

FORWARD

Policing is the most important of the public services because it has in its jurisdiction the preservation of the legal system the protection of life, and human rights, from various types of crime. The wide discretionary powers of law enforcement are a challenge for irresponsible individuals and can easily be misused for the sake of personal gain.

Understanding the extent of corruption among police officers is not sufficiently researched and information is often contradictory to the official data on the number of detected corruption offences. It is undisputed that within the police there are those who are corrupt, those who are prone to excessive use of force, those who abuse their official position for material gain, personal enrichment and other benefits.

Contrary to popular belief the detection of corruption in the police is not always one of the most difficult types of investigation. A fully staffed Internal Affairs sector that is appropriately trained and equipped is essential. So too is the ability to operate in complete confidentiality. This can and will, make a significant impact upon the actual levels of corruption. It will also put the fear of exposure into those who seek to abuse their powers or positions for personal gain, irrespective of position, rank or status.

The fight against corruption is a serious social issue, with both economic and socio - political consequences, it is based on three key elements, which are embodied in the National Strategy for the Fight against Corruption. These are:

- Efficient enforcement of anti-corruption legislation,
- Prevention – elimination of opportunities for corruption,
- Raising awareness and educating the public for support in the implementation of the anti-corruption strategy.

Reducing corruption and achieving an anti-corruption culture is essential for the future development of the police. Zero tolerance is an acceptance by all staff to report and expose corruption and malpractice. It will always have the full and unqualified support of the public. It can only succeed when supported by clear leadership and strong political direction.

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INTRODUCTION

EU Project Police Reform - Internal Affairs; activity 1.1 was to deliver a Strategic Intelligence Assessment (SIA) by the Internal Affairs Sector. The purpose of the assessment is to paint a contemporary picture of modern police corruption as viewed from within the Ministry of the Interior. (The police service itself). This will provide an initial benchmark and assist in prioritising future funding, investigation activity, education and prevention opportunities and not least, to help define a strategic approach to reducing police corruption and increasing public confidence.

The project allocated 6 months for planning, data collection and report writing. A team of 4 Internal Affairs staff was required to complete the activity. The team was to design a police questionnaire, ensuring anonymity. Then to assess the research material and write the Intelligence Assessment. It was later decided to include a citizens questionnaire and related Ministry statistics.

Activity 1.1 suffered a number of technical and staffing issues that significantly delayed the production of the assessment.

It is against this background that credit and recognition must be paid to **Ms Gorica Latinkić**, Division for Analytic and Informatic Affairs, Internal Affairs Sector. Who has almost single handedly progressed this research through analytical difficulties and technical problems. Without her dedication and commitment the Internal Affairs department would not have succeeded in completing this research.

Any Strategic Intelligence Assessment (SIA) must clearly articulate the breadth and variety of corruption that effects Serbian law enforcement. This first national research from within the Ministry of the Interior is a tentative and exploratory step in that direction. There are many areas of corruption that it does not explore in sufficient detail. For example, IT security, officer vulnerability, leadership failures and malpractice, or, public oversight. These areas will feature in the recommendations that flow from this research. The validity of the SIA research is entirely dependent upon the contributions from the Ministry employees and the members of the public who voluntarily participated.

In order to address corruption there needs to be a clear picture of what corruption is? How it manifests itself? Together with the culture and context in which it exists. Once that picture is known, then appropriate resources can be allocated, priorities made, strategies targeted, action plans initiated, prevention and education strategies launched.

This SIA acts as an initial benchmark to monitor and measure the activity and success in the fight against corruption. A more sophisticated and informed strategic approach must be adopted in the future if police corruption is to be effectively dealt with. Similarly the Strategic Intelligence Assessment (SIA) itself must be developed and enhanced to build knowledge and understanding.

However, there are several clear and well understood assumptions that are universally accepted within law enforcement. To help with the context of this initial research it is useful to state these at the very beginning.

Police corruption breeds public contempt.

Organised crime is not only facilitated by corruption, but also spreads it.

Criminals are keen to acquire law enforcement information which is usually held on national databases or on local intelligence systems. They seek to corrupt members of law enforcement agencies to acquire it.

Criminals seek information for a variety of reasons. Principally, to avoid detection, compromise prosecutions, identify 'leaks' in their own organisation, build their understanding of law enforcement tactics and to increase their credibility amongst criminal peers. Corrupt law enforcement personnel tend to be tasked by criminals to obtain specific information.

Criminals may attempt to impede investigations or facilitate their criminal activities by seeking to delete or alter law enforcement records, or to add false records.

Criminals corrupt serving law enforcement officers and other staff in a variety of ways, sometimes through payment of monies or goods, such as drugs, or through favours. Criminals will often pay a premium for information which involves a higher risk of detection.

However, financial gain is often not the most significant motivating factor and there are many instances where corrupt police have been motivated by friendship, family connections, tribal loyalties, shared ideology or employee disaffection.

This initial Strategic Intelligence Assessment conducted within MUP aims to build on these assumptions, to illustrate how modern corruption presents itself. It also charts current trends and themes. This will be based on officer's personal experience of corruption within MUP and not re-circulated gossip or innuendo. Its validity is strongly connected to the honesty and integrity of the responses from the serving employees. The data is broadly gathered and supplemented by the use of public domain material to contextualise the corruption culture within Serbian law enforcement and society in general. The trade union also offer a perspective to consider within this report.

All questions and research methodology were designed and undertaken by the Internal Affairs sector. It is this department who best understands the structure and nature of the Ministry of the Interior and how to undertake such research. It was the role of the project to support the process and assist in writing the final report.

This assessment is the work of the Internal Affairs Sector supported by statistical information from the Unit for the control of the legality of police work. Independent research contributes to the public domain research with final editing of the whole document by the RTA. The conclusions and recommendations were written by the RTA who discussed and agreed them with the IAS.

METHODOLOGY

The publication of a Strategic Intelligence Assessment on Corruption (SIA) was envisaged by the Twinning project, "Police Reform: Internal Affairs." The SIA research was approved by the Minister of the Interior on 22.09.2010.

The analysis was prepared by the Internal Affairs Sector in cooperation with the Directorate for Analytics of the Ministry of Interior. This initial research was to broadly examine the problem of corruption of police officers, to seek the views of the public, and the serving officers, recording their experiences with corruption. From the findings of the research, to then define recommendations and suggestions for the more efficient fight against corrupt police officers.

Data collection was made using the following methods:

- Survey of citizens
- Survey of police officers
- Study of criminal charges filed against police officers for corruption related Offences
- Examining complaints submitted by citizens to Internal Affairs Sector and regional police directorates
- Review of public domain material on Police corruption.
- Trade union contribution

POLICE

The police survey was conducted across the territory of Serbia and included representative organizational units in the headquarters of the Ministry. It included all police directorates, and, incorporated one police station in each directorate. In Belgrade, it was conducted in one police directorate, and incorporated one of the central city municipalities.

The selection of organizational units within the Ministry headquarters and police stations was by random sampling. The units and respondents were all employees of the Ministry, regardless of working position, or title. All responses were anonymous and handwritten then sealed in envelopes to guarantee anonymity.

Once data collection was complete all questionnaires were returned to the Internal Affairs Sector, for processing. Employees of the Sector manually entered data from the questionnaires, into the system software Lotus Notes 8.5 (Basic).

Employees from the Information Technology Directorate in the Ministry headquarters prepared software programs for the analysis. Processing of data from the questionnaires, and the preparation of charts that were necessary for this analysis was carried out in the Information Technology Directorate, to the requirements of the Internal Affairs Sector.

SAMPLE AND SAMPLING METHOD

The total number of questionnaires distributed was 15,000. Employee respondents number 10,168. This is an exceptionally high response rate. It also represents about one fourth of the Ministry's employees in Serbia. Despite certain shortcomings (incomplete questionnaires, for example) this response rate is extremely high.

Statistical practice is based on a focused problem definition. In sampling, this includes defining the population from which the sample is drawn. Because there is very rarely enough time or money to gather information from everyone in a population, there needs to be defined a representative sample, or subset of that population. If we wish to achieve an accurate estimation of experiences. Whilst the Ministry sampling was not scientifically designed the high volume of data collection suggests the material is highly representative of the policing organisation.

SURVEY OF CITIZENS

Employees from the Analytics Directorates conducted the survey of citizens in regional police directorates. The questionnaires were mainly placed in official premises of police directorates where there is the highest frequency of citizens visiting. This is mostly in the premises where administrative tasks are performed and where people come every day to obtain ID documents, register vehicle or perform other administrative affairs. Collection methodology was through convenience or opportunity sampling. The survey was once again anonymous and voluntary.

5000 questionnaires were distributed across Serbia. The survey collected a total of 2224 responses. 2191 citizens completed the surveys in regional police directorates, and 33 citizens completed the questionnaire published on the web page of the Sector.

SURVEY OF CITIZENS

The sample of citizens was obtained by using a method of Convenience (Opportunity) sampling. A type of non-probability sampling that involves the sample being drawn from that part of the population which is close to hand. The particular sample is selected because it is readily available and convenient. When using such a sample it is not possible to make generalizations about the total population from this method because it would not be representative enough.

Sample is composed of two parts:

- 1) Citizens answered questionnaires at Police stations
- 2) Citizens answered on Ministry Web page (internet)

	Frequency	Percent	Cumulative percent
Intranet	2191	98.5%	98.5%
Internet	33	1.5%	100.0%
Total	2224	100.0%	

Table 1-Sample of citizens

DEMOGRAPHIC INFORMATION

The highest interest in the survey was among the citizens between 31 and 50 years of age, from the 2224 respondents 50.1% is from this group.

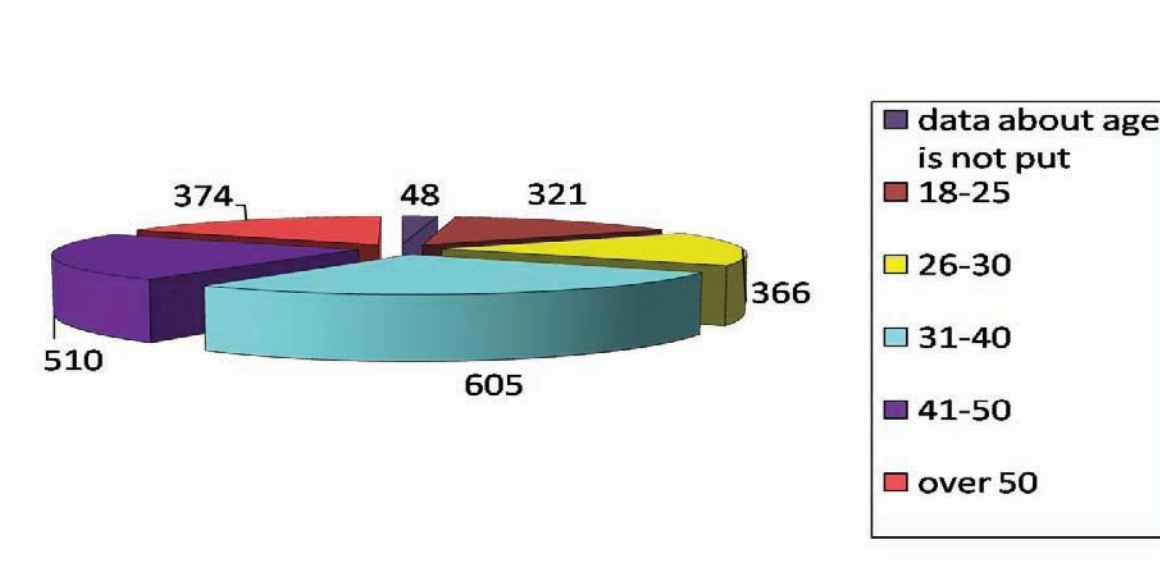


Chart 1 shows categories 31-40 and 41-50 have the highest frequencies 27.2% and 22.9, respectively. In addition, it is not clear what the logic of defining the age categories. The 26-30 group is half of the range of others.

