the surveyed (32%) do not want to discuss the motives of a corrupt police officer. This is in line with the police culture in Serbia, where the deeply rooted opinion is that “colleagues do not give each other away”. This creates an environment in which nobody talks about corruption. This environment is known in the police as the “blue wall” or the “code of silence”.

Different motives of corrupt police officers

There is no majority response to the question about the reasons of police corruption, but citizens were divided into three groups based on their opinions. Almost one-third (31%) of citizens believe that police officers participate in acts of corruption because this is what other police officers do. A total of 26% of the surveyed believe that the reason for police corruption is a low probability of getting caught. Police officers, on the other hand, believe that they have low salaries and that this is the reason for corruption, which is the belief of 24% of the surveyed (Graph 2). One-third of citizens believe that senior police management generates corruption by encouraging “regular” police officers to such behaviour. This attitude is prevailing among police officers, too.

Senior managers are the most corrupt part of the police

Senior police managers are the most corrupt according to 33% of citizens, although 27% of them believe that regular police are the same. Bearing in mind the fact that citizens tend to be judgmental towards those “in top positions”, it is rather interesting to note that in this case responsibility is equal, regardless of the position within the police. If we take into account the previous finding, according to which senior managers in the police encourage the other police officers to engage in corruption, it is not surprising that citizens find the rest of the police, regardless of their place in the hierarchy, equally corrupt. Likewise, in the opinion of surveyed police officers (54%), the senior police management is the most corrupt part. An
understandable difference in opinions has been noted, since the surveyed police officers regard regular police officers as the least corrupt (4%). This reaffirms the fact that there is a “blue wall” within the police service, which makes it difficult to fight corruption.

Graph 2: Why are police officers corrupt?

<table>
<thead>
<tr>
<th>Reason</th>
<th>Police officers</th>
<th>Citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doesn’t know/NA, not corrupted</td>
<td>32</td>
<td>9</td>
</tr>
<tr>
<td>No risk of getting caught</td>
<td>0</td>
<td>26</td>
</tr>
<tr>
<td>Because other police officers do the same</td>
<td>14</td>
<td>31</td>
</tr>
<tr>
<td>Inadequate salaries</td>
<td>45</td>
<td>24</td>
</tr>
<tr>
<td>Bosses encourage them</td>
<td>9</td>
<td>10</td>
</tr>
</tbody>
</table>

Police officers perceive civilians in the police service as the most corrupt

It is interesting to note that the second most corrupt personnel are civil servants (civilians) employed at the MoI. One-quarter of the surveyed police officers regards this group not only as the most corrupt, but also as an impediment to the fight against corruption as a result of their personal interests, which are connected to the interests of their political parties. This is precisely where the understanding of one of the main reasons for police corruption, its politicization, begins.

There is distrust among police unions

Interestingly enough, the opinions of citizens and police officers on the real level of corruption of police unions differ. Police unions, whose members were interviewed during this research, are the most corrupt according to the opinion of 7% of police officers. Despite being small, this percentage inherently points to the existence of distrust among the police unions, which makes their collaboration more difficult. This is also confirmed by findings obtained through interviews.

Graph 3: Who is the most corrupt in the police?

<table>
<thead>
<tr>
<th>Personnel</th>
<th>Police officers</th>
<th>Citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don’t know/NA</td>
<td>26</td>
<td>11</td>
</tr>
<tr>
<td>Regular police officers</td>
<td>27</td>
<td>4</td>
</tr>
<tr>
<td>Senior management</td>
<td>33</td>
<td>54</td>
</tr>
<tr>
<td>Police unions</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Civilians in the MoI</td>
<td>12</td>
<td>25</td>
</tr>
</tbody>
</table>
Traffic police is the most corrupt part of the police

In public opinion polls on police in Serbia, the traffic police heads the list of the most corrupt police sectors, and this has also been confirmed by this study. Serbian citizens (49%) and police officers (68%), believe that traffic police officers are the most corrupt. The situation differs when it comes to what citizens think about the criminal police, or to what police officers think about the MoI itself. Such questions were not very high on the agenda in the previous surveys. The criminal police is the most corrupt part of the police for 12% of citizens. This result can be brought in connection with scandals which involved top MoI management and their connections to organized crime groups in 2013, but also to the fact that citizens’ views are based on their experience (previous knowledge). For 59% of the surveyed police officers the most corrupt part of the police service is the Ministry itself, which corresponds to the previous finding on the level of corruption of MoI employees. Some interviewees from the police point to the human resources and finance management sections of the MoI as particularly corrupt.

Graph 4: Where does police corruption emerge most often?

Receiving bribes from citizens is the most common form of corruption

According to police officers’ opinion, the most common forms of corrupt activities in the police are: (1) receiving bribes from citizens; (2) receiving bribes from criminals; (3) use of police resources for personal gain. Citizens share this opinion.

Talking about corruption in the police is not desirable

Only 2% of citizens believe that police talk openly about the problem of police corruption. One-half of Serbian citizens believe that the police never talk about corruption among their own ranks, while 35% think they do it occasionally. This position of citizens shows that there is reluctance to speak about corruption in the police, and that the overall tendency is to prevent such cases from coming into the view of the public and to solve them “at home”. This was partly confirmed by the views of police officers. They (55%) believe
that the corruption problem is discussed occasionally when it comes to their internal environment, while nearly one-half of the interviewed police officers believe that this never happens (Graph 5).

Graph 5: Do the police speak openly about the police corruption issue?

<table>
<thead>
<tr>
<th>Sometimes</th>
<th>Never</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police officers</td>
<td>Citizens</td>
</tr>
<tr>
<td>55</td>
<td>35</td>
</tr>
<tr>
<td>45</td>
<td>50</td>
</tr>
</tbody>
</table>

POLITICIZATION

Political party interests foster police corruption

Politicization is one of the main causes of police corruption which permeates all types of this phenomenon. This was clearly visible in the public discourse and proven on several occasions in the previous years. For instance, in February 2013, a public discussion on a new police director evolved into a “dilemma” on whether the new director will be close to Aleksandar Vučić or to Ivica Dačić, presidents of the leading parties in the executive branch. Nobody discussed what the new director should really do and what his future tasks in the police reform process would be. The local public is obviously accustomed to seeing the police director “hand in hand” with the interior minister or vice versa. Before that, the public learnt about the situation regarding the selection of the heads of the Regional Police Directorates in Niš and Novi Sad (Đorđević 2012), which was delayed by more than three years as a result of political interests.³

One has to pull strings to get a job in the police

The position of citizens and police officers on the method of employment at the MoI is strict, which calls for a review of human resources management. The interviewed citizens and police officers believe that the politicization is particularly visible in the management of human resources, particularly in the employment procedure in the police and the Ministry. Nearly two-thirds of citizens believe that police staff is employed either illegally, or under someone’s influence. This includes all those who said that political (36%) or family connections (21%) were the key to getting a job and those who said that this process usually means that a person interested in a job has to pay in order to get it (7%). Almost four times less people believe that getting a job in the police has to do with public competitions, knowledge and abilities of candidates. The opinion of the interviewed police officers is similar. Nearly one-half of them (45%) believe that

³ Srdjan Grekulović was elected head of the Niš Regional Police Directorate in March 2013, while Stevan Krstić was elected head of the Novi Sad Regional Police Directorate in September 2013. Media reported that the appointments of the new heads of the Niš and Novi Sad Regional Police Directorates represented part of the agreement between the minister of the interior and the police director.
political connections are “responsible” for landing a job in the police, followed by 27% others who point to family connections, and finally, 18% still others who point to bribes and kickbacks as means of getting the desired position (Graph 6). Only 3% of the surveyed police officers believe that the employment process involves public competitions.

Graph 6: What is the most common way of getting a job in the police?

<table>
<thead>
<tr>
<th></th>
<th>Police officers</th>
<th>Citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Don’t know/NA</td>
<td>6</td>
<td>19</td>
</tr>
<tr>
<td>Through public competition</td>
<td>3</td>
<td>17</td>
</tr>
<tr>
<td>Through family ties</td>
<td>27</td>
<td>21</td>
</tr>
<tr>
<td>Through political connections</td>
<td>45</td>
<td>36</td>
</tr>
<tr>
<td>Through bribery</td>
<td>18</td>
<td>7</td>
</tr>
</tbody>
</table>

Political parties “hinder” the work of the police

The interviewed citizens and police officers believe that politicians always or occasionally hinder the work of the police service (Graph 7). Slightly more than two-thirds of the interviewed police officers (77%) believe that political parties hamper the work of the police. The “allegiance” to a certain political option is the key criterion for advancement. The minister’s discretion slows down or prevents efficient and effective work of the police. The majority of police officers believe that the current anti-corruption activities of the first deputy prime minister will not considerably reduce corruption in the police. Some police officers argue that there is a secret hope that the situation will be remedied by the activities of the first deputy prime minister, but that the results will be significantly poorer than those presented in the public as achievements. Unlike police officers, a large number of citizens (32%) named Aleksandar Vučić as the principal figure in the fight against corruption. However, Serbian citizens said that Vučić’s fight against corruption would be only partially successful, because some would succeed in getting away. Such view of political parties’ influence on the work of the police stands in the way of full professionalization of the police service in Serbia.
Graph 7: To what extent do politicians hinder the work of the police?

Interior minister’s control role is unclear

Citizens and police officers have different understandings of the control role of the interior minister. Police officers perceive the control role of the interior minister more as the monitoring of police work for the purpose of realization of his own narrow political party interests. Most of the interviewed police officers (79%) believe that the police work is not controlled by the minister, but influenced by various political groups. This has led to the creation of “factions” within the police service that suit the interests of these groups, thus affecting policing in a negative manner. One-third of the surveyed police officers (27%) think that the interior minister controls the police, which is why they serve his interests. In view of the above mentioned opinion, it is no surprise that more than one-half of the interviewed police officers (58%) believe that the minister is informed about police work by obtaining data and information from his “political party” colleagues in police force.

Graph 8: Does the interior minister control the police?

4 The Ministry of Interior is part of the executive branch which manages security-related work of the police and creates internal security policy. Having said this, the Ministry should play significant role in the democratic and civilian control of the police through the work of internal control bodies accountable to the Minister of Interior.
As opposed, nearly one-half of the surveyed citizens believe that the interior minister controls the police, while one-third of them disagree, believing the minister does not influence police work. It has been observed that citizens with primary school education believe to a greater extent that the interior minister controls the police, while those with university education consider (above average) that the minister does not control the police. Most citizens believe that the minister gets information about the work of the police formally, through official channels of communication, while 32% believe that the minister uses his “political party” circles to stay informed of the results of police work.

**Graph 9: How does the interior minister get information about police work?**

<table>
<thead>
<tr>
<th>Doesn't know/no answer</th>
<th>Formally</th>
<th>Informally</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police officers</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citizens</td>
<td>27</td>
<td>32</td>
</tr>
<tr>
<td></td>
<td>17</td>
<td>12</td>
</tr>
<tr>
<td></td>
<td>25</td>
<td>23</td>
</tr>
<tr>
<td></td>
<td>41</td>
<td>46</td>
</tr>
<tr>
<td></td>
<td>58</td>
<td>29</td>
</tr>
<tr>
<td></td>
<td></td>
<td>18</td>
</tr>
<tr>
<td></td>
<td></td>
<td>9</td>
</tr>
</tbody>
</table>

**The interior minister did not improve the fight against police corruption**

Citizens mostly believe that the level of corruption has remained the same as in the several previous years when the police was headed by other ministers. This is not such a good result, because it proves that the interior ministers want to maintain the *status quo* and are not showing any intention to change it. Nearly one-third of surveyed citizens think that there is less corruption in the police, unlike those who believe that the interior minister’s actions have resulted in an increase of this phenomenon. It is hard to fathom the position of police officers. Equal numbers of police officers believe, respectively, that the level of police corruption has significantly increased, has somewhat increased or remained at the same level (Graph 10). The prevailing opinion of the interviewed police officers is that the level of corruption is increasing. This finding may possibly represent evidence that police officers have more information about how widespread police corruption actually is. By comparing the positions of citizens and police officers it is possible to conclude that both consider that the activities of the interior minister are aimed at preserving the *status quo* in the fight against police corruption.

**Graph 10: What has been the level of police corruption since Ivica Dačić became the interior minister?**

<table>
<thead>
<tr>
<th>Doesn’t know/no answer</th>
<th>Significantly increased</th>
<th>Somewhat increased</th>
<th>Remained at the same level</th>
<th>Somewhat decreased</th>
<th>Significantly decreased</th>
</tr>
</thead>
<tbody>
<tr>
<td>Police officers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Citizens</td>
<td>12</td>
<td>2</td>
<td>5</td>
<td>2</td>
<td>9</td>
</tr>
<tr>
<td></td>
<td>23</td>
<td>23</td>
<td>23</td>
<td>18</td>
<td>6</td>
</tr>
</tbody>
</table>
FIGHT

Institutions are responsible for fighting corruption

Serbian citizens and police officers share the same opinion about the main player and principal way to combat corruption in the police – the fight should be led by institutions, rather than by individuals. The majority of citizens expect that the internal control of the police will suppress police corruption. More than one-third of the citizens (35%) believe that the internal control is in charge of fighting corruption in the police. This percentage of interviewees who are in favour of institutionalization should be increased by another 10% of those who think that police officers themselves should do this job, as well as those who think that this should be done by the police director (6%). Police officers, on the other hand, believe that combating corruption is either their own job (34%) or the job of internal police control (29%). An equal number of police officers (10%) believe that the interior minister and the police director are “fighters” against corruption, after the internal control and the police officers themselves (Graph 11).