GENDER

The survey involved 1344 men and 778 women. The remaining participants of the survey, (102) provided no information about the gender.

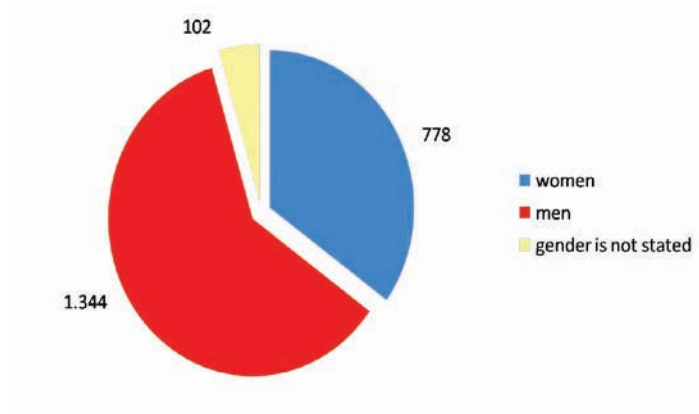


Chart 2 shows that there is a higher percent of male respondents, 60.4% compared to 35.0% female subjects. Some of citizens omitted this question (4.6%). It is not suggested that men were not more interested in participating in the research. A probable explanation is that men visit police stations in larger numbers and more frequently than women.

PLACE OF RESIDENCE

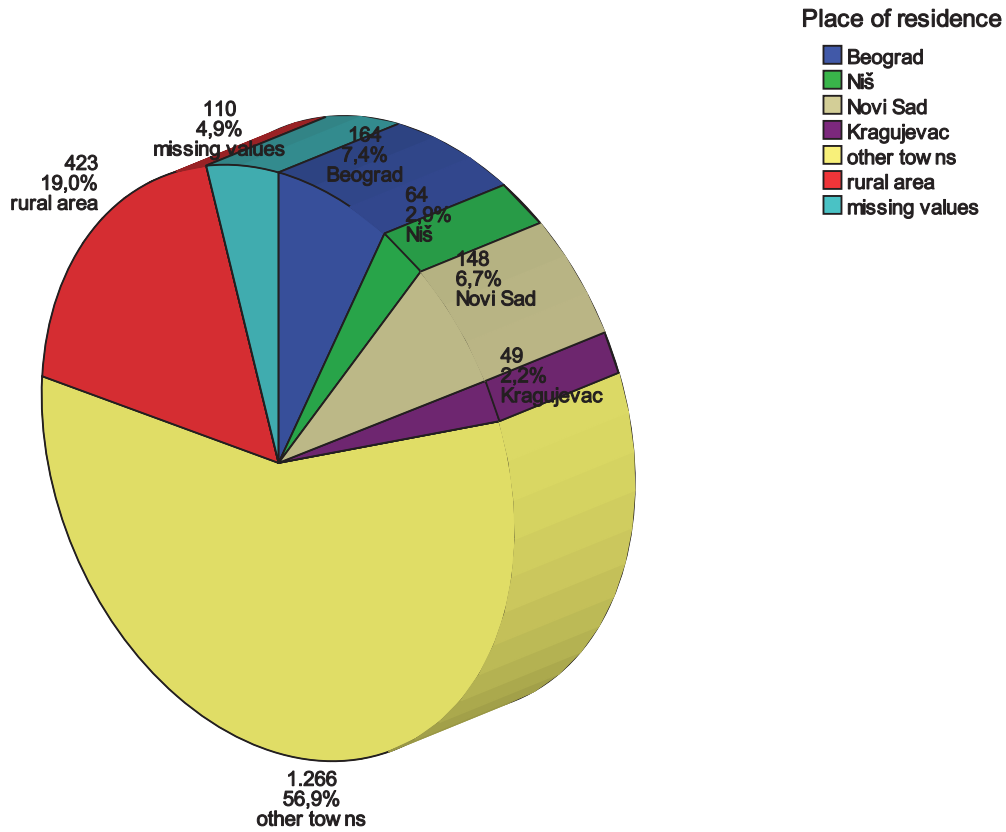


Chart 3 shows frequencies and percents for residence. There is no data on the category “other towns”. This is the category with the highest frequency and its defining characteristics are unknown. For that reason, this variable is not suitable for further analyses.

It is suggested to re-categorise in future assessments, making categories exhaustive and exclusive to allow regional assessment and social variations to be considered

ATTITUDES TO CORRUPTION

Although, corruption is usually related to accepting money, a high proportion of respondents (42.4%) think that corruption implies "any benefit gained by doing an illegal favour." A significant number of respondents recognize corruption as a "promise which will be remunerated by a favour" and "the use of official information to gain a personal benefit". Extending the notion of corruption, could be interpreted as a positive sign.

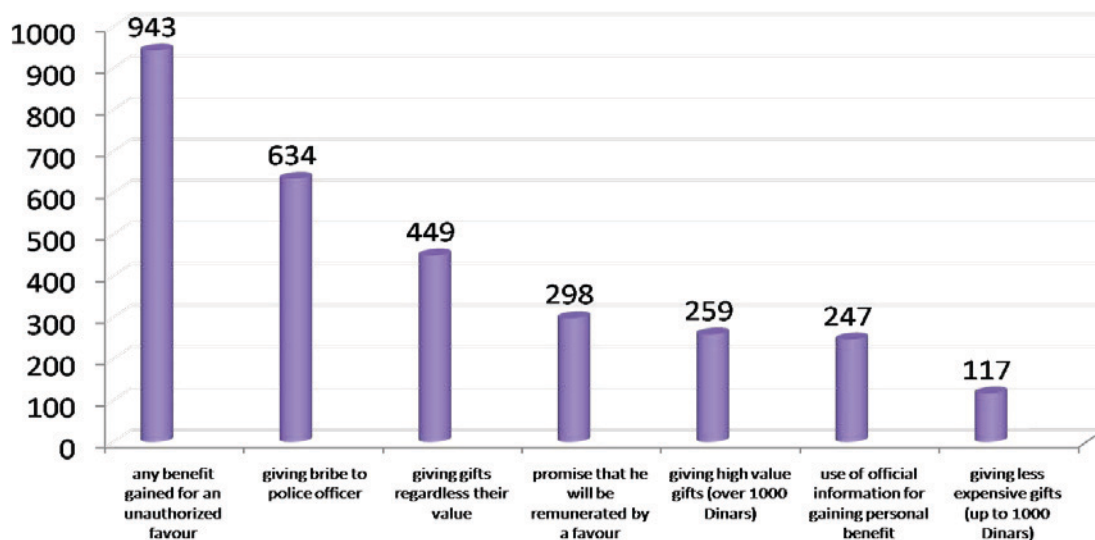


Chart 4 illustrates the categories and responses. The notion of bribery is strongly associated with the giving of money. Percents are calculated for each answer separately, for the total answers given on this question, no matter if single or multiple responses have been chosen; The total number of answers is 2956. This sum is higher than 100 percent of subjects (2224) because multiple responses were provided and included.

These results show that citizens see corruption mostly as gaining any benefit for an unauthorized favour (31.9%). This is the most generalized answer and it shows that citizens' definition of corruption includes multiple concepts. The 2nd largest category is "giving money to a police officer" (21.4%), and the 3rd "giving gifts regardless of value" (15.2%). Giving less expensive gifts is hardly considered as corruption (only 117 citizens or 4.0% chose this option). It seems that providing small inexpensive gifts is a "normal" phenomenon in modern Serbian society.

This is a worrying concept and represents an acceptance or normalisation of corruption within society. The view that corruption is a normal part of daily existence is not uncommon

A single answer was chosen by 1757 (79%) participants. Multiple answers were chosen by 318 citizens, which is 14.3% of the total. In addition to the previous comment on a wider understanding of corruption, this data is viewed as optimistic.

Corruption is seen as a complex phenomenon, composed of many aspects. This implies that corruption is seen as a serious problem which can affect society in different forms. The total number of subjects that left this question blank is 149, which is 6.7% of total.

WHERE IS CORRUPTION?

Respondents singled out Health care as being the most corrupt area of society (1380). The judiciary (660) and police (504) are second and third. The police and judiciary represent the criminal justice system and together they are almost equal with healthcare as being considered the most corrupt institution in Serbia.

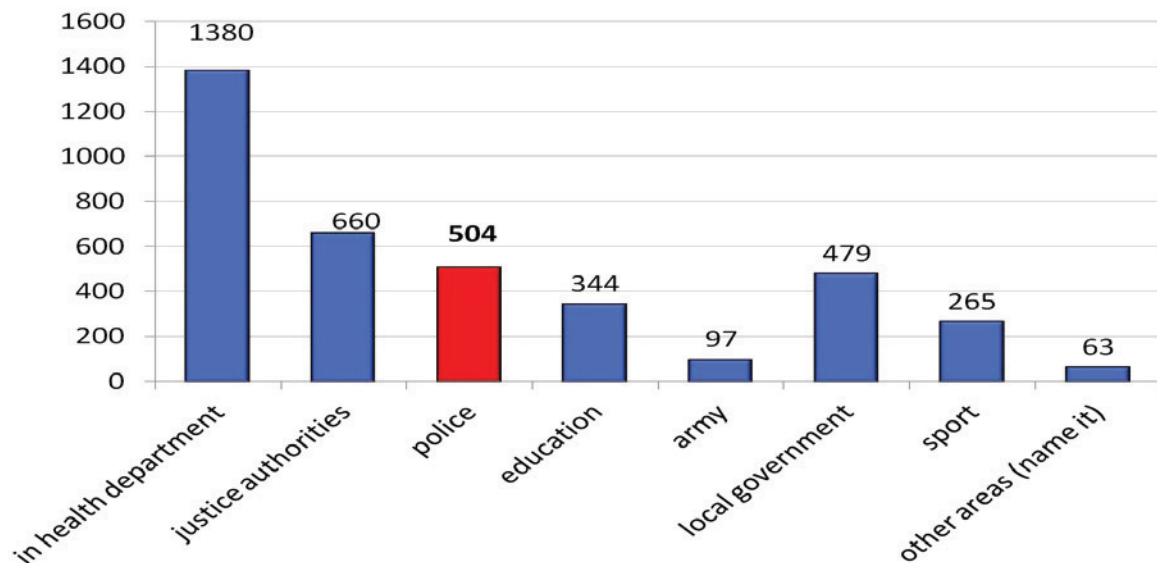


Chart 5 – Distribution of corruption according to respondents. A single answer was chosen by 1399 participants. Multiple responses were given by 673 citizens. The Sum for missing data is 152 in which respondents failed or declined to answer the question fully.

An open question was included and 63 respondents provided written responses on where they see corruption. Answers are categorised as:

- 1) Politics in general, and political parties
- 2) Government administration in general
- 3) All areas
- 4) Industry
- 5) Utility companies

Some citizens targeted high level society groups as the most corrupt and see corruption in all areas. Some of them identified industry and utility companies. The first two categories imply that corruption is above any one particular area but is endemic. That Government and politicians are corrupt. This perception is worrying as these two groups influence across the whole strata of Serbian Society. It may be indicative, of disillusionment or disengagement with government.