Graph 11: Who should fight police corruption?

Police officers

<table>
<thead>
<tr>
<th>European Union</th>
<th>Internal police control</th>
<th>Police officers themselves</th>
<th>Police union</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>3</td>
<td>10</td>
<td>3</td>
</tr>
</tbody>
</table>

Citizens

<table>
<thead>
<tr>
<th>Non-governmental organizations</th>
<th>General Police Director</th>
<th>Aleksandar Vučić</th>
<th>Ivica Dačić</th>
</tr>
</thead>
<tbody>
<tr>
<td>2</td>
<td>2</td>
<td>29</td>
<td>10</td>
</tr>
</tbody>
</table>

Police officers themselves are in charge of decreasing corruption within their own ranks

The opinion of police officers that they themselves are in charge of fighting police corruption is interesting and can be understood in two ways. First of all, this means that it is necessary to continue working on the development of a responsible police officer who can provide appropriate services to his or her citizens and whose behaviour reflects the institution that has clear procedures for the definition of responsibilities, democratic oversight and control and human rights protection. In that case, one should first “attack” the illegitimate political party influence on the work of police.

In addition to this positive explanation, there is also a negative one. The position that police officers themselves are responsible for combating police corruption can also be perceived as problem-solving “at home”, without the need for an external player who would intervene or directly affect the reduction of police corruption. Such a negative position is a direct consequence of the existing police culture in Serbia, which calls for independent handling of problems, without any external interventions that might disturb the environment in which police officers operate.
There is clear evidence showing that the negative interpretation of the anti-corruption role of police officers prevails. Police officers are neither prepared to report a corrupt colleague, nor do they wish to discuss their experience with a corrupt police officer. This is not only a characteristic of the Serbian police force - the same or similar situation can also be observed in other countries.

**Internal control should decrease police corruption**

Citizens and police officers understand the strength and the role of internal organizational units of the police in the fight against corruption. The anti-corruption role of internal control was reaffirmed in responses to the question about the fundamental activity of this part of the police. Although some other activities which constitute the part of the internal control’s work are covered (human rights protection of citizens and police officers), most citizens believe that their priority is to fight corruption in the police. It is interesting to note that if they decided to report corruption in the police, most citizens would do it by filing a complaint to the internal control of the police. This is also in line with the view of most Serbian citizens (85%), according to which the control and oversight of the police should be stepped up in order to make citizens feel more secure. Police officers believe that the IAS authority does not need to be strengthened since it is sufficient, but that the IAS should be pushed to fully implement it. Citizens, on the other hand, think the opposite.

*Graph 12: Are police officers ready to report a corrupt colleague?*

<table>
<thead>
<tr>
<th></th>
<th>Police officers</th>
<th>Citizens</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doesn’t know/NA</td>
<td>14</td>
<td>15</td>
</tr>
<tr>
<td>Yes</td>
<td>19</td>
<td>36</td>
</tr>
<tr>
<td>Only when there are no consequences</td>
<td>36</td>
<td>19</td>
</tr>
<tr>
<td>No</td>
<td>45</td>
<td>62</td>
</tr>
</tbody>
</table>
external, mostly political, factors. Such a harsh position can be interpreted in two ways. The situation is really that bad, which makes it hard to expect improvements in the fight against police corruption. Also, it is generally accepted that each police service has a certain level of distrust towards those who “hunt” police officers. This view is supported by the position of police, according to which the main task of the IAS is to protect human rights of citizens, rather than those of police officers.

**Repression is the main weapon against corruption**

The main method of fighting police corruption is strict punishment, according to citizens’ view. The strongest need is strictly to punish perpetrators of corrupt activities (71%), but there is also a need to punish corrupt managers in the police to a greater extent (66%). It is also important to note that one-half of citizens believe that it is necessary to encourage citizens themselves to report police corruption. However, the realization of this goal is impeded by the fact that 72% of citizens would either never report corruption, or cannot say with certainty whether they would report it if they had to leave their personal data. This information indicates that citizens still largely distrust police and believe that their data will be abused or used to exert pressure on them. One should also add the fact that more than 70% of citizens do not even know who to report police corruption to.

Like citizens, police officers (82%) pointed out that strict punishments of perpetrators of corrupt acts represented the most effective method for reducing police corruption. This should particularly be implemented against police managers.

*Illustration 3: What, in your opinion, is the most necessary thing to do to reduce police corruption*

<table>
<thead>
<tr>
<th>POLICE OFFICERS</th>
<th>CITIZENS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Strict punishment of perpetrators</td>
<td>Strict punishment of perpetrators</td>
</tr>
<tr>
<td>Stricter punishment of corrupt police managers</td>
<td>Stricter punishment of corrupt police managers</td>
</tr>
<tr>
<td>Encouraging citizens to report corrupt police officers</td>
<td>The existence of political will of the minister and managers for solving problems</td>
</tr>
<tr>
<td>Increasing officers' salaries</td>
<td>Strengthening the authority of the internal control of the police</td>
</tr>
<tr>
<td>The existence of political will of the minister and managers for solving problems</td>
<td>Encouraging police officers to report corrupt colleagues</td>
</tr>
</tbody>
</table>

**SIMILARITIES, DIFFERENCES AND THE ENVIRONMENT**

Citizens and police officers have a similar position on the problem of police corruption, mainly on its content, form and cause. Certain differences that exist between the positions of police officers and citizens are a result of police culture in Serbia. Actually, police officers do not want to speak publicly about the corruption issue despite being aware of its existence (Table 2).
Table 2: Comparative analysis of the positions of citizens and police officers on police corruption

<table>
<thead>
<tr>
<th>Different positions</th>
<th>Common positions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Perception</strong></td>
<td></td>
</tr>
<tr>
<td>Citizens believe that police corruption is widely spread. Police officers do not share the same opinion.</td>
<td>Both citizens and police officers believe that the greatest corruption in Serbia exists in the health care system and the judiciary.</td>
</tr>
<tr>
<td>Citizens believe that police corruption occurs because other police officers do the same.</td>
<td>Corruption is as present in police as in other institutions.</td>
</tr>
<tr>
<td>Police officers blame it on inadequate salaries.</td>
<td>Police corruption is generated by managers, who encourage ordinary police officers to behave in this way.</td>
</tr>
<tr>
<td>Police officers believe that civil servants in the MoI (civilians) are much more corrupt than regular police officers. This opinion is not shared by the citizens.</td>
<td>Traffic police heads the list of the most corrupt police sectors.</td>
</tr>
<tr>
<td>A high percentage of police officers regard police unions as corrupt, but this view is shared by a small percentage of citizens.</td>
<td>The most common form of police corruption is receiving bribes from citizens.</td>
</tr>
<tr>
<td><strong>Politicization</strong></td>
<td></td>
</tr>
<tr>
<td>Most police officers believe that the activities of Aleksandar Vučić will not significantly help reduce police corruption. Citizens are more optimistic.</td>
<td>Politicization is the dominant cause of police corruption.</td>
</tr>
<tr>
<td>Serbian citizens believe that the interior minister controls the police. Police officers do not share this view.</td>
<td>Political and family connections represent the main criteria for employment in the police.</td>
</tr>
<tr>
<td><strong>Fight</strong></td>
<td></td>
</tr>
<tr>
<td>Police officers do not trust the abilities of the IAS, and believe it cannot reduce police corruption. Citizens have the opposite opinion.</td>
<td>Police do not speak openly about the consequences of police corruption.</td>
</tr>
<tr>
<td></td>
<td>The fight against corruption should be led by institutions, not by individuals.</td>
</tr>
<tr>
<td></td>
<td>The internal police control and police officers themselves are responsible for reducing police corruption.</td>
</tr>
<tr>
<td></td>
<td>Police officers do not want to report corrupt colleagues.</td>
</tr>
<tr>
<td></td>
<td>The priority of the Internal Affairs Sector of the police is to fight police corruption.</td>
</tr>
<tr>
<td><strong>Improvement</strong></td>
<td></td>
</tr>
<tr>
<td>Police officers believe that it is not necessary to step up the authority of internal control. Citizens call for the opposite.</td>
<td>The main measures for reducing police corruption are: (1) strict punishment of perpetrators; (2) stricter punishment of corrupt police managers; (3) existence of the political will of the minister and managers to solve problems.</td>
</tr>
</tbody>
</table>
After analyzing the positions of citizens and police officers on police corruption it is possible to distinguish between the internal and external factors that could serve as a basis for creating and implementing anti-corruption measures in the police (Table 3).

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

<table>
<thead>
<tr>
<th>Strengths</th>
<th>Weaknesses</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Internal environment</strong></td>
<td></td>
</tr>
<tr>
<td>Police officers think the IAS is the main “link” in the fight against police corruption.</td>
<td>Police officers have no trust in the work and capabilities of the IAS.</td>
</tr>
<tr>
<td>The Internal Affairs Sector of the police has a clear vision of what it aims to achieve in future.</td>
<td>The work of the IAS is affected by legal gaps and incomplete human, material and financial resources.</td>
</tr>
<tr>
<td>There are 14 police unions which urge the creation of an accountable police service.</td>
<td>Police officers do not want to report corruption in the police.</td>
</tr>
<tr>
<td></td>
<td>The appropriate level of cooperation does not exist, nor does the motivation to deepen cooperation among police unions.</td>
</tr>
<tr>
<td><strong>External environment</strong></td>
<td></td>
</tr>
<tr>
<td><strong>Opportunities</strong></td>
<td><strong>Threats</strong></td>
</tr>
<tr>
<td>Independent state regulatory bodies significantly contribute to the fight against corruption in the police with their recommendations and pressure.</td>
<td>The police service in Serbia is under the dominant influence of political parties, which negatively affects its work.</td>
</tr>
<tr>
<td>There is a clear, inter-connected strategic framework that points into the direction and towards development of the fight against corruption in the police.</td>
<td>There are suspicions that the police service and its work are largely influenced by organized crime groups and tycoons.</td>
</tr>
<tr>
<td>The drafting of programs and realization of various projects that might affect the analytical thinking and practical removal of risks of police corruption is underway.</td>
<td>Citizens do not want to report police corruption.</td>
</tr>
<tr>
<td>Civil society organizations can contribute to the fight against police corruption.</td>
<td></td>
</tr>
</tbody>
</table>

**GENDER PERCEPTION**

The following part of the report describes differences in the positions of men and women towards police corruption. It is based on an analysis of data obtained through a public opinion research. The attitudes of police union members were not taken into account.

**More men than women believe that police are corrupt**

Most Serbian citizens believe that the most corrupt institutions are the health care system, the judiciary, and then the police. Gender differences indicate that more women (35%) than men (30%) believe that the health care system is more corrupt than other institutions. Approximately the same percentage of men and women believe that the judiciary is among the most corrupt institutions, while the percentage of men who see the police as more corrupt is higher.
Graph 13: Which of the following institutions is the most corrupt?

<table>
<thead>
<tr>
<th>Institution</th>
<th>Women</th>
<th>Men</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doesn’t know/ NA</td>
<td>9</td>
<td>9</td>
</tr>
<tr>
<td>Customs</td>
<td>5</td>
<td>9</td>
</tr>
<tr>
<td>Education</td>
<td>5</td>
<td>2</td>
</tr>
<tr>
<td>Health system</td>
<td>34</td>
<td>29</td>
</tr>
<tr>
<td>Judiciary</td>
<td>21</td>
<td>21</td>
</tr>
<tr>
<td>Market inspectorate</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Police</td>
<td>10</td>
<td>14</td>
</tr>
<tr>
<td>Communal police</td>
<td>0</td>
<td>3</td>
</tr>
<tr>
<td>Municipality/City</td>
<td>8</td>
<td>9</td>
</tr>
</tbody>
</table>

Women have less experience with police corruption

A total of 23% of men and just 9% of women have had direct experience with a corrupt police officer. Also, a significantly higher percentage of women (58%), as opposed to 48% of men, said that they had never had a contact with a corrupt police officer. As for indirect experience of police corruption, a higher percentage of women (7%) than men (5%) reported to have had this experience. This finding does not differ from the results of studies analysing gender-related aspects of experience with police corruption. The conclusion of this research was also that women have less experience with police corruption than men (UNIFEM 2009).

Graph 14: Have you had experience with a corrupt police officer?