EXPERIENCE WITH CORRUPT POLICE OFFICERS

When asked if a police employee had ever asked for a gift? The majority of surveyed citizens (82.2%) stated that they have never been in a situation where a police officer solicited a gift or service. Approximately 12.9% have had such an experience with police officers who requested money or other demand. The remaining 4.9% of respondents did not answer this question.

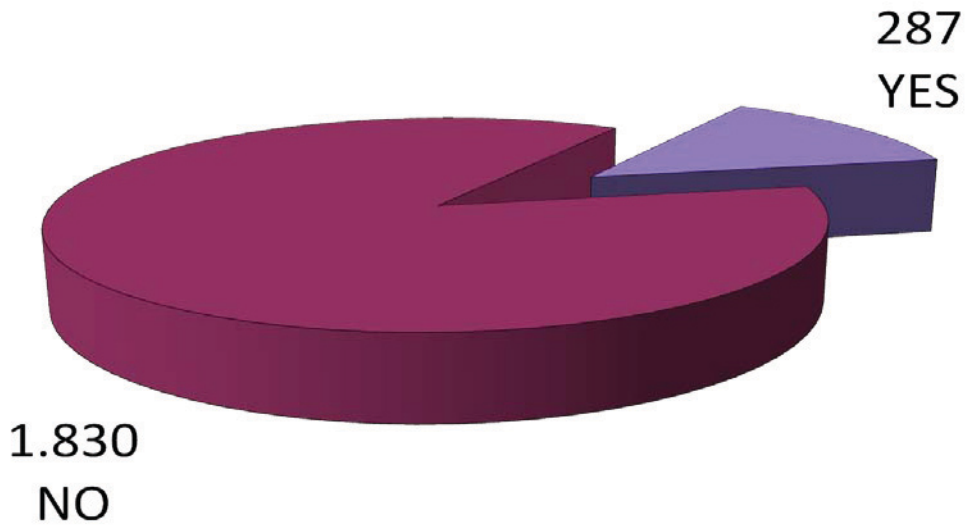


Chart 6 shows categories of who did or did not have a corruption experience with a police officer. In the next question in this report there are a large number of respondents who confirmed that they gave gifts to police officers (700) significantly more than those who stated that they had been solicited for a gift (287). Somewhat contradicting the information in this question

WHAT HAVE YOU GIVEN TO A POLICE OFFICER

The notion that “petty” corruption prevails in the police, is confirmed by statements from the respondents that they gave to police officers and employees drink, cigarettes, flowers and other small gifts (162) and less expensive gifts of up to 1000 Dinars (58). In only 37 cases was it stated that the gift was worth over 1000 Dinars. Additionally 214 citizens said they gave money to police officers

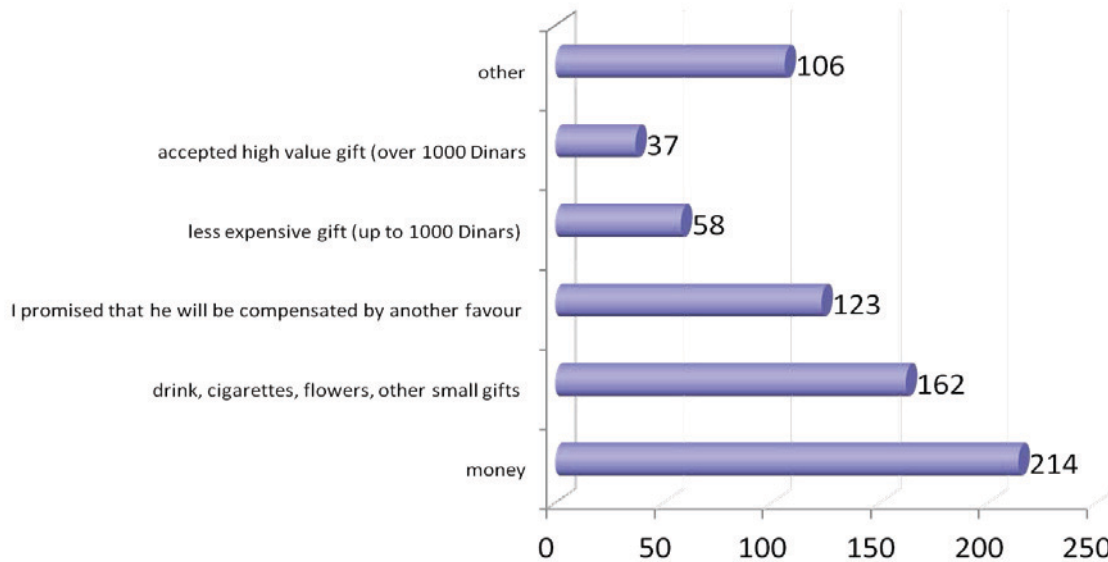


Chart 7 Demonstrates the type of bribe-gift given to Ministry employees and police officers

The discrepancy between these first data sets may show a practice of citizens to reward a police officer or Ministry employee after a favour or helpful action is completed. It is evident that a considerable number of citizens feel some sense of obligation to “Return a favour” to police officers even when they are not asked to do so. Giving “appropriate or small” gifts is considered to be a common mode of behaviour, a little reward that goes without saying. It appears that citizens have given unsolicited gifts more often than they’ve been asked for. This difference could (and probably does) indicate that citizens themselves are responsible for fuelling corruption, and are culturally conditioned to giving a gift in expectation of a service or favour. These categories show the gift most often used is money and less expensive gifts. In reality these are one and the same thing. The purpose of the transaction is to thank someone for, or, to ensure that a favourable action will be undertaken for the benefit of the donator.

The frequency and motivation of this corrupt activity is a subject worthy of further research.

WHAT HAVE YOU DONE WHEN THE OFFICER ASKED FOR A GIFT

It is disappointing that only a third of the citizens from whom police officers had solicited a bribe, reported that fact to a competent police administration. Furthermore, 25.2% of respondents stated that they immediately gave the gift, without reporting the case. The remaining respondents claimed to have reported the case to the media or to their acquaintances who work in the Ministry and who are responsible to act on all allegations of this type.

Passive behavior of citizens, who were not ready to report cases to the competent police administration, together with the fact that there is a considerable number of those who reported the incident to the media, (but not to the competent police departments), suggests that citizens do not have confidence in the police and their ability to fully and professionally investigate reports of corruption.

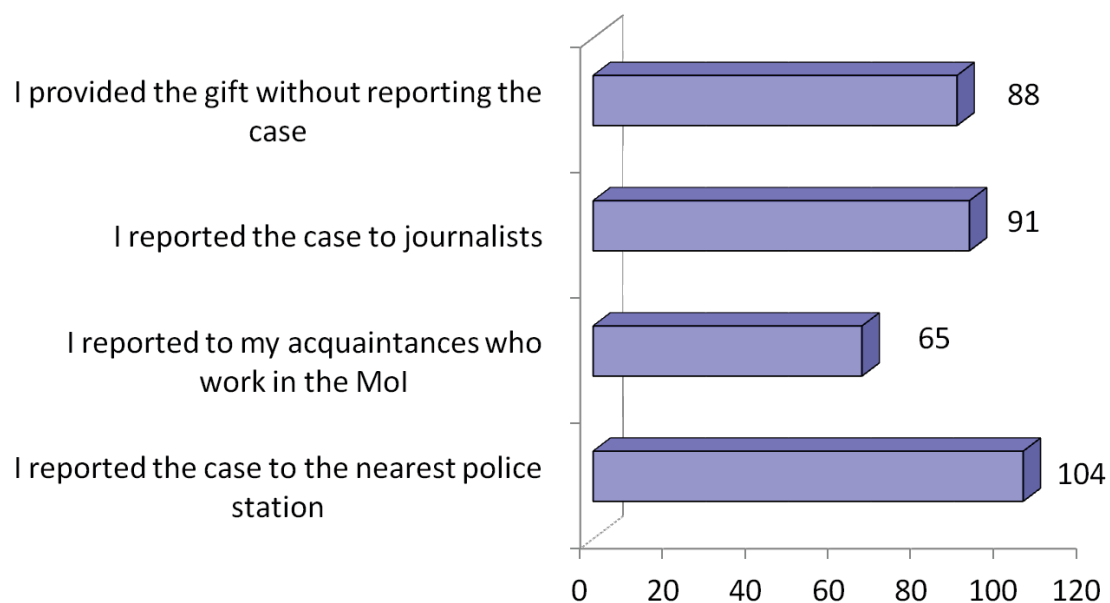


Chart 8 shows responses to officer's requests for a "gift." Percents are calculated for each answer separately, of the total answers given on this question, no matter if 1 or more responses have been chosen. The sum of answers is 348. On one of the previous questions "What have you given to a police officer?" 700 citizens responded. In this question, fewer citizens concede that they had been requested to provide a gift

Citizens chose to report the police officer to the nearest police station (104) and to journalists in similar numbers (91). A lower number of citizens reported the event to their acquaintances. The total number of citizens that reported a police officer is 260 (total for gifts given is 700). This is a disappointingly low number, when we take into account that only 104 reported corruption to a competent police authority.

In order to gain the trust of citizens and to encourage them to report corruption to the competent police departments. The Ministry could develop a strategy of affirmative action. Usually adopted, as a **ZERO TOLERANCE** strategy. This would demonstrate a willingness and determination by the Ministry to decisively deal with all forms of corruption.

HAS YOUR REPORT OF CORRUPTION BEEN PROCESSED?

Survey results show that citizens usually don't know whether their report was acted upon (80). A definite no in 101 cases that the report was not processed. Only 16 respondents had information that criminal charges were filed against the police officer concerned, and the same number stated that their charges against corrupt police officers were not proven.

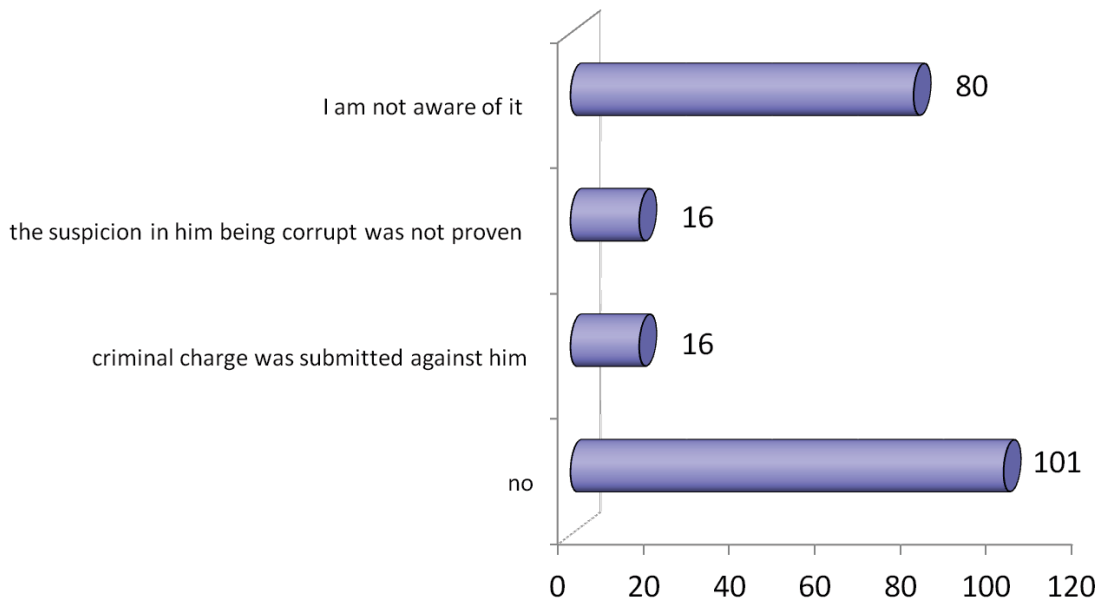


Chart 9 shows Ministry responses to public reports. It seems that there is little public accountability within the Ministry processes. Members of the public do not know what happens to complaints they make, nor are they kept informed on the progress of enquires. Key aspects of transparency are ensuring that the citizen is treated with dignity and respect. The protection of human rights is an essential feature of EU standards and values. Citizens should be provided with feedback on the procedures affecting their reports of corruption; they should be regularly and timely informed about what progress has been made and what action has been taken against the police officer(s) concerned, together with the reasons for these outcomes.

Accountability should ensure that complainants are kept fully up to date with what has happened and what progress has been made. A letter explaining the outcome of the investigation could be sent to the complainant fully explaining the process and the outcome.

16 instances of charges being preferred out of 213 reports represent a failure rate of 92.5% or a success rate of 7.5%.

WHAT WAS THE ROLE OF OFFICER YOU BRIBED ?

Almost 30% of respondents who stated that they gave a bribe to a police officer, indicated the Traffic Police (162). A significant number of respondents claimed that they gave gifts and/or a bribe to members of the Gendarmerie (119). A smaller number of citizens pointed to the Border Police (32) and police officers of the Criminal Police (15).

This is hardly surprising as many of the roles are in constant contact with the public where the opportunity for corrupt behavior is at its highest. When developing an Education strategy, these target areas would be ideal starting points to focus activity.

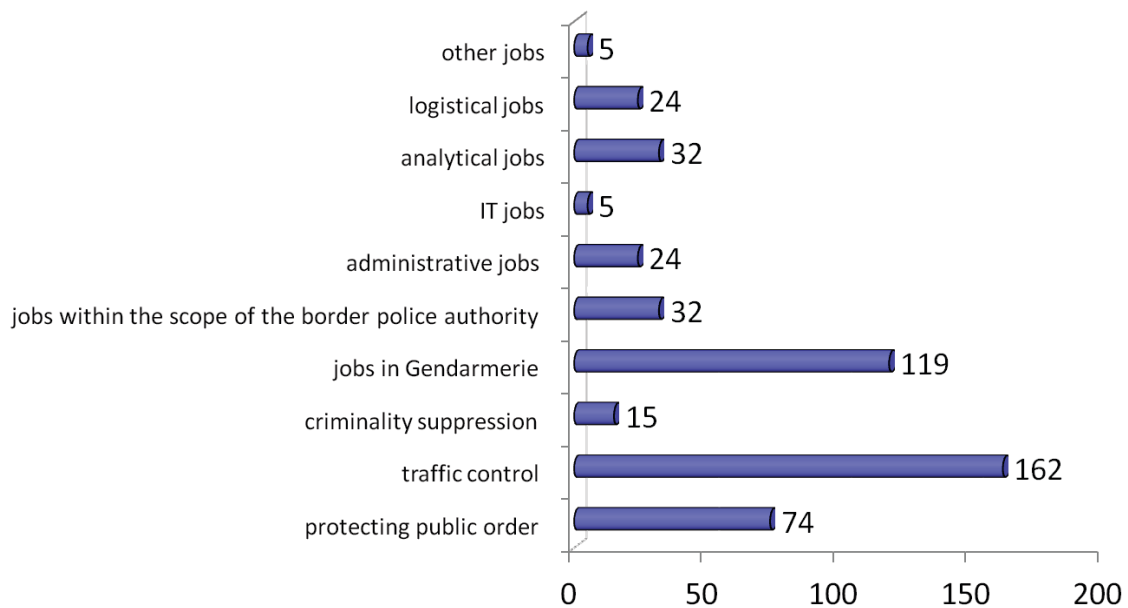


Chart 10 shows the roles of officers who are reported by citizens as accepting bribes by members of the public. Preventative strategies should prioritise police behaviours in public encounters. An enforceable code of conduct together with integrity testing techniques can address this area of police misconduct.

WHAT SPECIFIC FAVOUR DID THE OFFICER DO

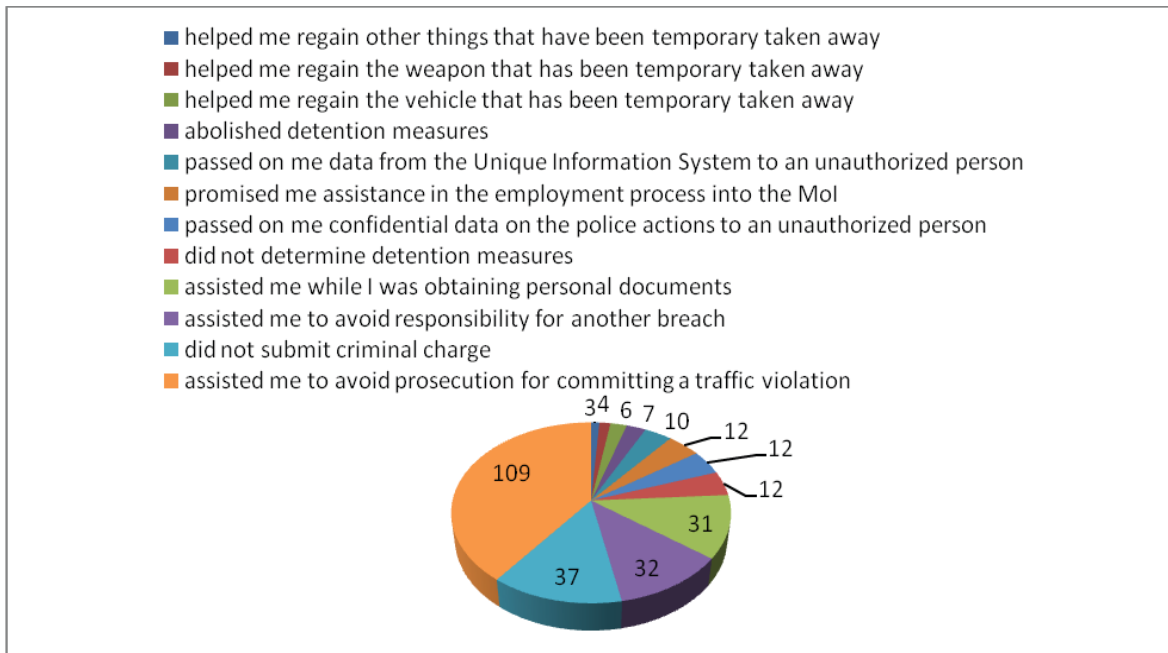


Chart 11 shows the range of corrupt services that police officers rendered to citizens. The most common form is help to avoid prosecution for committing a traffic violation (109) or other misdemeanor offences (32). Failure to submit a criminal charges, (37), obtaining ID documents (31). The number of other forms of assistance and services is significantly lower. Citizens stated they had bribed police officers in order not to determine the detention measure (12) or abolished the same (7), to pass confidential data to citizens (12), assistance with the employment process in the Ministry (12), help to regain temporarily seized weapons (4), vehicles (6) and other items (3).

Whilst there is a Serbian perception of “petty or lower level” corruption the responses to this question give cause for concern. The main activity appears to be NOT submitting a criminal charge where one appears appropriate. This accounts for 64% of corrupt activity as reported by citizens. In most developed European countries this is considered as perverting the course of justice. An extremely serious breach, of the impartiality of law enforcement. One that is not considered, to be “petty”. Respondents also identified “avoiding responsibility for a breach” which is a synonym for perverting the course of justice. These types of corrupt behaviors undermine the rule of law and the authority of the criminal justice system.

Information leakage is also significant as is the worrying “passed on confidential information” to an unauthorized person. These concepts undermine the rule of law; frustrate on-going police investigations or even compromise operations, putting officer’s safety and welfare at risk. Information leakage undermines the notion of secure data collection and storage, which incorporates the protection of Human Rights.

The illegal provision of identity documents presents security concerns for EU borders. Whilst IT systems and processes may be functional, the compromise of those systems by corrupt employees is a matter of serious concern.

DID YOU KNOW THE POLICE OFFICER YOU DEALT WITH

When asked "Did you know the police officer that you gave a bribe or were solicited for a bribe," respondents stated that 62% of officers bribed were unknown to them or known superficially. 38% of citizens stated they knew the police officers through mutual friends (51), or that they are on friendly terms with them (29), or that they are relatives (10) or colleagues (2).

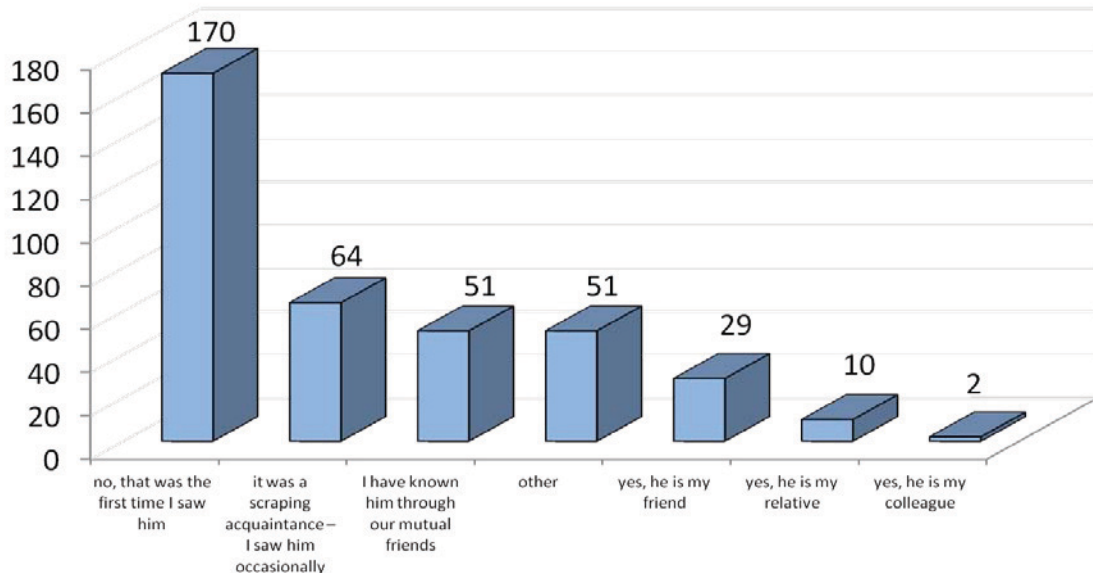


Chart 12 shows 62% of citizens who had this experience did so with an officer they did not know or had not met previously. This is a strong indication that the officers concerned are both comfortable and experienced in eliciting bribes and gifts from the public. This is a matter of considerable concern. It could be assumed that the business of corruption is a normal way of life. Some ministry employees appear both practised and experienced at corruption. Such a degree of acceptability in a modern democracy is alarming. There appears very little deterrent, or fear of exposure and minimum respect for the rule of law.

DO YOU THINK THERE ARE LOTS OF CORRUPT EMPLOYEES IN THE POLICE?