<table>
<thead>
<tr>
<th>Experience</th>
<th>Policajci</th>
<th>Gradani</th>
</tr>
</thead>
<tbody>
<tr>
<td>Doesn’t know/ NA</td>
<td>13</td>
<td>8</td>
</tr>
<tr>
<td>Yes, directly</td>
<td>9</td>
<td>23</td>
</tr>
<tr>
<td>Yes, indirectly</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>No</td>
<td>58</td>
<td>48</td>
</tr>
<tr>
<td>I haven’t, but I know who has had</td>
<td>14</td>
<td>16</td>
</tr>
</tbody>
</table>
Men are more willing to bribe a police officer

A higher percentage of men is ready to give money to a police officer on request. Specifically, 19% of men and 8% of women said they had used money to bribe a police officer. In this case, findings differ from those acquired through a research conducted by the UNODC in 2010 (UNODC 2011). According to this survey, the difference between sexes is not so great despite the fact that men pay bribes more than women do (10% of men compared to 8.5% of women). However, the BCSP results suggest that gender differences are greater in case of bribing a police officer. A comparison of results of the UNODC and BCSP researches leads to the conclusion that there are greater differences between men and women when corruption is related to the police than to other sectors.

Graph 15: Have you given money at the request of a police officer?

More men (20%) than women (8%) responded that they had offered a bribe to avoid punishment. Whenever police officers directly requested a bribe, both men and women had similar experiences, although it seems that police officers directly requested a bribe from men in a larger number of cases.

Men offer larger amounts of money as bribe to police officers than women

Women in Serbia rarely give bribes to police officers. Besides, there is a perceptible difference in the value of bribes. More men (14%) than women (6%) gave bribes at the amount of up to 1,000 dinars. Also, 10% of men bribed police officers with amounts greater than 1,000 dinars, as opposed to just 4% of women. A very small percentage of both sexes gave bribes in the shape of gifts or services. According to the UNODC research, women are more likely to give a bribe in some other form – food or drinks, while men are more willing to give money as a bribe. According to the BCSP research, both sexes rarely bribe police officers in the form of gifts or services, but a larger number of men than women use money to bribe police officers.

Graph 16: If you have ever given a bribe to a police officer, what exactly have you given him?
More women believe that repression is the key to reducing the police corruption

Certain differences between men and women can be observed in their views on priorities in preventing police corruption. Nearly one-quarter of male respondents (23%) believe that in order to solve this problem, the minister and senior management must have political will, while the number of women who share this opinion is several percentages lower (17%). It is interesting to note that the number of women who believe that the priority is to punish corrupt senior managers in the police is by 4% higher. Also, 20% of women, as opposed to 16% of men, think that strict punishments are necessary.

Graph 17: What should be done primarily to prevent police corruption?
TYPES OF POLICE CORRUPTION

It seems that most acts of corruption are either related to the activities of organized crime groups or have succeeded in getting a prominent place in Serbia's media space. The following section provides an assessment of the types of corruption and risk of corruption in the police.

At the end of this section, you will learn:

- which are the existing types of police corruption in Serbia;
- what are the existing risks of police corruption;
- to what extent are certain forms of police corruption identified;
- what has been done to decrease certain forms of corruption;
- what is the most common extracurricular activity of police officers.

PROBLEMS RELATED TO THE RESEARCH OF POLICE CORRUPTION

There are several reasons that make the research of types of police corruption rather difficult. Irregular updating of the MoI and IAS web pages which present their anti-corruption efforts prevents the public from getting an insight into specific activities that have been undertaken to solve police corruption cases. The public has not been informed whether the strategic measures aimed at reducing police corruption have been implemented or not. The action plans for certain documents are not publicly available, which makes it difficult to follow the implementation of anti-corruption measures. A particular problem is the "code of silence" that exists in the police service and that prevents conversation with members of the police force about the ways for reducing corruption, as well as about the existing types and risks. As a rule, decisions are made by a small circle of people, while the MoI decision-makers have not revealed whether numerous scandals reported by media in 2013 were really corruption-related.

Therefore, one should note that there is a limitation regarding the list of corrupt activities that will be presented in this report. Types of corruption in the police were selected on the basis of an analysis of publicly available data, work of focus groups made up of citizens, interviews with police officers, interviews with members of police unions, as well as on the basis of media reports. First of all, the report provides an assessment of possible types of police corruption in Serbia, as well as possible risks of corruption. However, the list is not exhaustive. For the purpose of clarity, the following classification of corrupt activities in the police was used: (1) petty corruption; (2) bureaucratic corruption; (3) criminal corruption; (4) political corruption (Neild 2007). Extracurricular police activities that are incompatible with policing were added to this list.

PETTY CORRUPTION

Traffic police officers accept bribes most frequently

There is a strong belief among citizens and police officers that traffic police most commonly take bribes from citizens. This view is a result of citizens' daily, first-hand experience with the work of traffic police officers. Bribe is usually offered in the form of money, although there are examples in which drinks or lunch were paid or a particular service was done. Thus, for example, a citizen avoided paying a traffic violation fine by returning the favour to the police officer at the hospital where he works.5

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5 Information obtained during the work of the focus group, 19th May 2013.
The main reason for corruption is to avoid the payment of fines or other sanctions for traffic violations committed by citizens.\(^6\) Citizens decide to bribe a police officer since the “cost of the bribe” is lower than cost of the sanction, while at the same time the police officer has the opportunity to earn extra money. What is worrying is that police officers ask for a bar of chocolate in order not to report a violation.\(^7\) Besides, police officers easily accept bribes when citizens offer. Media often report cases of corruption in the traffic police, especially in the summer, when there is a greater intensity of traffic.

**BOX 3: DURING THE SUMMER, CORRUPTION EMERGES MAINLY IN THE TRAFFIC POLICE**

In August 2013, a motorcyclist officer who took 50 euros from a British citizen for crossing the solid line was arrested. The British citizen reported the case to his embassy (M.L.J.P. 2013). In early August 2013, three members of the Niš Traffic Police Department were detained for a month on receiving of bribe and abuse of office charges. The police officers were arrested on suspicion that they were not imposing fines on drivers who committed traffic violations and that they were taking money instead. The amounts of money they were taking ranged from 500 to 3,000 dinars (T.T. 2013). The case of alleged discharge from the police of two traffic policemen who took fruit and pastry from a driver they stopped on the Belgrade-Niš highway is also very interesting (Informer 2013).

In 2013, the Ministry of the Interior announced that video surveillance would be installed in traffic police vehicles controlling the traffic in order to reduce corruption. This measure had been discussed in the previous years, but there was resistance coming from within the police service, because this measure would largely reduce bribery, thus posing a threat to the “social peace” in the police.\(^8\)

**BOX 4: UNCLEAR MOTIVE OF THE POLICE STRIKE IN ČAČAK**

There is suspicion that police officers in Čačak did not fine drivers in February 2013, because they were dissatisfied with the decision of the head of the Čačak Police Directorate to suspend their colleague who did not want to penalize a driver who had 0.31 per mil of alcohol in his blood, which is by 0.1 per mil more than permitted (Nikitović 2013). During this research, the BCSP obtained data indicating that this conflict was a result of wishes and ambitions of certain senior managers in the Čačak police service to advance.*

* Interview, anonymous source, May 2013

**BUREAUCRATIC CORRUPTION**

*Forging reports on traffic accidents*

After minor traffic accidents in which only property is damaged, police officers who conduct the investigation sometimes do not fill in reports properly, in accordance with the procedure and situation on the ground, because they were bribed. This enables the party responsible for the accident to avoid responsibility and get insurance money.\(^9\) Thus, the bribe benefits both the police officer and the party that initiated this process. In addition to this, the police officer is committing a criminal offence by forging an official document, which is punishable by between three months and five years of prison.
Issuing personal documents

Citizens believe that now there is much less corruption in the issuance of personal documents (primarily identity cards, driving and traffic licences) than before. The issuance procedure can be completed comparatively quickly, and corruption occurs when citizens bring gifts at their own initiative. The situation has changed following the introduction of electronic and SMS scheduling of time for the filing of requests for the issuance of identity cards and passports. Such a preventive measure has significantly reduced the possibility of corruption. However, the problem is that the scheduling procedure still does not work in the entire territory of Serbia, and that there is no possibility to schedule an appointment for retrieving the documents.

Still, there are certain suspicions. It is indicative that some persons, after making connection with people at the highest positions in the MoI hierarchy, succeed in getting citizenship although their request was originally denied. Some citizens suspect that certain owners of vehicle registration agencies manage to skip the line and register vehicles in the shortest possible amount of time due to their connections in the police.

BOX 5: FORGING AND SELLING PASSPORTS

Despite the obvious improvement in the process of issuance of personal documents, illegal activities still exist. Thus, a Belgrade Gendarmerie squad member and an administrative affairs officer at the Novi Sad Police Directorate headed an organized crime group which sold original passports with falsified data. They were arrested in mid-November 2013 (Beta 2013).

Issuing permits for possessing and carrying a weapon

A problem has been observed in the process of issuance of permits for possessing and carrying weapons, because perpetrators of various criminal offenses or organized crime group members obtain permits. This is, of course, contrary to the legal requirements for issuing a permit, envisaged by the Law on Weapons and Ammunition. In fact, such persons may cooperate with the police in detecting criminal offenses, and it is then in the interest of the service that they be granted permits for the possession and carrying of weapons. However, this is very frequently subject to abuse, because it is not clear how the decision on the permit is made and to whom it is issued. Therefore, there is suspicion that money or another interest, rather than the interest of the police service, decides on the person to whom the permit will be issued.

Issuing a permit for carrying a hunting weapon

It has been observed that the issuance of a permit for carrying a hunting weapon can be postponed. That is why the receipt of a bribe and services might be arranged. Persons requesting a permit for carrying a hunting weapon often bribe police officers in order to speed up the issuance procedure. Like in the previous case, the problem occurs when the permit is to be issued to a person who does not meet the necessary conditions, who is granted the permit after the act of corruption. Police stations in small towns in Serbia are a particular problem because a small number of people decide on the granting of permits, and the control process is not at a satisfactory level.

10 Information obtained during the work of the focus group, 16th May 2013.
11 Interview, anonymous source, May 2013.
12 Finding obtained during the focus group, 19th May 2013.
13 Interview, anonymous source, May 2013.
14 Interview, anonymous source, May 2013.
Purchase of driving licences

It has been observed that bribes are arranged and received for the purpose of getting a driving licence. Collaborators in this act of corruption are driving schools owners, instructors and police officers as members of commissions that decide whether a certain candidate will pass the driving test. Media reports say that bribes for obtaining a driving license range from 600 to 1,000 EUR, and that the price has increased after the arrest of several instructors, driving school directors and police officers suspected of involvement in the illegal sale of driving licences (Vuković 2012). The Belgrade Driving School Group president believes that several driving schools were closed because of the “purchase” of driving licences, because lawful operation makes it impossible to pay all expenses and earn a profit. According to citizens, this type of corruption can threaten the life of the person who purchased the driving license, as well as the lives of his fellow travellers and other persons in traffic. Bosnia and Herzegovina has announced that driving tests will be video-recorded, in order to reduce corruption in the process.

“Free of charge” travel expenses

More than 90 carriers operating intercity lines do not charge tickets to the police, although police travel expenses of arrival and departure from work are covered from the budget (Gočanin 2013). For example, travel expenses of a police officer from Pirot who works in Belgrade amount to around 70,000 dinars. The problem lies in the procedure that does not require police officers who travel to work to justify travel expenses, which leaves the reimbursement of travel expenses without control and oversight, making it subject to abuse. It is enough to point out that around 30% of employees of the Belgrade Police Department live outside the city, and that some police officers receive funds that exceed an average salary as travel expenses. In addition to using buses to get to work, police officers often hitchhike, especially near toll booths, which they are prohibited to do.

CRIMINAL CORRUPTION

Staging traffic accidents

There is a possibility of staging traffic accidents with the participation of police officers. By failing to act or by entering false data in the record, they enable participants in a traffic accident to make financial gain from insurance. The criminal offense of forging official documents is thus committed, as is the act of corruption of supporting criminal activities. A situation has been registered in practice in which staged traffic accidents go as follows: two cars collide, and the party responsible for the accident is covered by CASCO insurance, so that indemnity is paid to all persons and vehicles that participated in the accident, regardless of the responsible party. For this reason, in staged accidents there are always four other persons in the car, in addition to the driver. They all file bogus claims to the orthopaedist, who is often part of this corrupt activity. He gives them fraudulent evidence of injury, which is then used to get compensation from the insurance company (Brcan 2013).

15 Information obtained during the work of the focus group, 19th May 2013.
16 Finding obtained through the work of the focus group, 19th May 2013.
17 Interview, commander of a police substation, 27th December 2013.
18 Interview, commander of a police station, 24th December 2013.
Avoiding police ambush

There is suspicion that some police officers participate in securing the content of organized crime groups’ dispatches\(^{20}\), which is an act of corruption directly involving police officers in criminal activities. This means that members of organized crime groups avoid police ambushes, since they know their locations in advance. For this reason, the route of the shipment changes, the ambush fails as does the seizure of the shipment. Also, there are suspicions that police officers who prepare ambushes also participate in these criminal offences, because they inform organized crime group members and thwart the operations which are prepared based on tips.