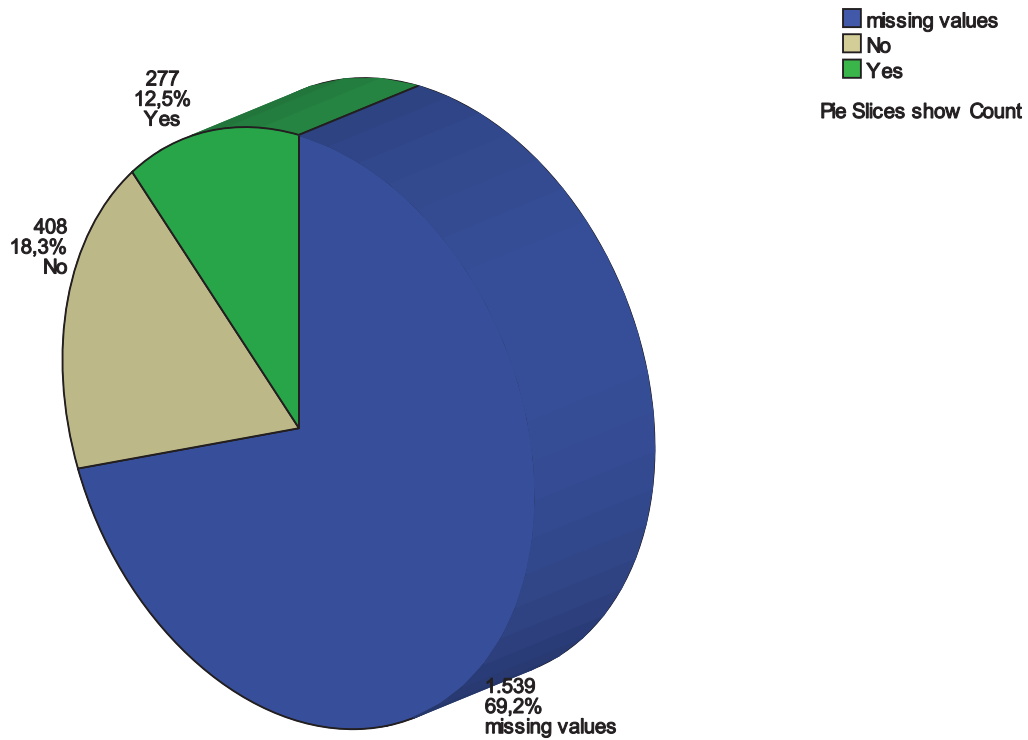


Chart 13 states that 12.5% of citizens think that there are lots of corrupt employees in the Police; 18.3% said “No”. Surprisingly 69.2% declined to answer this question. The high percentage of missing data is possibly a consequence of this referendum type of question with only a Yes/No option.

VISIBLE INDICATORS OF CORRUPTION

When asked what are the visible signs of corruption multiple options were supported. The indicators or clues which allegedly point to corrupt police officers are usually visible in the community where they live, especially in smaller communities. 34.9% of respondents in total confirmed that they have in their environment police officers whose financial status is above their income, whose lifestyles are beyond the salaries they earn by working in the police.

The respondents stated the most frequent indicators of corruption are police officers possession of real estate of great value and expensive cars. Followed by, expensive trips, and spending money in restaurants, and on clothes. Interestingly, they also identified the purchase of drugs that goes beyond the regular average income.

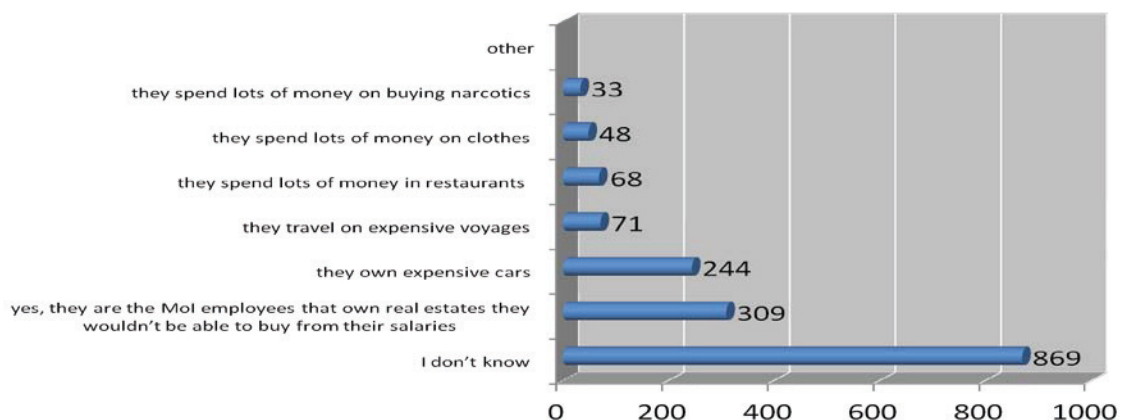


Chart 14 shows the public's perception of how corruption can be identified in police officers. It offers a stereotypical concept of officers "Living above their means" however it ignores the fact that many have working partners, other incomes, or indeed family businesses that contribute to the family wealth. The low baseline of officer's salaries also influences the perceptions of the public, in that they know police officers are poorly paid and therefore cannot afford luxury items such as cars or holidays. If an officer does have a car then there is the assumption that he must be earning money by another means, probably through corruption.

The employment conditions and low social status of officers is an area of concern that affects the reputation of law enforcement in particular.

WHAT DID THE CORRUPT EMPLOYEE RECEIVE

Surveyed citizens believe that corrupt police officers usually take money (494) from persons to whom they render various services. In smaller numbers, it involves receiving gifts. More than 1,000 Dinars (106), lower value of up to 1000 Dinars (60) or the promise that they will be rewarded with a favour (175).

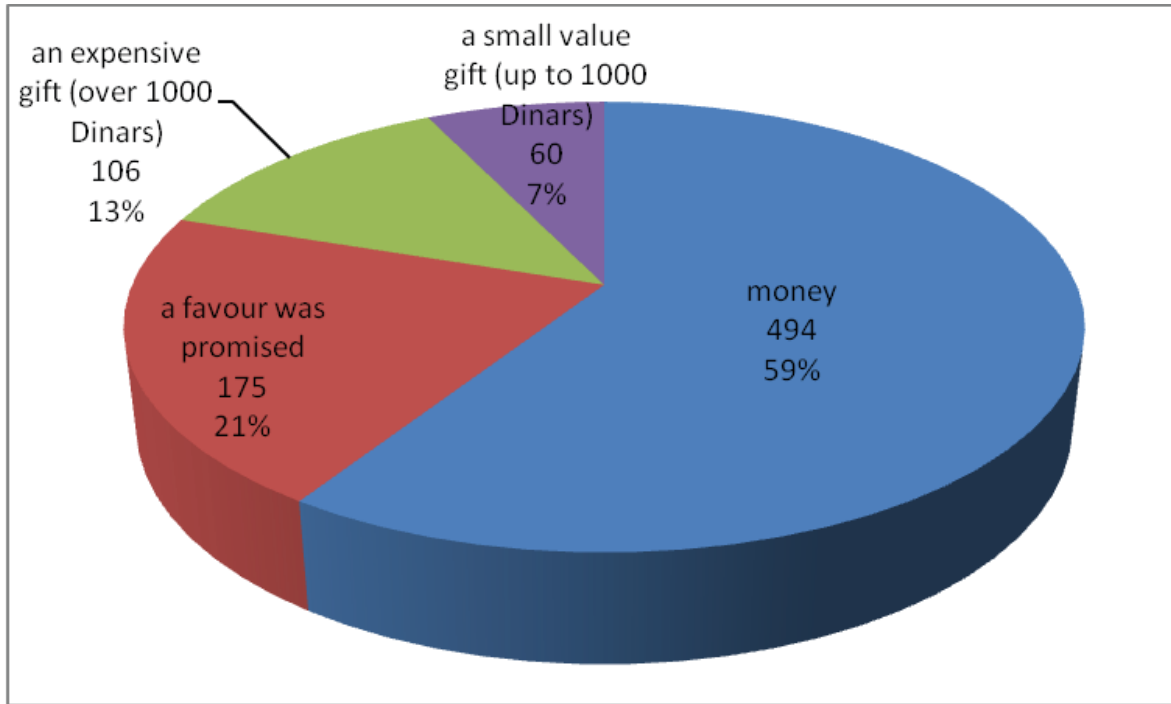


Chart 15 illustrates the nature of corruption payments and rewards as reported by citizens. Money is clearly the preferred method of corruption for “rewarding” Ministry staff for services provided.

REPORTING CORRUPTION AND ESTIMATE OF MEASURES TAKEN TO FIGHT AGAINST IT

When asked what have you done? Upon hearing that someone is corrupt. A total of 800 citizens possessed some knowledge concerning corrupt police officers. Only 2.6% (21) reported the corrupt police officers to a relevant police authority. This is a matter of significant concern.

The reasons for not reporting were mistrust in the competent authorities and their inability to take appropriate measures to deal with corruption (160) followed by the fear of revenge (61). The majority of citizens (558) stated as a reason for not reporting, that the knowledge which they possessed was of a general nature and untested.

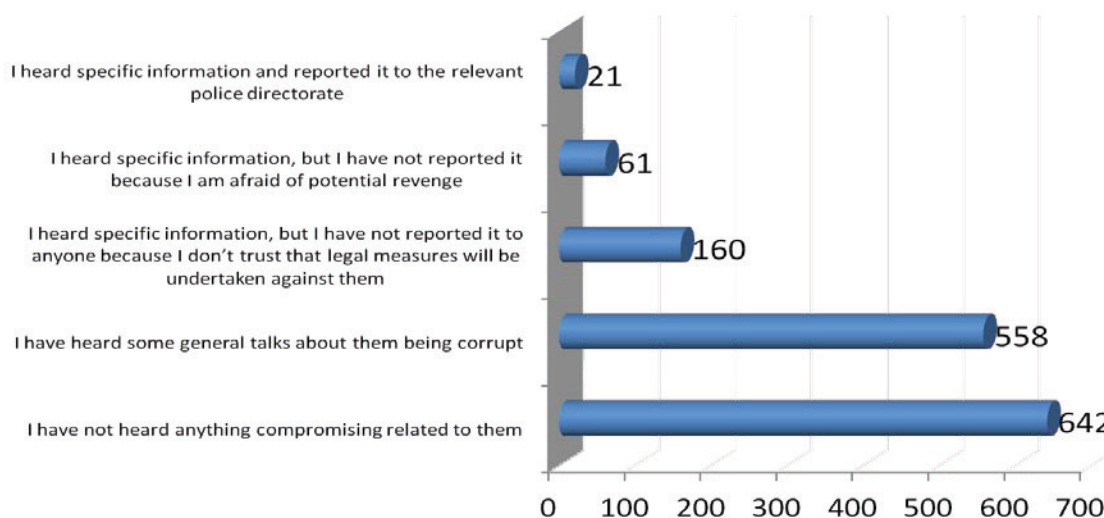


Chart 16 shows responses to citizens having knowledge of corrupt police officers.

The fact that citizens are reluctant to report any knowledge of corrupt officers is worrying. The levels of confidence in the integrity of the state machinery appear minimal. Consideration should be given to the introduction of help line numbers and the use of the internet for ease of anonymous reporting. Significant amounts of intelligence are being lost through non reporting of suspicious or corrupt behaviours of Ministry employees.

Citizens should be supported when they do report corruption. They should be provided with feedback information about the procedure according to their reports of corruption; they should be regularly and timely informed about what progress has been made and what action has been taken against the police officer(s) concerned.

DOES MOI TAKE ADEQUATE MEASURES AGAINST CORRUPT EMPLOYEES

Citizens' opinion, are almost divided - 972 of respondents (43,7%) stated positively about the efforts of the MoI in fighting against corruption in their own ranks, 38,7% considers that the measures are inadequate while the remaining respondents (390 of them or 17,5%) didn't declare on this issue.

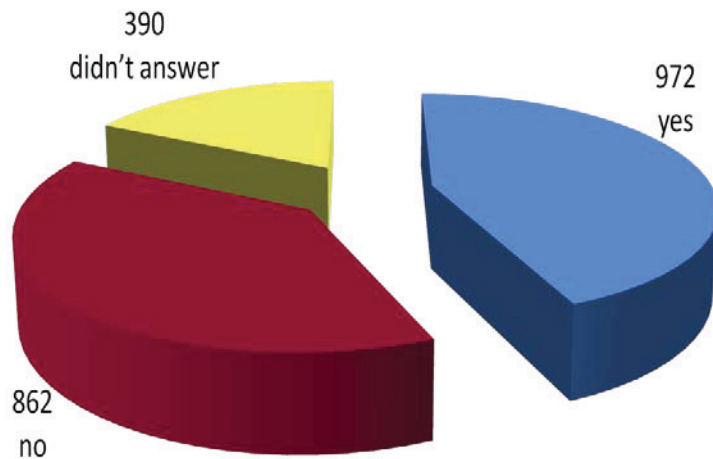


Chart 17 shows the respondents view of the Ministries efforts to fight corruption. It is clear that there is a significant number that believe the Ministry could do more to fight corruption.

WHAT DO YOU THINK MoI SHOULD DO TO FIGHT CORRUPTION?

721 respondents think the Ministry of Interior should primarily investigate thoroughly all allegations of corrupt police officers. 526 suggest the MoI should continually encourage citizens to report corrupt police officers. Among desirable measures which could contribute to a more effective prevention of corruption was the use of technical measures (CCTV) in order to ensure monitoring of all official premises where contact with the public is conducted 313, Education of police officers 417, as well as to inform the public and media about the fight against corruption 309.

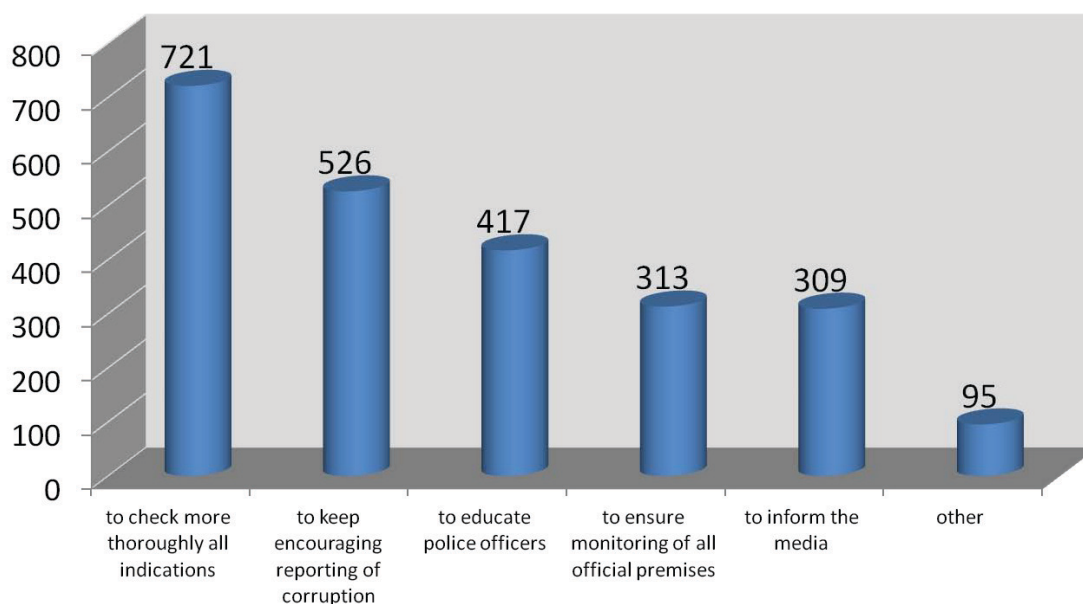


Chart 18 indicates the citizens thoughts on how the M o I should tackle corruption within the police. Some citizens also provided written responses which indicated the measures that could contribute to the fight against corruption, within the ranks of the police.

- Increasing salaries of police officers
- Tougher penal policy and stricter sanctioning of corrupt police officers,
- Respectively filing of criminal charges
- Termination of employment.

77.3% of respondents gave an answer on this question (single or multiple responses) which indicates they think that change is possible and necessary. 15.5% of all citizens think that multiple measures should be undertaken. The total sum of responses is high. It indicates that a significant number of citizens think that the measures which MOI undertake are inadequate.

Considering that there is a negligible number of surveyed citizens who officially reported police officers for corruption. It is suspected that work on further promotion of activities aimed at the fight against corruption and measures taken against corrupt police officers could substantially increase the number of citizens who would report corruption.

SURVEY OF POLICE OFFICERS

A survey of police officials in the Ministry of Interior was carried out in the first half of 2011. 15,000 questionnaires were distributed to police officers from all regional police directorates and organizational units in headquarters.

SAMPLE AND SAMPLING METHOD

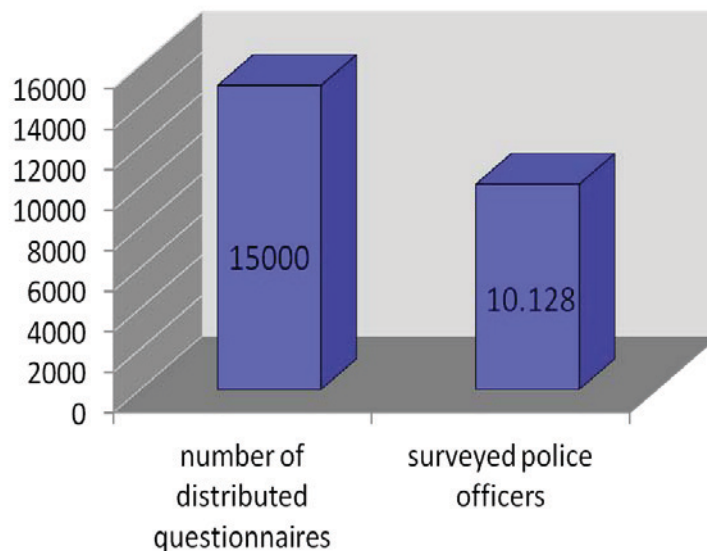
The total number of employee respondents is 10128. This is an exceptionally high response rate. It also represents about one fourth of the total employees in the Ministry of the Interior.

Statistical practice is based on a focused problem definition. This includes defining the population from which the sample is drawn. A population can be defined as including all people or items with the characteristic one wishes to understand. Because there is very rarely enough time or money to gather information from everyone in a population, there needs to be defined a representative sample (or subset) of that population. It is not possible to claim this sample is fully representative, as additional information is required. However the high volume of responses which represent over a quarter of Ministry employees is strongly representation and does make for a compelling debate.

Due to the extended research period and the technical difficulties encountered, some anomalies in counting occurred. The deviation is so slight that it does not affect the themes, or trends identified, nor the conclusions made.

Respondents were selective about which questions they answered.

From 10.128 police officers who participated in the survey, only 482 or 4.75% respondents answered all the questions.



WORK EXPERIENCE OF SURVEYED POLICE OFFICERS IN MOI

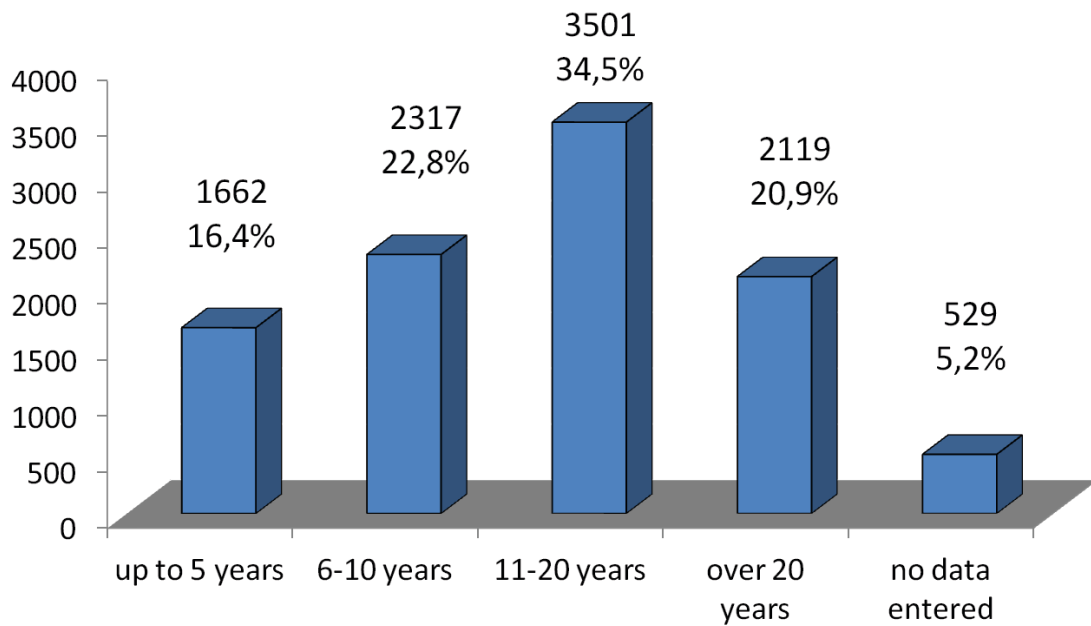


Chart 1 - Work experience

The largest category is for employees with work experience from 11 to 20 years; 2nd largest is for 6 to 10 years. 3rd is for work experience over 20 years; the category with the lowest frequency is for up to 5 years service. 5.2% of respondents left blank: Once again the serviced spans of 0-5 year and 6-10 years are different to the 10 year categories of middle and long serving officers. This anomaly does not affect the outcome of the research

AGE

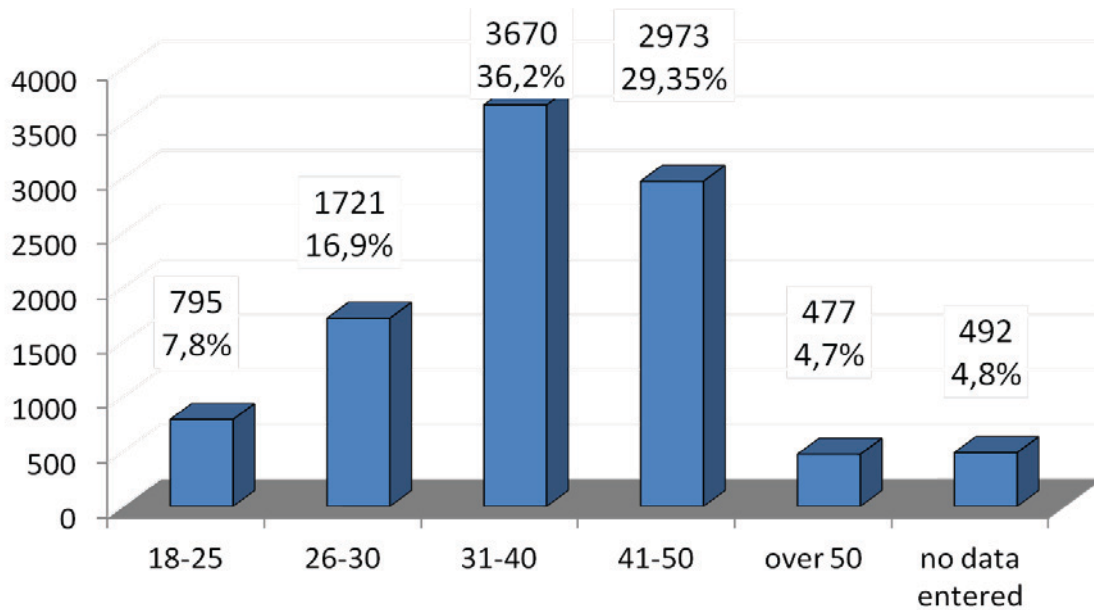


Chart 2 Age range of respondents

The largest category of respondents are aged from 31 to 40 (36,2%); 2nd is 41 to 50 (29,4%); 3rd category is 26 to 30 (17,0%); then 18-25 (7,8%); finally category over 50 (4,7%); some answers are left blank (4,9%).