Abuse in the trade of motor vehicles

There is suspicion that police officers indirectly participate in criminal activities related to car theft, disassembling and sale of parts. Criminal groups hire police officers to transport cars via a predetermined route, often from one border crossing to another.\(^{21}\) The main reason for this is that police officers do not conduct detailed checks of their colleagues, which facilitates the transport of cars to criminal groups. Additionally, police officers are being hired for these purposes in order to forge documents that would make it possible to use the motor vehicle. This was particularly topical during the re-registration of vehicles in 2009, and was enabled by the Decree on Re-registration. Under the Decree, in order to import a vehicle with Montenegrin or foreign plates, the person had to have residence in Serbia and a valid authorization for driving and disposing of the vehicle, issued and certified 1st January 2008.

Drug trafficking

It is generally known that citizens believe that police officers regulate drug trafficking in particular parts of the city or that they take part in it.\(^{22}\) However, this is hard to prove. Most often, undercover agents are necessary to obtain evidence.

The problem lies in the fact that police officers most frequently do participate in this criminal activity, primarily at the lowest, operational level of drug trafficking. Police officers always know local dealers. It is very difficult to find the key persons responsible for trafficking large quantities of narcotics or coordinating local operatives. Sometimes parents even accuse police offices of supporting criminal activities because they cannot deal with the fact that their child is an addict.\(^{23}\) The 13 tons of undestroyed drugs kept in Mol warehouses additionally increase the danger of police officers’ participation in drug trafficking (D. 2013).

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\(^{20}\) Interview, anonymous source, May 2013.
\(^{21}\) Interview, anonymous source, May 2013.
\(^{22}\) Information obtained during the work of the focus group, 19th May 2013.
\(^{23}\) Interview, anonymous source, May 2013.
BOX 7: VALJEVO POLICE INSPECTORS GAIN 126,000 EUROS IN SEVEN YEARS

The Internal Affairs Sector of the police arrested the head of the Crime Prevention Unit and the head of the Anti-Narcotics Group at the Valjevo Police Directorate (PD) in September 2013 because they had been taking bribes from five drug dealers– 1,500 euros per month from each dealer for seven years. In return, they protected the dealers from arrest and warned them on investigations against them. The IAS was notified about this by the dealers themselves, when the two police officers did not support them when they were finally arrested. What is important is that the two police officers were allegedly taking bribes for seven years and none of their colleagues noticed or reported anything.

The best known case of a Serbian police officer suspected of trafficking narcotics and working as private security is the case of Niš Gendarmerie squad member Aleksandar R. He was caught by the police at the border with Montenegro in late November 2013, while he was trying to escape after killing a Niš drug dealer. The case in which Gendarmerie members were accused of drug trafficking ended with a final judgment. In January 2012, two Belgrade Gendarmerie squad members were convicted to prison sentences for selling and buying drugs. One of the convicted received the minimum prison sentence of three years for the criminal offense of unlawful production, keeping and circulation of narcotics. The maximum sentence is twelve years.24

Blackmail, extortion and racketeering

Making personal gain by defrauding or extorting a person who has significant assets in order to allegedly protect them is one of the most dangerous acts of corruption involving police members. There are multiple possibilities of corruption. Criminal groups threaten the owners of hospitality facilities and police do not react. Blackmails and extortions cease as soon as the owner of the facility agrees with a police member to give a particular amount of money or a particular service in order to stop the threats.25 Various inspections bypass some retail facilities or “forgive” some violations, because the inspection and police services have previously agreed on taking a certain amount of money. Frequently, hospitality facilities’ owners are police officers, or persons close to them, so they use this position for abuse. Sometimes, hospitality facilities that do not have a license or which have not registered the garden are allowed to work because of arrangements with police officers. Some hospitality facilities do not comply with the working hours limit, and work as long as there are customers. These benefits are usually acquired by bribing some police officers.26 These problems are especially prominent in cities with large hospitality facilities.

BOX 8: SOME PARTICULARLY PROBLEMATIC MEMBERS OF THE NIŠ GENDARMERIE SQUAD

The Niš Court of Appeals has a case in which several members of the Niš Gendarmerie squad are accused of blackmail, extortion and racketeering. The accused Gendarmerie members include the brother of former commander of this special police unit Bratislav Dikić, who is considered to be the leader of the group. They key evidence against him is a statement which Đorđe Stanojević (32), owner of an exchange office in Niš, gave to the IAS. He was killed on 27th January 2013, when an unidentified person planted an explosive device under his car. His father said for the media that he had taken to the IAS evidence of involvement of some Gendarmerie and Niš police members in the racketeering of some hospitality facilities. The Internal Affairs Sector conducted the investigation into corrupt activities of some Niš Gendarmerie squad members and filed a report (Vukosavljević 2013).

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25 Interview, anonymous source, May 2013.
26 Information obtained during the work of the focus group, 15th May 2013.
BOX 9: RACKETEERING OF SOCCER PLAYER NIKOLA VIRIJEVIC

In April 2013, media reported that a group of nine persons had been arrested on suspicion of extorting 30 flats worth two million euros, as well as 60,000 euros, several luxurious cars and the most expensive mobile phones from soccer player Nikola Virijevic. The arrested included two MoI members: a Gendarmerie member and a Rakovica police officer. They provided police protection to other members of the criminal group (Markovic Subota 2013).

Suspicious procurement of video surveillance equipment

In 2013, the public was informed that there might have been corruption in the procurement of video surveillance equipment that makes audio recordings to be used in 180 Fiat Punto vehicles. The cost of thepurchase allegedly amounted to four times the average cost of this type of equipment (Informer 2013). The IAS said nothing and neither did the CPD, which allegedly took over the investigation. One of the Serbian police unions issued a press release regarding this case, stating that this was not specialized police equipment and that tested video surveillance systems used by other police forces in the world had not been bought (Serbian Police Union 2013).

Participation of police officers in the housing industry

During the work of focus groups, similar information was obtained in two cities about police officers who protect companies in the construction industry, or specifically housing industry. Police involvement in corrupt activities which include providing protection to persons involved in unlawful economic activities is twofold. First, they prevent investigations against persons in the construction industry who have started building something illegally, i.e. without permits. Then they use their connections at local authorities to make it possible for construction companies to get (construction) permits faster.27

POLITICAL CORRUPTION

The negative political party influence on police management may be analyzed by identifying high-risk areas in which police corruption may occur. Types of corruption that result from political party activity are more difficult to investigate and prove. However, this does not mean that corruption does not exist. Political party influence exists in the human resources management in the police and it is the riskiest type of influence. This influence can have a negative effect on police work and citizens’ security, since there is a danger that insufficiently skilful persons might either start working or be promoted in the police. Also, some information believed to be in the possession of the MoI frequently cause media scandals, with direct or indirect involvement of political parties.

Political parties affect the human resources management

The system of external advertising of vacancies at the MoI is insufficiently developed, which leaves enough space for receiving or arranging the receipt of bribes or services in order to get employment. The recruitment is mostly based on political party membership, regardless of the candidate’s qualifications. Thus, there are examples of persons with inadequate experience and education who became police station commanders.28

27 Information obtained during the work of the focus group, 15th May 2013; information obtained during the work of the focus group, 16th May 2013.
28 Interview, anonymous source, September 2012.
A similar situation was detected in the area of promotions at the MoI. There is no system of internal advertising of vacancies at the MoI, which paves the way to receiving or arranging the receipt of bribes or services in exchange for being sent to training, or being transferred or promoted. In addition to this, the MoI has a legal obligation to make and publish a list of vacancies at least once a year. At this moment, there is no information whatsoever about the existence of such a list. Police officers who wish to get a promotion or be transferred do not have information on vacancies at the MoI, even if they do have the approval of their superior, which is necessary for transfer.

There is no open competition for vacancies at the Ministry of the Interior or for additional training in which clear application criteria would be quoted. Transfers are most frequently made on the basis of political party membership, or family or friendly connections.

Information leaks

Information believed to be in the MoI possession can often be taken from the police service and released to the public, or handed over to certain persons. Such information can contain private data or data protected by a certain level of classification. This, in fact, represents the corrupt activity of disclosing police data. The unlawful provision of information to unauthorized persons can have an adverse effect on national security, public security and security of public administration. Such information is frequently publicly disclosed as a result of different political or personal interests.

BOX 10: SANCTIONS FOR THE DISCLOSURE OF INFORMATION

According to the applicable Law on Police, the disclosure of information which is confidential under the law or other regulations to unauthorized persons constitutes a serious violation of official duty.* The strictest punishment for this violation of duty is dismissal from service. The Criminal Code envisages a prison sentence of between six months and eight years, depending on the motive of the person who disclosed the data.**


Various media in 2013 reported on probably the largest number of police scandals in one year since the democratic changes in Serbia. The common feature of all scandals was that they were first uncovered by the tabloids. This indicates that police information is being disclosed, which represents a type of political corruption. Also, the MoI has seldom reacted to accusations that police is politicized or under too much pressure from criminal groups. A particular increase in the number of media reports on various police scandals was noted in February 2013, a month before the re-election of police director Milorad Veljović.

It is hard to find valid evidence on possible police information disclosure due to the protection of information sources. For this reason, all allegations published in the media should be taken with reservations. Besides, it is unclear why the MoI did not react to all the accusations, which were very serious. The Informer and Kurir tabloids are the leaders in the publication of texts on various police-related scandals.

Tabloids mostly attacked and defended the police director, especially in September last year. According to the Kurir newspaper, the police director and his associates are close to criminal groups and political parties. Kurir also said that the police director had been securing his position for quite a while by appointing his own staff not according to their competence but according to political affiliation. The other tabloid, Informer, believes that texts against the police director represent an attempt of tycoons and criminal groups to regain power in Serbia because of the fight against corruption initiated last year (Georgijev 2013). These opposite pieces of information confuse the public and undermine their trust in the police work.

ASSESSMENT OF POLICE CORRUPTION IN SERBIA

This part of the report is not aimed at drawing attention to the accuracy or inaccuracy of certain information published in the Serbian media, but to the problem of possible misuse of information in the MoI possession. The consequences of such media stories are twofold. Media can be abused by different interest groups, which undermines their independence. Persons who provide such information to the media cannot be fully protected because Serbia has still not regulated the protection of whistleblowers.

INCOMPATIBLE ACTIVITIES

A by-law that would put into practice Article 133 of the Law on Police has not been adopted. This article prohibits police officers to engage in professional or private activities that are incompatible with police employment in their spare time. This is one of the reasons why some police officers, in addition to police work, engage in some other business or professional activity which is incompatible with the Law on Police. In doing so, they use their police authority as well as police resources.

BOX 11: SEPTEMBER POLICE SILENCE

In early September 2013, the process of Serbian Government reshuffle was approaching the end. At that moment, the newspaper Kurir started to publish a number of texts accusing the police director and the CPD deputy head, who also coordinates the group in charge of investigating the cases of disputed privatization processes in Serbia, of having connections with organized crime groups and political parties. The interior minister said nothing about the scandals. Neither did the first deputy prime minister, who actually started the fight against corruption by creating special teams with the task of investigating the disputed privatizations. These texts were published for almost one month. In late September, the CPD deputy head requested to be relieved of duty and asked the working group to examine all media allegations against him. Speaking in an interview for the weekly NIN, the police director confirmed Informer’s claims that a desperate attempt of organized crime to stop investigations was in the background of the attack. He also admitted that politics affected police work and that measures for decreasing this influence had been taken, i.e. special police budget had been approved.

BOX 12: EXAMPLES OF ACTIVITIES WHICH ARE INCOMPATIBLE WITH POLICE WORK

Police officers should not:

- Work as private security or private detectives;
- Be political party members, attend political party meetings and rallies;
- Possess a licence for the operation of a hospitality facility near police stations;
- Borrow money or collect debts on behalf of others;
- Perform tasks that affect the administration of justice (e.g. lawyer, bailiff);
- Rent or borrow real estate from a colleague working in the same organizational unit;
- Represent police service of his or her own accord;
- Use acquired police knowledge for non-police activities;
- Use material resources belonging to the police for private business purposes;
- Work at facilities that provide sexual services;
- Engage in the production, sale and distribution of alcohol;
- Be members of managerial bodies (steering committees or supervisory boards) of legal entities.

In its work, the Internal Affairs Sector has observed several examples showing that police officers are involved in activities which are incompatible with policing. Three police officers from Bojnik were members of the Welfare Centre Managing Board. In Zaječar, a police officer lent his vehicle to a taxi company. In Kikinda, a police officer performed administrative tasks in a school (K. 2013).
Police officers work as private security

A large number of initiated disciplinary proceedings for serious violation of official duty primarily refer to police officers involved in the so-called “black security” of different wealthy persons, which might potentially represent a corruptive act of providing protection to persons involved in illegal business activities, but also disclosure of confidential information. The responsibility for this practice lies on senior management, because it is their duty to monitor the work of employees and sanction such cases.

In 2013, media frequently published stories about police officers who had second jobs incompatible with police work. Police officers were said to be members of criminal groups who racketeered owners of café bars and night clubs (Lalić 2013). Police officers who do this are mostly members of riot police or Gendarmerie (B. and M.N. 2013). There are cases when police officers protect persons with the criminal past and thus earn several hundred euros per night. Police officers who secure business premises earn between 2,000 and 5,000 dinars per night with the tacit approval of their bosses (Vuković 2013).

Police officers as councillors

The Serbian Constitution says that a member of the police force may not be a member of a political party.30 The Law on Police says that police officers may not be organized in a political party, or be politically active within the MoI.31 However, there were situations in which certain police officers acted as councillors at municipal assemblies. This was made possible under a MoI decision, on the basis of which agreement was given to Dragan Stojanović to become a councillor at the Novo Brdo Municipal Assembly. In addition to this, his rights and obligations under the employment contract are be suspended for as long as he remains councillor.32 The Majdanpek Municipal Assembly in October 2013 refused a request to grant councillor term to Dragan Popović, who was the municipality president until 20th July 2013.33 As in the previous case, his job at the MoI was protected while he was away.

There are two dilemmas in the aforementioned cases. First of all, it is not clear why the MoI in 2008 decided to approve the councillor term to its employees, since they must have been political party members previously. This is a violation of the Serbian Constitution but it also paves the way to MoI employees to start with political activities in the police service. Then, it remains unclear how a police officer who served as a councillor, despite the suspension of his police status, can perform his duties independently, impartially and with political neutrality, which is an obligation that stems from the Law on Police, Code of Police Ethics and Law on Civil Servants.

32 MoI, Secretariat, 02/1, number 651/08 of 29th July 2008.
33 Municipal Assembly of Majdanpek. Decision number 06-75/2 of 30th October 2013.
FIGHT AGAINST POLICE CORRUPTION

The good quality work of the IAS and implementation of the three documents (the MoI Development Strategy, National Anti-Corruption Strategy and MoI Integrity Plan) have a significant effect on the reduction of police corruption. The following section analyzes the legal framework and work of the IAS, as well as the content and current implementation of these documents.

At the end of this section, you will learn:

■ what are the legal problems faced by the IAS;
■ what are the IAS results in reducing police corruption;
■ is the IAS capable enough to control police independently;
■ is the work of internal control bodies in the police coordinated;
■ which measures aimed at reducing police corruption are not carried out in line with the Action Plan for the Implementation of the 2011-2016 MoI Development Strategy;
■ which doubts exist regarding the implementation of the Action Plan for the Implementation of the National Anti-Corruption Strategy;
■ why is the Integrity Plan important for reducing corruption in police.

THE INTERNAL AFFAIRS SECTOR OF THE POLICE

The Internal Affairs Sector of the police is the successor of the Public Security Department Inspector General’s Service. The Inspector General’s Service was renamed into IAS when the Law on Police took effect in 2005. The main task of the IAS is to monitor the legality of police work, especially the respect for and protection of human rights in the implementation of police authority.

The Internal Affairs Sector does not control all Ministry employees

The main task of the IAS is to carry out the internal control of police work, but not the control of employees at the Ministry headquarters. The Law on Police (Art. 171, par. 1) does not say that the IAS should control all Ministry employees, but only those who work at the Police Directorate. This is also the legal interpretation of the IAS scope of control of the MoI Secretariat (IAS 2013: 7). As a result of this legal gap, more than 18,000 employees at the Ministry headquarters (MoI 2013: 63) are not under control. This is a major corruption risk. In addition to this, the law does not allow the IAS to take statements from employees at the Ministry headquarters (Art. 175, par. 2). This possibility exists only when a police officer is an injured party or witness in proceedings.

The Internal Affairs Sector is not independent in its work

According to the Law on Police, the IAS independence is undermined by the minister’s authority (Art. 177, par. 3), under which he can remove the IAS from a case and hand it over to another organizational unit. At the same time, there is no delineation of competences of the three internal MoI control bodies. This situation is bad not only because the minister has too much discretion, but also because the internal control is fragmented, which all reduces its effectiveness.
The Internal Affairs Sector is not obliged to report to the National Assembly

The Law on Police (Art. 179) does not directly oblige the IAS to submit a report on its work to the National Assembly or the competent Defence and Internal Affairs Committee. According to the present solution, the interior minister may file a report on the IAS work only at the request of the Government or the competent National Assembly Committee. Under the international standard of police oversight, the internal control will be independent if it is not part of the executive branch and will submit reports on its work directly to parliament (European Partners against Corruption 2011: 6). Direct reporting to the competent parliamentary committee is important in order to maintain the principle of democratic work of the police, especially at sensitive times, such as in Serbia in 2013, when MPs never raised the issue of appropriate control over the Gendarmerie.

The Internal Affairs Sector does not have the appropriate human, material and financial resources

Currently, the IAS has 89 employees (IAS 2013: 18). This is not enough for controlling more than 28,000 members of the police (MoI 2013: 63). The IAS regional centres in Belgrade, Niš and Kragujevac do not have the appropriate workspace, and the technical equipment used by the employees is outdated. The state has the obligation to provide appropriate financial and material resources to internal control bodies (European Partners against Corruption 2011: 7). In addition to this, there are no clear indicators of the IAS capacity that would be sufficient to control budget spending, or to establish cooperation with the Internal Audit Service.

The Internal Affairs Sector does not cooperate well enough with regional police directorates

The IAS cooperation with regional police directorates is not satisfactory. As a result, there is a lack of control of some regional police directorates and exchange of information between the directorates and the IAS. Regional police directorates more frequently inform only the Police Directorate and the Ministry about unlawful police activities, and completely bypass the IAS. Moreover, regional police directorates do not carry out the tasks and checks forwarded to them by the IAS with the aim of determining the situation. This is particularly visible when senior managers are suspected of being involved in corrupt activities. Finally, police officers largely believe that the IAS does not have the capacity to exercise control over regional police directorates.

The Internal Affairs Sector mostly relies on its own field work

In the period between 2010 and 2012, a slight increase was observed in the number of gathered field information, based on which the IAS files most of its criminal complaints against police officers and citizens (Graph 18). Thus, in 2012, more than 50% of criminal complaints were initiated on the basis of IAS field information (IAS 2013: 9). Only a very small number of criminal complaints were filed on the basis of information obtained from MoI organizational units or regional police departments. This supports the accuracy of the previous finding on the absence of appropriate cooperation with regional police directorates, which reduces the effectiveness of police control.
The Internal Affairs Sector mostly files criminal complaints for the abuse of office

Between 2010 and 2012, a slight increase was observed in the number of filed criminal complaints (Graph 19). However, the largest number of IAS criminal complaints until the end of 2012 referred to the criminal offense of abuse of office, although this number significantly dropped in 2012. According to the European Parliament report on Serbia (European Parliament 2013), the definition of the criminal offense of abuse of office has not been harmonized with European standards. This criminal offence may refer to different acts of crime, which makes it difficult to see what the abuse of office really is and which authority police officers have under the Law on Police. In addition to the abuse of office, the most common types of the criminal offence of corruption are the forging of official documents, receiving bribes and unlawful production, keeping and circulation of narcotics (Table 4).
### Table 4: The most frequent types of corruption offences

<table>
<thead>
<tr>
<th>Criminal offense</th>
<th>2010</th>
<th>2011</th>
<th>2012</th>
</tr>
</thead>
<tbody>
<tr>
<td>Abuse of office</td>
<td>57</td>
<td>226</td>
<td>87</td>
</tr>
<tr>
<td>Forging documents</td>
<td>19</td>
<td>35</td>
<td>16</td>
</tr>
<tr>
<td>Forging official documents</td>
<td>13</td>
<td>9</td>
<td>2</td>
</tr>
<tr>
<td>Receiving a bribe</td>
<td>18</td>
<td>27</td>
<td>15</td>
</tr>
<tr>
<td>Unlawful production, keeping and circulation of narcotics</td>
<td>33</td>
<td>3</td>
<td>3</td>
</tr>
<tr>
<td>Fraud</td>
<td>10</td>
<td>6</td>
<td>10</td>
</tr>
</tbody>
</table>

**Internal Affairs Sector has not increased the number of preventive controls**

The Law on Police does not specifically regulate IAS mechanisms of preventive operation towards the organizational units of the Police Directorate, although the IAS uses such measures in practice. However, it should be noted that preventive control does not essentially prevent the unlawful behaviour of police officers; instead, it serves the purpose of collecting evidence once that suspicion in Police Directorate organizational unit members has already been confirmed. Preventive control started in 2011, when the IAS implemented this measure in six regional police directorates (Požarevac, Bor, Zrenjanin, Srmska Mitrovica, Cačak and Niš). In the next year, the number of preventive activities did not increase, but the control was implemented at police substations and organizational units at a level lower than regional police departments. Police stations in Barajevo, Lazarevac and Grocka, as well as regional police departments in Subotica, Zaječar and Novi Pazar were subjected to preventive control. The Internal Affairs Sector of the police filed ten criminal complaints on the basis of information obtained during the preventive controls (IAS 2013: 14).

**The work of internal control bodies at the Ministry of the Interior is not coordinated**

The mechanisms of horizontal coordination of the four internal control bodies in the MoI have not been established. According to responses to the BCSP questionnaire, there is no unified and complete database on the criminal liability of police officers, in view of the fact that regional police departments as well as SCOC also file criminal complaints against police officers at the CPD. In addition to this, there is no unified and complete database that would show the number of petitions, reports and complaints against the abuse of police authority filed by citizens and police officers. This makes it difficult to create a realistic analysis of police corruption risks.

**THE 2011 – 2016 MINISTRY OF THE INTERIOR DEVELOPMENT STRATEGY**

The fourth priority area of the MoI reform is the reduction of police corruption through the strengthening of the system of internal and external control, as well as through increasing work transparency. Therefore, the Strategy sets out four objectives:

1. to strengthen the internal control system;
2. to develop a system of financial operation and control;
3. to ensure conditions for the implementation of democratic and civil control;
4. to increase work transparency.
The Internal Affairs Sector plays the main role in the fight against police corruption

According to the MoI Development Strategy, the principal anti-corruption measure in the police is to strengthen the ability of IAS employees to engage in preventive and investigative activities. In addition to this, the stress was laid on the building of cooperation with the media and citizens. Initial progress has been made in the preventive activities of the IAS, because an increase of the number of preventive regional police department controls has been registered. As a result of investigative activities of IAS police inspectors, the number of criminal complaints has also visibly increased. The introduction of a special telephone line and opening the possibility of reporting corruption by e-mail have improved the mechanisms for the filing of petitions, applications and complaints to the work of police officers. There are problems in communication with the media and citizens, because the IAS work is largely unknown to the public. One of the reasons is the irregular updating of the IAS webpage as well as the absence of their reaction to scandals that “shook” the police, and especially the Gendarmerie in 2013. An even bigger problem are the inappropriate material, financial and human resources of the IAS, which are necessary for complex police corruption cases, particularly those in connection with budget expenditure and financial operation of the MoI.

The Action Plan for the Implementation of the MoI Development Strategy envisages five activities aimed at stepping up internal control, which could result in the reduction of police corruption (Table 5).

Table 5: Activities for building a developed internal control system

<table>
<thead>
<tr>
<th>No.</th>
<th>What needs to be done?</th>
<th>What is the implementation deadline?</th>
<th>Who is responsible?</th>
<th>Funding?</th>
<th>Has it been accomplished?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Annual police corruption risk analysis to be made.</td>
<td>June 2013</td>
<td>IAS</td>
<td>Not specified</td>
<td>Yes</td>
</tr>
<tr>
<td>2.</td>
<td>Instructions on the internal police control forms and methods to be adopted.</td>
<td>December 2013</td>
<td>IAS, Secretariat, Office of the Minister</td>
<td>Not specified</td>
<td>No</td>
</tr>
<tr>
<td>3.</td>
<td>Instructions on the work of the Internal Affairs Sector of the police to be adopted.</td>
<td>December 2013</td>
<td>IAS, Secretariat, Office of the Minister</td>
<td>Not specified</td>
<td>No</td>
</tr>
<tr>
<td>4.</td>
<td>The plan for the implementation of preventive control of police work to be drafted.</td>
<td>December 2013</td>
<td>IAS</td>
<td>Not specified</td>
<td>Partly</td>
</tr>
<tr>
<td>5.</td>
<td>Proposal for amending the IAS job classification to be adopted.</td>
<td>January 2014</td>
<td>IAS, Secretariat, Office of the Minister</td>
<td>Not specified</td>
<td>No</td>
</tr>
</tbody>
</table>
Strategic corruption risk analysis

The only activity that has been fully implemented within the deadline provided in the Action Plan for the Implementation of the Strategy is the drafting of the annual police corruption risk analysis. The drafting of the analysis is envisaged by the Police Reform: Internal Control Twinning Project. Numerous technical problems occurred during its implementation, as well as difficulties with officials responsible for the analysis. That is why the findings presented in the analysis should be taken with reservations.\(^\text{34}\) Notwithstanding the difficulties, the document is important because it is the first MoI analysis of perception of police corruption by police officers. In addition to this, one of the representative police unions was given the opportunity to present its view on the issue of police corruption.