Approximately 70% of respondents are aged between 30 and 50 which represent the normal distribution of population. In addition, it is not quite clear what was the logic in defining the age categories 18-25 and 26-30 these are half of the age span of the others. Whilst this is an anomaly it does not affect the outcomes of the research

EDUCATION

The largest number of police officers surveyed has the fourth level of education (high school), and has been working in the Ministry for 10-20 years, mainly on non-executive positions and are aged between 31 and 40.

The level of education of surveyed police officers

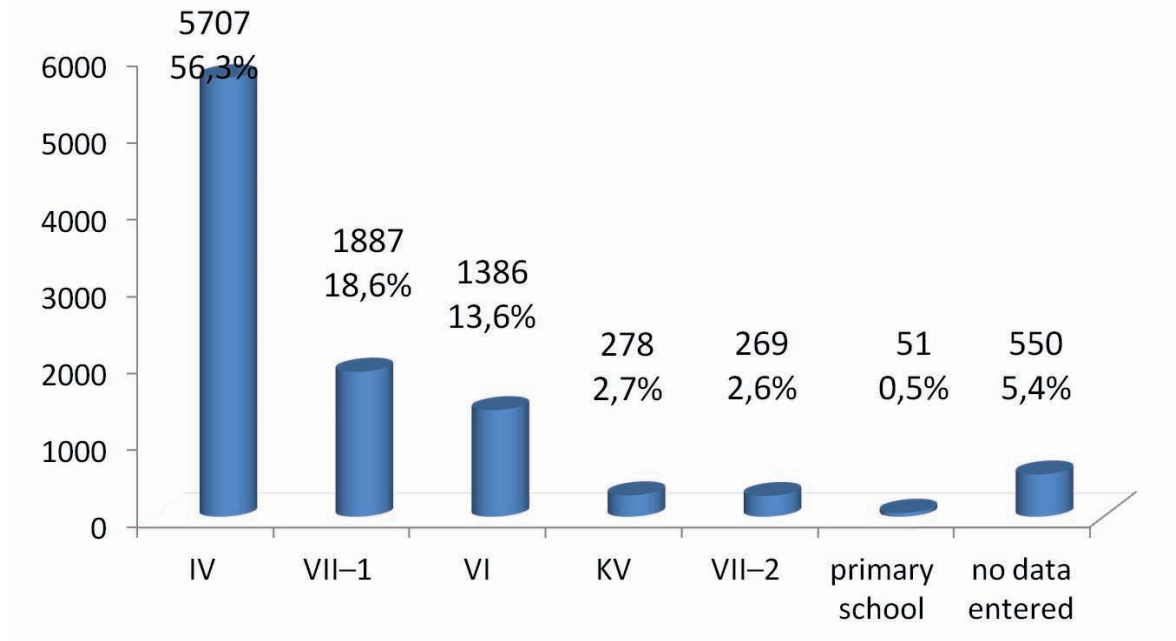


Chart 3 – Educational levels of respondents

The most common level of education is Secondary school 56.1%. Every 3rd Ministry employee has a University degree (last 3 categories = 34.8%). This employee profile of well educated police officers is considered to be very high.

It is however a contradiction in that so many failed to complete the full questionnaire. Any explanations for this would be purely speculative. But a well educated workforce would have understood the need for accuracy and completeness in research of this nature.

MANAGERIAL AND NON-EXECUTIVE

Managers

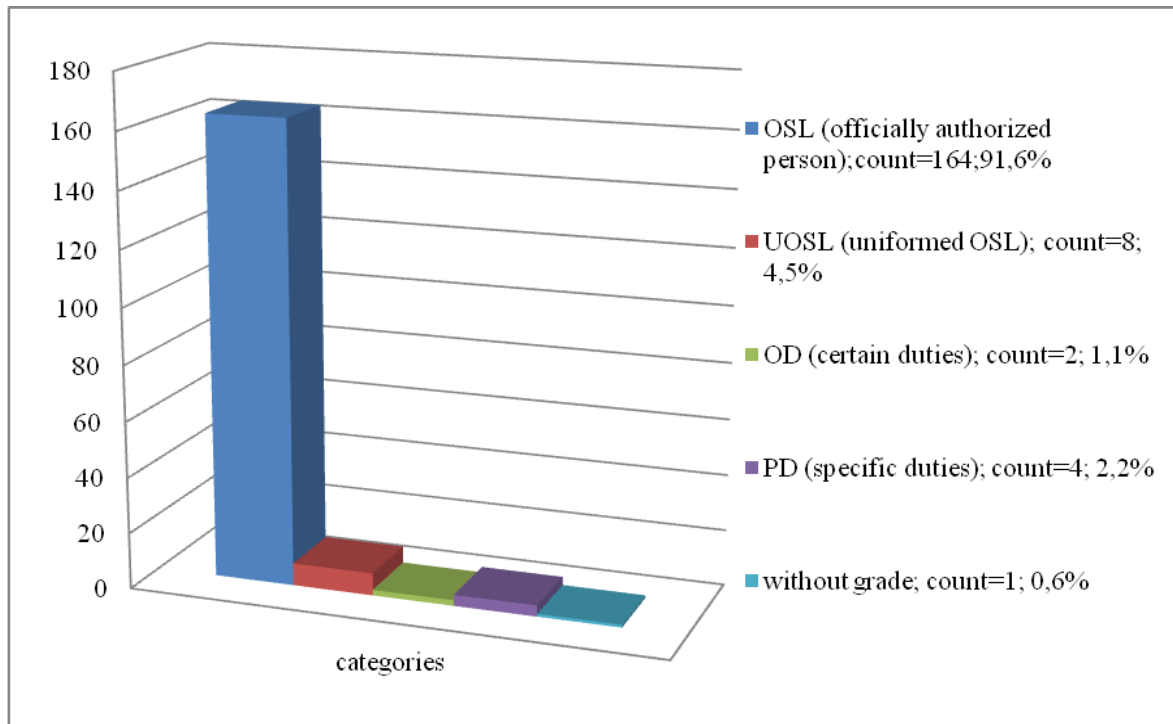


Chart 4 Frequency of manager's response

179 managers and non executives took part in this research. The most frequent is the category of officially authorized person.

It is disappointing that a voluntary and anonymous survey effecting the professionalism and possible development of the Ministry employee's attracted a response from so few police managers.

Non managers (executants)

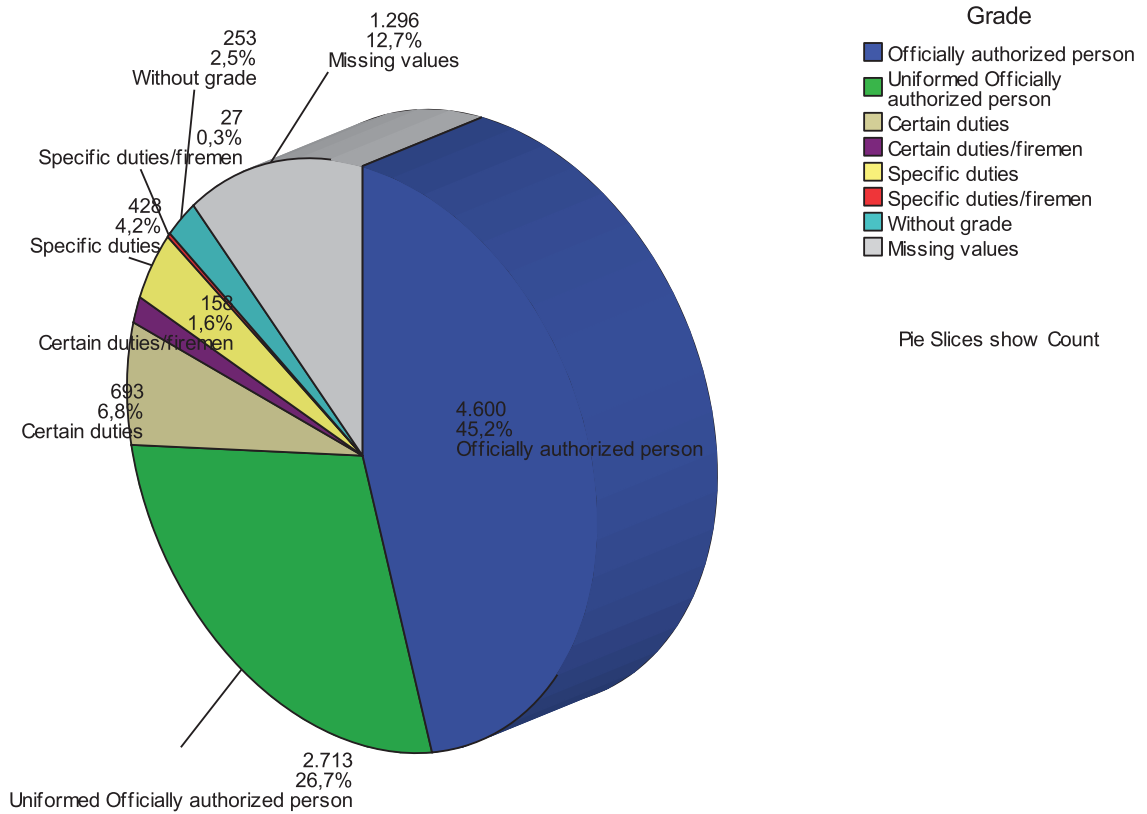


Chart 5 Frequencies for non managers by response

The highest frequency is for officially authorized person (45.2%) and Uniformed officially authorized person (26.7%). The sum for non-managers (8872) and managers (179) is 9051. In other words, 1117 police officers left this question blank (11.0% of total sample).

WORK LOCATIONS OF EMPLOYEES

Police officers from all areas of work were included in the survey. The highest numbers of police officers surveyed are the members of the General Authority police (4441), traffic police (1750), criminal police (1353), administrative affairs (609) and border police (456). Employees from the significant work areas the Ministry the Interior are represented in this research.