Instructions on the types and methods of internal police control

The Office of the Minister was supposed to adopt the Instructions on the Types and Methods of Internal Control in December 2013\(^\text{35}\), although the original plan had been for this to be done until September 2013.\(^\text{36}\) The Internal Affairs Sector drafted the Instructions in April 2013, in accordance with the Action Plan, and forwarded them to the Secretariat. The latter suggested that in the process of drafting of the instructions, care must be taken that the minister controls the work of the IAS head, police officers at the Sector and other police officers in charge of internal police control.\(^\text{37}\) The same article defines a limitation in the work of the IAS that affects its independence. The Minister may decide to hand over a specific case to another internal unit authorized to initiate proceedings if the object of internal monitoring exceeds the authority of the IAS, if it is connected with other cases, or if it is very important. This legal solution will very likely be kept in place and the work of the Sector will remain limited. The instructions will be adopted within the new amendments to the Law on Police, but the time frame for the amendments has still not been set.\(^\text{38}\) The quality of draft instructions cannot be discussed, because the MoI has not forwarded the document.\(^\text{39}\)

Instructions on the work of the Internal Affairs Sector of the police

According to the Action Plan of the Strategy, the Office of the Minister has the obligation to adopt regulations that would specify the scope of work the IAS. This has not been done so far. The Internal Affairs Sector of the police has drafted a manual on the IAS operation. Despite its name, it is believed to be a document that presents guidelines and instructions for the operation of the IAS. The purpose of the manual is to determine the following:

- 1. Method of operation of the IAS;
- 2. Methods of personal development of IAS employees;
- 3. Guidelines for drafting other instructions and rules;
- 4. Mechanisms for preventing police misconduct;
- 5. Means for stepping up operational activities and establishing international standards.\(^\text{40}\)

For the time being, the quality of the draft Manual cannot be commented on, in view of the fact that the document is not publicly available, and that the MoI has failed to forward it to the BCSP.\(^\text{41}\)

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34 Findings obtained during the focus group’s work with IAS and BPD representatives, 30th October 2013.
35 Quarterly report on the implementation of the 2011-2016 MoI Development Strategy, September 2013.
38 When the Law on Police was last amended, there was no public debate because the law was amended in the summary procedure. This prevented any suggestions or comments on its contents.
39 Response to the BCSP questionnaire, 20th September 2013.
40 Response to the BSCP questionnaire, 20th September 2013.
41 MoI questionnaire, 3rd September 2013.
The Plan of Implementation of Preventive Controls

The Action Plan for the Implementation of the MoI Development Strategy defines as the IAS duty to make a plan of implementation of preventive controls of police work in the last quarter of 2013. However, the IAS has not created a unified plan of preventive activities, although this is its obligation under the Action Plan, which should provide guidance in preventive controls. Instead, the IAS drafted individual plans based on its own findings and complaints to the work of police officers at the Police Directorate. This has excluded from preventive control other police officers who work at the Ministry or in one of the three other sectors. Still, it should be noted that the drafting and implementation of specific plans of preventive control is not a bad solution, but that they do not essentially prevent possible abuse and misconduct of police officers. This refers to the collection of evidence, since some members of a particular organizational unit at the Police Directorate are already suspected. Another shortcoming of preventive controls refers to the implementation of measures which the IAS has proposed for the purpose of removing shortcomings, because this is the responsibility of the head of the unit in which the preventive control was implemented. In this case, the responsibility for the implementation of measures triggered by the behaviour of the head is disputable as is the control of the implementation of measures.

Job classification at the Internal Affairs Sector of the police

Police officers’ workplaces are determined by the interior minister through an act on the internal organization of and job classification at the Ministry. An integral part of this document refers to the workplace organization at the IAS. However, the Action Plan for the Implementation of the Strategy envisages a separate measure, under which the IAS is in charge of analyzing the existing job classification, making priorities in the development of a new internal organization of the IAS and amending the job classification. None of this has been done to date. An IAS representative is at a working group established under a decision of the interior minister. This group is in charge of drafting amendments to the document on job classification, and making job descriptions. Another obligation from the Action Plan has not been carried out because the priorities of the new job classification have not been determined, which, in turn, has not been done because amendments to the Law on Police are still unknown.

The Internal Audit Service is important for controlling financial management at the Ministry of the Interior

Under the MoI Development Strategy, a transparent mechanism for monitoring budgetary expenditures and strengthening project management in order to ensure international donor assistance represents a basis for the establishment of a developed system of financial operation and control. The MoI Information Booklet provides an insight into the budgetary funds earmarked for public procurement. However, the problem lies in the procurement planning process itself. Public procurement plans often change in the relevant year. For example, the 2011 Public Procurement Plan changed four times in the relevant year, while the 2012 plan changed twice. In addition to this, public procurement plans resemble lists of Ministry’s needs rather than documents that are supposed to regulate the procurement of services, goods and works (Pejović 2013: 3).

The Internal Audit Service is not mentioned in the strategic document for the development of the MoI, although this unit is in charge of assessing the risk, control and work of the system of financial management of the MoI. In opposition to this is the responsibility of the Internal Audit Service in the implementation of all activities stipulated in the Action Plan for the Implementation of the MoI Development Strategy.

42 Response to the BSCP questionnaire, 20th September 2013.
43 Response to the BCSP questionnaire, 20th September 2013.
44 Response to the BCSP questionnaire, 20th September 2013.
45 Response to the BCSP questionnaire, 20th September 2013.
The Internal Audit Service plays the key role in the removal of shortcomings identified by the State Audit Institution.\(^{46}\)

The Action Plan for the Implementation of the MoI Development Strategy anticipates four activities aimed at strengthening financial operations and puts the Internal Audit Service in charge of them. These activities can result in a reduction of corruption (Table 6).

### Table 6: Activities for the creation of a developed system of financial operations and control

<table>
<thead>
<tr>
<th>No.</th>
<th>What needs to be done?</th>
<th>What is the implementation deadline?</th>
<th>Who is responsible?</th>
<th>Funding?</th>
<th>Has it been accomplished?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>A list of existing risks in the financial management and operation of the MoI to be made.</td>
<td>December 2013</td>
<td>Internal Audit Service</td>
<td>Not specified</td>
<td>Ongoing</td>
</tr>
<tr>
<td>2.</td>
<td>The annual audit plan to be drafted and the Internal Audit Service strategic plan to be approved.</td>
<td>December 2012</td>
<td>Internal Audit Service</td>
<td>Not specified</td>
<td>Yes</td>
</tr>
<tr>
<td>3.</td>
<td>Procedures that facilitate the operation of the Internal Audit Service to be made.</td>
<td>Continuous</td>
<td>Internal Audit Service</td>
<td>Not specified</td>
<td>Unknown</td>
</tr>
<tr>
<td>4.</td>
<td>The internal audit system to be developed in line with European standards.</td>
<td>Continuous</td>
<td>Internal Audit Service</td>
<td>Not specified</td>
<td>Ongoing</td>
</tr>
</tbody>
</table>

**Risk analysis in finance management**

The first activity aimed at improving the system of financial operation and control of the MoI work is the creation of a list of corruption risks. In essence, the list is compiled through continuous collection of data on implemented public procurement procedures and on the quality of implementation of procedures related to budget spending. Such a risk list has not been made yet, but its drafting is underway.\(^{47}\) The Internal Audit Service has so far conducted audits in various systems within the MoI (Table 7). They were aimed at improving anti-corruption mechanisms. However, problems emerge in the implementation of recommendations which the Internal Audit Service submits to the interior minister and to the organizational unit targeted by the audit, because the State Audit Institution has no proof that recommendations are really implemented (State Audit Institution 2011). Nevertheless, the Ministry of the Interior has said that the shortcomings observed by the State Audit Institution have been removed during audits.\(^{48}\)

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\(^{46}\) The State Audit Institution has estimated that the MoI has not established a system of financial management and control because of a lack of internal procedures and weaknesses in system operation, which is a result of an inconsistent implementation of existing procedures.

\(^{47}\) Response to the BCSP questionnaire, 20th September 2013.

\(^{48}\) Response to the BCSP questionnaire, 30th May 2012.
### Table 7: Audits conducted in the last four years

<table>
<thead>
<tr>
<th>Year</th>
<th>Audits Conducted</th>
</tr>
</thead>
<tbody>
<tr>
<td>2010</td>
<td>• Low-value public procurement procedures at the Belgrade Police Department&lt;br&gt;• Professional exams at the Finance, Human Resources and Common Affairs Division&lt;br&gt;• Salaries and fees</td>
</tr>
<tr>
<td>2011</td>
<td>• Salaries and fees&lt;br&gt;• Reimbursement of expenses incurred at business trips abroad for the purpose of extradition&lt;br&gt;• Donations of goods and money for the Directorate for the Protection of Some Persons and Facilities</td>
</tr>
<tr>
<td>2012</td>
<td>• Budget preparation and planning&lt;br&gt;• Budget accounting and financial reporting&lt;br&gt;• Public procurement procedures and low-value procurement procedures&lt;br&gt;• System of revenues from fines pursuant to the Law on Traffic Safety</td>
</tr>
<tr>
<td>2013</td>
<td>• Public procurement procedures&lt;br&gt;• Salaries and fees&lt;br&gt;• Budget accounting and financial reporting&lt;br&gt;• MoI revenues&lt;br&gt;• Management of funds from the EU development assistance&lt;br&gt;• Budget preparation and planning at the Finance, Human Resources and Common Affairs Division</td>
</tr>
</tbody>
</table>

### Action plan of the Internal Audit Service

Three-year continuity has been established in the development of IAS annual action plans and its strategic plan. The first IAS strategic plan, adopted in April 2010, represented the basis for the annual action plan. The next strategic document and the annual action plan were adopted in December 2012. In view of such good practice and shortcomings identified by the Internal Audit Service, it remains unclear why a corruption risk analysis in the financial operation of the MoI has not been developed yet.

### Improving the work of the Internal Audit Service

The Action Plan for the Implementation of the MoI Development Strategy identifies two activities that should improve the work of the Internal Audit Service. The issue is that the result of planned specific tasks is not conducive to the realization of the envisaged activity – development of an internal procedure that would improve the control and assessment of their purposefulness. The Internal Audit Service can assess the purposefulness of budget expenditure, but there is no clear evidence that it actually does it. Purposefulness cannot be assessed only by monitoring legal regulations on tender procedures and providing professional assistance to those subjects of audit who forward proposals for this measure, in accordance with the Action Plan. The analysis of purposefulness of budget expenditure has to respond to the question on whether efficient, effective and cost-effective use of public funds has been secured. For this purpose, the abilities of IAS employees need to be improved, not just in the field of training on the implementation of the new Law on Public Procurement.

### Work transparency is a precondition for establishing democratic and civil police control

The Strategy has identified two ways of informing citizens about police work: (1) regular updating of the MoI Activity Information Booklet, and (2) publication of annual activity reports. The Ministry of the Interior regularly updates its Activity Information Booklet, but it is not citizen-friendly since it has more than 600 pages. However, the Information Booklet contains important information on the scope of MoI and police activities. The Annual MoI Activity Report is still not available at the MoI web page, which prevents citizens...
from learning about police results. This significantly reduces the transparency of the police service, which is not only a precondition for the establishment of democratic and civil control, but also for a successful fight against corruption.

Seven activities are envisaged for the purpose of establishing democratic and civil control and increasing transparency (Table 8). A major drawback of the Action Plan for the Implementation of the MoI Development Strategy is that it does not contain a single measure related to the publishing of the Annual MoI Activity Report.

Table 8: Activities aimed at imposing democratic and civil control of police

<table>
<thead>
<tr>
<th>No.</th>
<th>What needs to be done?</th>
<th>What is the implementation deadline?</th>
<th>Who is responsible?</th>
<th>Funding?</th>
<th>Has it been accomplished?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>A plan of meetings with external police control bodies to be made.</td>
<td>December 2013</td>
<td>IAS</td>
<td>Not specified</td>
<td>Unknown</td>
</tr>
<tr>
<td>2</td>
<td>Police officers to participate in the work of the local advisory bodies.</td>
<td>December 2013</td>
<td>Police Directorate</td>
<td>Not specified</td>
<td>Yes</td>
</tr>
<tr>
<td>3</td>
<td>Civil society organizations conducting research of police to be supported.</td>
<td>December 2013</td>
<td>Media Cooperation Bureau, Police Directorate</td>
<td>Not specified</td>
<td>Unknown</td>
</tr>
<tr>
<td>4</td>
<td>Monitoring mechanisms to be established for most commonly requested information of public importance.</td>
<td>March 2013</td>
<td>Bureau for Information of Public Importance</td>
<td>Not specified</td>
<td>Yes</td>
</tr>
<tr>
<td>5</td>
<td>Discussions on the MoI-civil society partnership to be organized.</td>
<td>Continuous</td>
<td>Bureau for Information of Public Importance</td>
<td>Not specified</td>
<td>Unknown</td>
</tr>
<tr>
<td>6</td>
<td>The public to be informed about MoI work.</td>
<td>Continuous</td>
<td>Media Cooperation Bureau</td>
<td>Not specified</td>
<td>Yes</td>
</tr>
<tr>
<td>7</td>
<td>Senior managers to be trained to deal with requests to access information of public importance.</td>
<td>December 2013</td>
<td>Bureau for Information of Public Importance</td>
<td>Not specified</td>
<td>Unknown</td>
</tr>
</tbody>
</table>

The public is not completely informed about anti-corruption methods

The MoI webpage, the Activity Information Booklet and the Policija Danas (Police Today) magazine are the three main official media through which citizens can be informed about the Ministry and police activities. Of course, information is also available through media which report on or explore further the work of the police service. Under the Law on Free Access to Information of Public Importance, citizens can request specific data on police work. Regardless of the diversity of means for finding data, official MoI media do not contain information on anti-corruption activities in the police or real state of corruption at the police. Media or tabloids mostly investigate such information and inform the general public about acts of corruption in the police. Citizens and OCS exercise their right to free access to information to obtain relevant data, in view of the fact that the majority of requests are sent to the MoI Bureau for Information of Public Importance. Although the Action Plan for the Implementation of the Strategy envisages the establishment
of monitoring mechanism for the most commonly requested information of public importance, which has been put into practice, the purpose of this mechanism is not clear.50

The Mol website is not used to a full extent

It is unknown why the police corruption assessment analysis and manuals that can explain corruption in the police are not available to the public, especially on the Mol website. Thus, for example, username and password are needed in order to access the IAS-developed police corruption analysis, but there is no possibility of registration. The Police Union of Serbia webpage offers information about the Union’s contribution to the development of the strategic intelligence assessment of police corruption. The Policija Danas magazine contains no texts covering the topic of police corruption. Likewise, the Anti-Corruption Manual for Police Officers and the Manual on Police Ethics for preserving personal and professional integrity are not available on this website. It would be impossible to expect 46,000 copies to be printed to provide every Mol employee with his or her own copy of the publication.

THE NATIONAL ANTI-CORRUPTION STRATEGY

The adoption of the National Anti-Corruption Strategy in July 2013 marked the first step towards the restoration of integrity of the police and its employees in Serbia. This results from the fact that the Strategy has accepted the view of most Serbian citizens that police should be the leader in the fight against corruption (CeSID, UNDP 2012: 25), and that the main priority of internal control of the police is to fight corruption in the police (National Assembly of the Republic of Serbia, 2013). Citizens thus made it clear that they wanted strong institutions that should reduce corruption in Serbia. The implementation of the Strategy represents the foundation of restoration of police integrity. The current practice of hyper-production and adoption of various documents without a proper implementation and impact assessment needs to stop. For this reason, the implementation of the 2013-2018 Action Plan for the Implementation of the National Anti-Corruption Strategy is one of the challenges in the fight against corruption in Serbia.

Police is in charge of fighting corruption in the society

The National Anti-Corruption Strategy says that the anti-corruption activities of the police represent the key prerequisite for efficient and effective administration of criminal proceedings (National Assembly of the Republic of Serbia 2013: 14). This means that police is the institution that should investigate corruption cases. In order to achieve this goal, it is necessary to develop criminal police capabilities for fighting corruption in the society and to establish a special anti-corruption organizational unit within the police. The indicator of change and success of the set objective is a greater number of criminal complaints for corruption-related offenses compared to 2012, which resulted in indictments (Ministry of Justice and Public Administration 2013). Four measures and fifteen activities need to be implemented in order to achieve this change (Table 9).

---

50 A monitoring mechanism for the most commonly requested information of public importance has been established in December 2012, under an Office of the Minister cable.
Table 9: What will be done to strengthen police capability to investigate corruption?

<table>
<thead>
<tr>
<th>No.</th>
<th>What needs to be done</th>
<th>When is the implementation deadline?</th>
<th>Who is responsible?</th>
<th>Funding?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>MoI job classification to be amended.</td>
<td>January 2014</td>
<td>MoI</td>
<td>No costs</td>
</tr>
<tr>
<td>2.</td>
<td>Needs analysis for police officers’ anti-corruption training to be made.</td>
<td>February 2014</td>
<td>MUP, DPE, ACPS</td>
<td>500,000 RSD</td>
</tr>
<tr>
<td>3.</td>
<td>Framework for using the corruption perpetrator database to be made.</td>
<td>April 2014</td>
<td>MoI</td>
<td>Not specified</td>
</tr>
<tr>
<td>4.</td>
<td>The curriculum of the police anti-corruption training to be adopted.</td>
<td>June 2014</td>
<td>MoI, DPE, ACPS</td>
<td>No costs</td>
</tr>
<tr>
<td>5.</td>
<td>The first anti-corruption training of police officers to be carried out.</td>
<td>July 2014</td>
<td>MoI, DPE, ACPS</td>
<td>300,000 RSD</td>
</tr>
<tr>
<td>6.</td>
<td>The first evaluation of effects of the anti-corruption training for police officers to be carried out.</td>
<td>September 2014</td>
<td>MoI, DPE, ACPS</td>
<td>500,000 RSD</td>
</tr>
<tr>
<td>7.</td>
<td>A procedure for direct police-prosecution communication to be adopted.</td>
<td>September 2014</td>
<td>MoI</td>
<td>Not specified</td>
</tr>
<tr>
<td>8.</td>
<td>Amendments to the Law on Police to be adopted.</td>
<td>October 2014</td>
<td>MoI, GRS, NARS</td>
<td>1,600,000 RSD</td>
</tr>
<tr>
<td>9.</td>
<td>A specialized anti-corruption police unit to be established.</td>
<td>October 2014</td>
<td>MoI</td>
<td>Not specified</td>
</tr>
<tr>
<td>10.</td>
<td>Single corruption perpetrator database to become operational.</td>
<td>February 2015</td>
<td>MoI</td>
<td>Not specified</td>
</tr>
<tr>
<td>11.</td>
<td>The number of Internal Affairs Sector to be increased.</td>
<td>September 2015</td>
<td>MoI</td>
<td>Not specified</td>
</tr>
</tbody>
</table>

A new criminal police unit will be in charge of fighting corruption.

The establishment of a separate organizational unit within the Criminal Police Directorate is pivotal for strengthening the anti-corruption role of police, under the Strategy. This means that the specialized unit will be established until October 2014, with the main task to fight corruption. In practice, this means that the September 2012 solution, when specialized anti-corruption police teams investigating 24 disputed privatization processes were established, will be institutionalized.

This is certainly a good solution and it is very likely that this unit will be similar to SCOC, which is also at the Criminal Police Directorate. A number of supporting legal, organizational and institutional measures are envisaged for the implementation of this activity, and they should raise police ability to resolve corruption cases:

- Amendments to the Law on Police and job classification;
- Conducting training to raise the ability of police officers to investigate corruption;
- Creating a database of corruption perpetrators.

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51 This does not mean that a separate anti-corruption unit at the MoI currently does not exist. SCOC has an anti-corruption section within the Department for Combating Organized Financial Crime.
52 Bogoljub Milosavljević (Union University School of Law); Radomir Zekavica (The Academy of Criminalistic and Police Studies), Interview, 15th July 2013.
Reducing police corruption

It has been observed that the National Anti-Corruption Strategy lacks prevention activities of the IAS aimed at solving and investigating unlawful actions of police officers, appropriate cooperation with the media and public, as well as the need for creating a professional police service (National Assembly of the Republic of Serbia 2013: 11). This indirectly depicts the issue of police corruption, which is related to the professionalization of the Serbian police service and shortcomings of internal police control. What this essentially means is that police integrity is undermined in relation to the four main principles of police integrity (Bayley 2001: 13-15). The professionalization of police leads to the creation of a service-oriented police force, which is accountable and which protects human rights. Transparency criteria of the institution are met by strengthening cooperation with the media and public. Four different measures and sixteen activities aimed at reducing police corruption are envisaged in order to decrease citizens’ impression of police corruption (Table 10).

Table 10: What is envisaged for reducing police corruption?

<table>
<thead>
<tr>
<th>No.</th>
<th>What needs to be done?</th>
<th>What is the implementation deadline?</th>
<th>Who is responsible?</th>
<th>Funding?</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The first report on results of the fight against police corruption in police to be published.</td>
<td>December 2013</td>
<td>MoI</td>
<td>No costs</td>
</tr>
<tr>
<td>2.</td>
<td>A document regulating promotions of MoI employees to be adopted.</td>
<td>February 2014</td>
<td>MoI</td>
<td>No costs</td>
</tr>
<tr>
<td>3.</td>
<td>The Department in charge of Controlling Work Lawfulness to be merged with the IAS.</td>
<td>February 2014</td>
<td>Office of the Minister</td>
<td>No costs</td>
</tr>
<tr>
<td>4.</td>
<td>Human and material resources of the IAS to be improved.</td>
<td>February 2014</td>
<td>Office of the Minister</td>
<td>50,000 RSD (per employee)</td>
</tr>
<tr>
<td>5.</td>
<td>Instructions on internal control activities to be adopted.</td>
<td>February 2014</td>
<td>Office of the Minister</td>
<td>No costs</td>
</tr>
<tr>
<td>6.</td>
<td>Rules for risk assessment of police corruption to be adopted.</td>
<td>February 2014</td>
<td>Office of the Minister</td>
<td>No costs</td>
</tr>
<tr>
<td>7.</td>
<td>Plans for the prevention of police corruption at regional police departments to be created.</td>
<td>September 2014</td>
<td>Police Directorates</td>
<td>Not specified</td>
</tr>
<tr>
<td>8.</td>
<td>Police corruption risk analysis to be made.</td>
<td>September 2014</td>
<td>MoI, IAS</td>
<td>Not specified</td>
</tr>
<tr>
<td>9.</td>
<td>Police integrity control mechanism (integrity test) to be established.</td>
<td>September 2014</td>
<td>MoI, IAS</td>
<td>Not specified</td>
</tr>
<tr>
<td>10.</td>
<td>The first assessment of implementation of the Police Code of Ethics to be made.</td>
<td>September 2014</td>
<td>MoI, IAS</td>
<td>Not specified</td>
</tr>
<tr>
<td>11.</td>
<td>The first assessment of the impact of police corruption prevention plans to be made.</td>
<td>September 2015</td>
<td>Police Directorates</td>
<td>Not specified</td>
</tr>
<tr>
<td>12.</td>
<td>The first report on the implementation of the career progress standard at the MoI to be made.</td>
<td>September 2015</td>
<td>Human Resources Management Service</td>
<td>Not specified</td>
</tr>
</tbody>
</table>
**Creating a new system of internal police control**

The main institutional change aimed at reducing police corruption under the Strategy is the attachment of the Department for Controlling Work Lawfulness to the Internal Affairs Sector. This change may up to a point result in reducing police corruption, since the mechanisms of horizontal coordination between internal control bodies at the MoI have still not been created (Đorđević 2013: 67). This might have been the main intention of the authors of the Action Plan. They wanted to establish more effective communication by ensuring that everybody operate under one “roof”. The strengthening of IAS human and material resources is also envisaged.

**Implementation of Integrity Plans**

The Strategy envisages the implementation of two prevention activities which should result in the reduction of police corruption. The implementation of the integrity plan, which has been developed by the Ministry of the Interior and submitted to the Anti-Corruption Agency, will be the first to begin (Anti-Corruption Agency 2013). After that, regional police departments in Serbia will develop and start implementing their own police corruption prevention plans. A report on the impact assessment of these documents should be published in 2015, as well as the assessment of compliance with the Police Code of Ethics. These activities will have established three similar anti-corruption methods.

**Improving human resources management**

Human resources management constitutes one part of the anti-corruption policy of the police. In the next year the beginning of implementation of career advancement system at the MoI should be expected. The implementation of these standards would significantly reduce corruption risks in human resources management, since this implies a strategic approach to the management of targeted recruitment, selection, classification, employment, education, deployment, grading, motivation, promotion, replacement and dismissal of employees.

**Questions and dilemmas**

The National Anti-Corruption Strategy, and especially its Action Plan, contains dilemmas that need to be resolved in the course of realization of measures aimed at reducing corruption and perception of police corruption.

*Why is the indicator of police anti-corruption capability vague?*

The indicator of police success in the fight against corruption in the society – the number of criminal complaints for basic and qualified forms of acts of corruption which resulted in indictments in comparison with 2012 – is vague indeed. It is measurable because after the implementation of the Strategy, one indictment more can be obtained than in 2012, but it does not guarantee success or change in the fight against corruption. A special problem occurs also as a result of implementation of the prosecutor-led investigation, which started on 1st October last year. Until mid-November only two indictments were filed.

*Why are not financial costs provided for all activities?*

The determination of financial costs and organizational units in charge of implementing the activities represents the basis for the implementation of measures referred to in the Action Plan. Although the Action Plan specifies the organizational units, it does not do the same for the financial costs of the majority of activities. For example, no funds are needed for the implementation of standards of promotion in the MoI, while for the police corruption risk analysis funding is not specified. It is known that the MoI implements
the internationally supported project of development of a modern concept of human resources management. Therefore, one can assume that the activities for which funding is said not to be required have sources of funding other than the Serbian budget. However, this does not mean that it is not necessary to specify the amount of funds in the Action Plan. Also, a note may be added that the international community (or a specific donor) will support the implementation of a certain activity.

How is cooperation with the prosecution arranged?

The Strategy emphasizes that investigative activities of the police are pivotal for the success of criminal proceedings against the perpetrators of corruptive activities. This is indisputable. However, the 2012 working version of the Law on Amendments to the Criminal Procedure Code entrusts the public prosecutor with criminal proceedings. It introduces the concept of prosecutor-led investigation in our criminal procedure legislation, where the prosecutor, and not the investigative judge, will be in charge of the investigation. The Strategy does not mention police-prosecutor cooperation in the context of resolution of corruption crimes. The cooperation between the newly established anti-corruption unit of the police and the Republic Public Prosecutor’s Office Anti-Corruption Department which is in charge of corruption cases, will be especially important. Moreover, the Action Plan mentions the adoption of a procedure that would improve police-prosecutor cooperation, which is to be developed by the MoI alone, without the prosecution (Ministry of Justice and Public Administration 2013: 68). Such unilateral adoption of the cooperation procedure may affect the outcome of investigations.

What is the role of the Internal Affairs Sector of the police in reducing corruption in the public administration?

The Action Plan in two places (in the part that deals with the role of police in the fight against corruption in the public administration, and in the part dedicated to reducing corruption in the police) envisages an increase of the number of IAS employees, which means that they should account for 1% of the total number of MoI employees. This means the IAS should have around 460 employees in the course of implementation of the Strategy. This leads to two dilemmas. First, in order to deal with corruption cases in the state administration the number of IAS employees does not have to increase, since their missions and tasks are different. The activities of the IAS are focused on the police. Secondly, different deadlines are envisaged for the same increase of the number of employees. The number of IAS employees will increase by September 2015, i.e. within two years of realization of the Action Plan, which is the prescribed period for stepping up police ability to fight corruption in the public administration. The number of IAS employees will have increased until February 2014, six months after the beginning of implementation of the Strategy, when police corruption is expected to be reduced.

Why would it take ten months to adopt the police training plan?

Six months will be needed to make the analysis of trainings and techniques which the police will need to investigate corruption cases. This is a realistic deadline for obtaining an appropriate analysis. However, ten months will be required for the adoption of a training plan that should be built upon this analysis. There are three possible explanations of this situation. The starting premise is that the analysis will not be good enough, which is why the deadline for the adoption of the program has to be extended and analysis adapted to some new requirements. Then, the slowness of decision-making at the MoI might affect the adoption of the training plan, which will make it necessary to extend the deadline. Next, other factors (other than police officers’ needs) might be taken into consideration in the adoption of the plan. The adoption of training programs should be accelerated.

53 Prosecutor-led investigation began on 1st October 2013.
Why it is not determined how to influence the opinion of citizens about police corruption?

The indicator of strengthening of police integrity and the ability of the internal control of the police to reduce corruption – “reduced index of the perception of corruption in the police according to public opinion polls conducted in Serbia” – has not been clearly determined. The dilemma is identical to the one that pertains to the indicator of police success in dealing with corruption cases. Greater public confidence in policing and lowering of the perception of corruption in the police by e.g. 1% is not a proof of change in the fight against police corruption.

Why have not all control mechanisms in the police been included in the Internal Affairs Sector?

Under the Action plan, the Department for Controlling Lawfulness of Work should be part of the IAS. This leaves the two main internal control bodies (the Section for Controlling Lawfulness in the Gendarmerie and the Internal Audit Service) outside the main control mechanism of the police. This means that the special police unit, the Gendarmerie, is “untouchable” and that the IAS does not have the capacity to monitor the financial management of the MoI, primarily the realization of procurement for the Ministry’s needs. If this solution remains in place, it will be necessary to establish mechanisms for cooperation between the IAS and the other two internal control bodies at the MoI. In addition to this, if the internal control bodies become integrated, citizens should not lose the possibility of direct communication with police parts that control lawfulness.

What is the Internal Control Service?

The part of the Action Plan in which anti-corruption measures are provided, contains a large number of dilemmas regarding terminology. First of all, it is not clear what the Internal Control Service is. In the current organizational structure of the MoI, an organizational unit of that name does not exist. The authors of the Action Plan were most probably referring to the Internal Affairs Sector of the police. However, this interpretation is contested by the measure which envisages a promotion of coordination between the “merged” internal control and the Internal Control Service. The second possibility is that the authors were referring to the Internal Audit Service, which evaluates the financial management of the MoI. Finally, the MoI does not have an organizational unit called bureau for complaints and petitions, but a bureau for complaints and applications.

INTEGRITY PLAN

Integrity plans represent modern prevention methods for the establishment of lawful and ethical quality of work of public administration bodies. The aim of integrity plans is to eliminate and prevent opportunities for the creation and development of corruption (Dobovšek 2009: 120), i.e. to strengthen institutional integrity. They should not solve specific corruption cases. The obligation to adopt an integrity plan is contained in the Law on the Anti-Corruption Agency (Art. 59).54 The Ministry of the Interior adopted its integrity plan in April 2013 (Anti-Corruption Agency, 2013).

The structure of the MoI Integrity Plan is clear

The Anti-Corruption Agency has suggested a model for the drafting of integrity plans which presents the areas (Illustration 4) and processes that should lead to the implementation of the good governance principle. Each of the processes identifies risks that may undermine its realization. In order for each process to work, it is necessary to fulfil requirements related to legal and human resources frameworks. The Ministry of the Interior has accepted the proposed model integrity plan provided by the Anti-Corruption Agency.

Illustration 4: Structure of the integrity plan

The proposed integrity plan structure is more suitable for systems with an ongoing process of institution building, as is the case with Serbia. Successful process management within common areas is necessary for efficient and effective functioning of the system. Only in the later stages of institution integrity development will it be possible to move to the prevention of specific corruption risks, which do not necessarily endanger the functioning of the system. In fact, this is the core of the Slovenian integrity plan – the assessment of specific corruption risks at an institution (Utrecht School of Governance 2008, 82). Essentially, the MoI Integrity Plan is an action plan whose future implementation will establish a corruption resistant system.
The main obstacle is the evaluation of the quality of work

Under the MoI Integrity Plan, there are six processes (Illustration 5) that should help ensure efficient and effective institution management. The same mechanism, which will be used for the implementation of each of the processes, is made up of: the adoption of the internal document, employee training, and implementation of regulations. The adoption and implementation of two documents is important for the realization of the process of the management of the MoI. These documents should regulate the way of assessing the institution’s work and control of management quality, since this has not been done so far at the Ministry or at least documents indicating this are not publicly available.

Illustration 5: Institution management processes

It is necessary to assess the real needs of the Ministry

The MoI Integrity Plan identifies three processes whose implementation strengthens the MoI integrity in public finance management. These are: the preparation of a financial plan, planning and execution of the budget, and use and purchase of tangible and basic assets. The main obstacle to the realization of this process, in view of the existing practice at the MoI, is the assessment of real needs of the police and the Ministry. It has been determined so far that large procurement processes for the MoI are carried out at the discretion of the Ministry, rather than on the basis of an analysis relying on the actual MoI needs. The procurement of items such as motor vehicles or equipment for MoI members are based on assessments carried out on the basis of MoI records, without an insight into the situation on the ground, or real needs
ASSESSMENT OF POLICE CORRUPTION IN SERBIA

There is a strong possibility that these procurement processes do not fulfil their purpose, i.e. that they do not correspond to the real needs of the police.

**Control of the implementation of public procurement should be established**

The MoI Integrity Plan envisages five processes whose implementation either represents a legal obligation, or is necessary for a successful implementation of the Law on Public Procurement. These are: the preparation of the annual procurement plan, preparation of tender documents and establishment of a commission, evaluation of bids and selection of the best bidder, conclusion of a contract and its implementation. The biggest challenge in the realization of this part of the MoI Integrity Plan is the establishment of a consistent system of public procurement control, in view of the existing practice. Namely, the oversight and control of confidential procurement procedures at the MoI have not been realized so far and these processes in 2012 accounted for 55.51% of all procurement procedures at the Ministry. Although there are international standards that would indicate what the percentage of confidential procurement procedures against the total number of procurement procedures should be, one should wonder why there is no control of implementation of more than one half of procurement procedures at the MoI.

**Integrity building through efficient human resources management**

The inappropriate and unlawful management of human resources causes the greatest risk of police corruption in Serbia. In the MoI Integrity Plan, the human resources management system has received a strategic access to the management of processes of targeted recruitment, selection, classification, employment, education, deployment, evaluation, motivation, guidance, promotion, replacement, and dismissal of employees. The realization of such strategic approach will depend on five processes, envisaged by the MoI Integrity Plan: preparing and implementing a draft human resources plan and a document on the internal organization of the institution and job classification, the procedure of recruitment, evaluation, promotion, training and education of employees. A successful completion of these processes will remove the existing shortcomings. This primarily refers to the absence of a sufficiently developed system of external advertising of vacancies at the MoI, which makes it possible to arrange and receive bribes or services in exchange for recruitment. Also, there is no system of internal advertising within the MoI, which also paves the way to corrupt activities of arranging or receiving bribes of services in exchange for training, transfer and promotion. Finally, a sufficiently developed system of monitoring and control of employment at the MoI does not exist.

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ABOUT THE RESEARCH METHODOLOGY

The report “Assessment of Police Corruption in Serbia” was created on the basis of:

- public opinion polls;
- five focus groups;
- interviews with police union members;
- interviews with police officers;
- analysis of laws, strategic documents and media articles.

The data on citizens’ views on police corruption in the BCSP poll conducted by CeSID were obtained in the field on a representative sample of 1185 adults in the territory of the Republic of Serbia without Kosovo and Metohija. A questionnaire, which consisted of 123 variables and which was prepared by BCSP, was used as the research tool. Interviews with citizens were conducted face to face, through a direct contact with the interviewee.

Throughout the process of interviewer training, the trainers insisted on the implementation and observation of two very important rules that affect the sample itself as well as the representativeness of the study – observation of steps and first birthday rule. The observation of steps ensured a comprehensive coverage of the complete research point by interviewers, while the first birthday rule eliminated the possibility of the questionnaire being answered only by the first person to open the door of the household to the interviewer. Namely, the interviewers were requested to question the person over the age of 18 in a household whose birthday comes first after the day of the interviewer’s visit. In such a manner the interviewers ensured the representation of different genders, different types of education and different ages among interviewees.

Four focus groups were realized in May 2013 in four different cities in Serbia: Čačak, Jagodina, Sombor and Zaječar. The main criterion for participating in the focus group was the knowledge of local circumstances, mainly the issue of police corruption. The personal experience of participants in acts of corruption was regarded as an advantage. The fifth focus group was realized in October 2013 with IAS and BPD representatives.

The analysis of police officers’ views on police corruption was obtained by conducting in-depth interviews with 22 representatives of police unions in Serbia. At the same time, they filled in a questionnaire made up of 20 questions which were identical to those posed to citizens in the BCSP public opinion research. The report did not quote individual opinions of police unions in order to preserve their anonymity, and instead used joint findings as common for all. Separate and specific positions of police union members who participated in the research were quoted in some parts of the study because of their importance for the understanding of police corruption. This was done without naming the sources.

ABOUT THE PROJECT

The publication is part of the A-COP: Civil Society against Police Corruption project. The project is supported by the Delegation of the European Union in the Republic of Serbia and Office for Cooperation with Civil Society of the Government of the Republic of Serbia.

The main objective of the project is to raise the capabilities and ensure the networking of civil society organizations from Serbia in the A-COP group in order to research police corruption and advocate anti-corruption measures.

Members of the A-COP group are the: Belgrade Centre for Security Policy (Belgrade), Novi Sad School of Journalism (Novi Sad), Toplica Centre for Democracy and Human Rights (Prokuplje), Bečej Youth Union (Bečej), PROTECTA (Niš), Resource Centre (Majdanpek), Association against Corruption (Zrenjanin), South News (Niš), Social Responsibility Initiative (Belgrade), Info Centre (Brus) and Sisyphus Work (Bela Crkva).