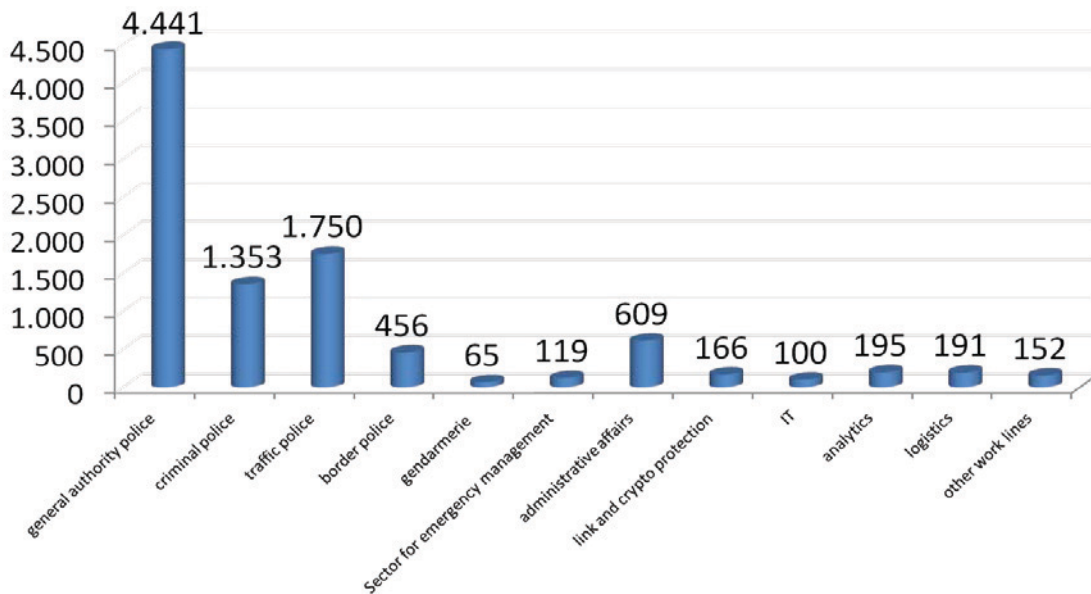


Chart 6 illustrates response rates from work areas

Respondents include police officers in managerial positions, but also in non-executive positions, from all age groups, levels of service and educational qualifications.

DO YOU WORK DIRECTLY WITH MEMBERS OF THE PUBLIC

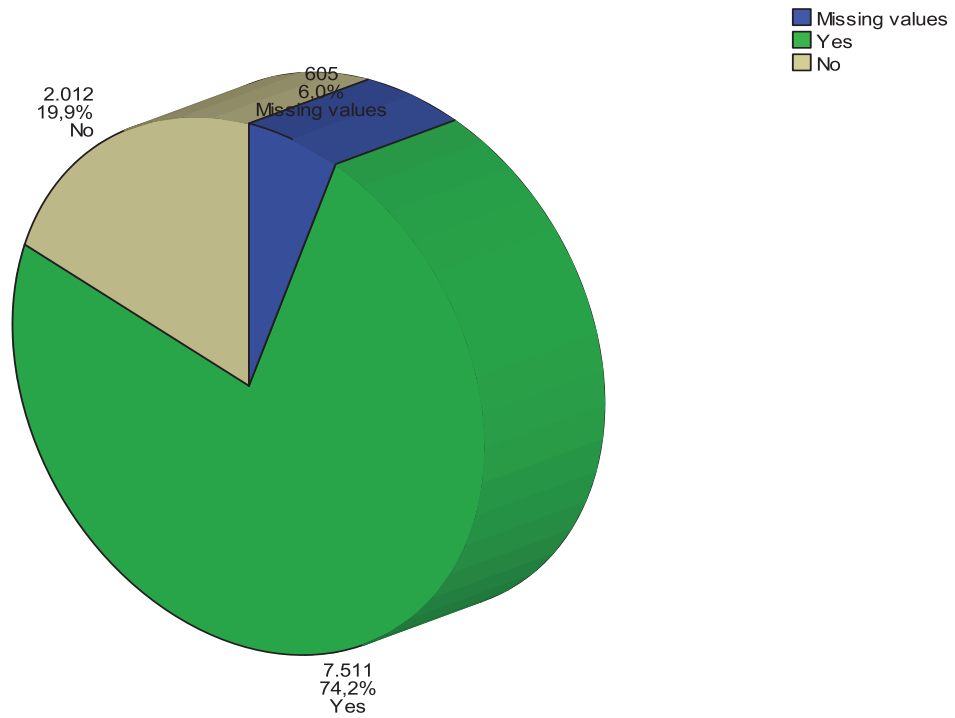


Chart 7 Public contact

74.2% of respondents work directly with the public. This can and does provide the opportunity and circumstances for incidents of corruption to develop.

VIDEO AND AUDIO SURVEILLANCE IN YOUR WORK ENVIRONMENT?

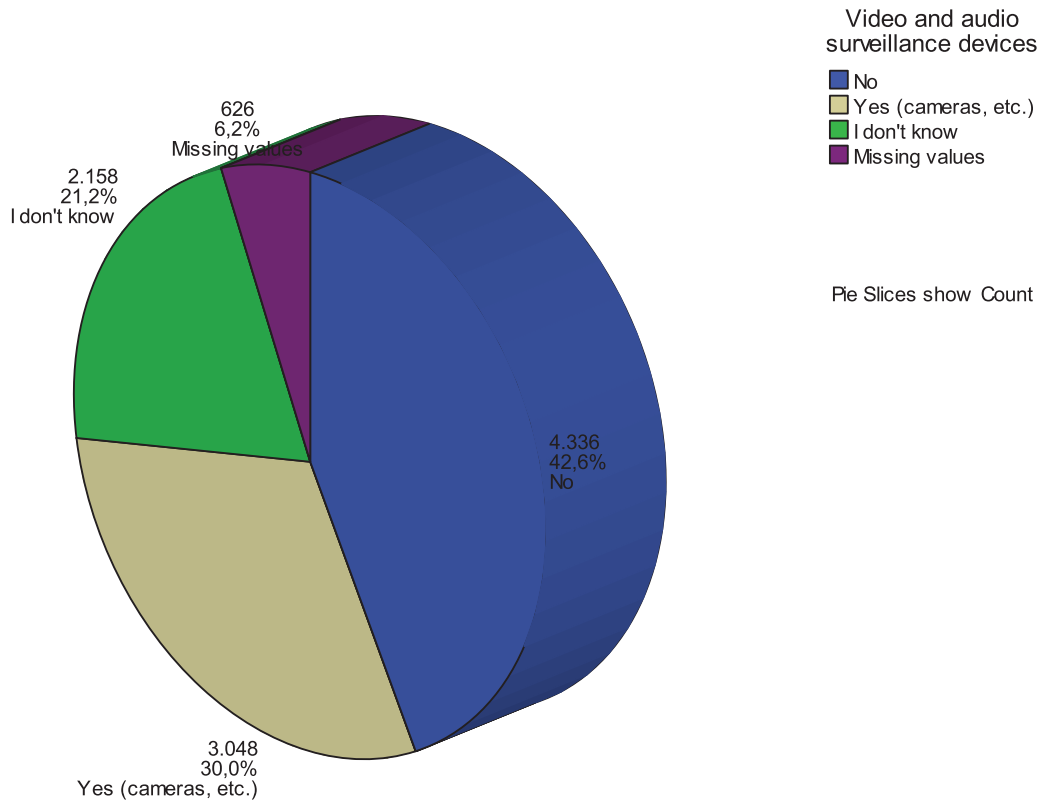


Chart 8-Frequencies of surveillance in the work area.

The logic appears that if there are good surveillance systems in the work place the level of corruption is likely to be lower. However without appropriate regional statistics or role identification, it is difficult to make hypothesis.

This is an area worthy of further research

CONCEPTS OF CORRUPTION

Respondents stated corruption is defined as "any form of benefit gained for illegal action" (4502), receiving gifts regardless of the value (3539) and accepting money (2206). More rarely they recognize corruption as a promise that a service will be made for them (985) and the use of official information for personal gain (827).

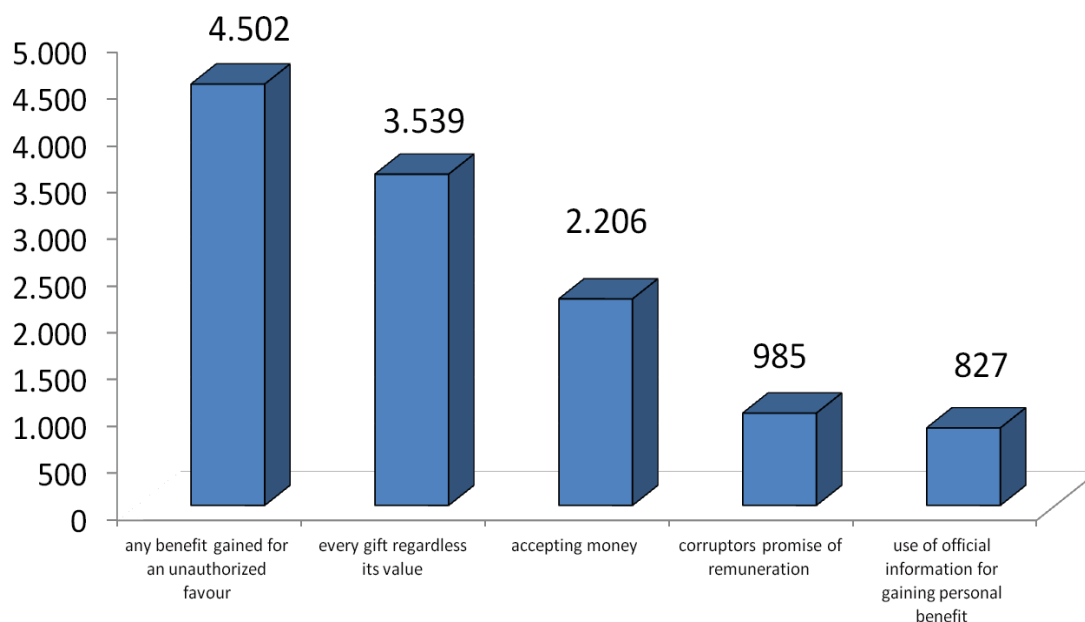


Chart 9 Categories of corruption

The category for every gift regardless of value includes the following sub groups

- Every gift regardless of value 2603
- Accepting high value gifts over 1000 Dinars 561,
- Accepting less expensive gifts up to 1000 Dinars 375

Percents are calculated for each answer separately. The total sum of responses is 12062, higher than the number of respondents (10168) as multiple responses were possible.

These results show that employees see corruption mostly as gaining any benefit for an unauthorized favour (37.3%) this is encouraging because it is the most generalized answer and it shows that employees' definition of corruption includes a broad range of activity. The 2nd largest category is "every gift regardless its value" (21.6%), and the 3rd "Accepting money" (18.3%). Accepting less expensive gifts is hardly considered as corruption only 3.0% choose this option.

It seems that there is an acceptance or a normalisation in modern Serbian society that small or less expensive gifts are acceptable and not viewed as corrupt. This is a dangerous and unacceptable notion for a modern police service. The giving or receiving of any gift to a serving officers is always associated with the suspicion that it is a thank you for work done or a gift to encourage certain work to be done. Both notions are unacceptable.

A serving officer is compelled to undertake his or her official responsibility. No amount of gifts however large or small should influence the professional execution of an officer's legal responsibility. The state rewards the officer for doing his/her job not the member of the public.

This is an area worthy of further professional and cultural research.

One answer was chosen by 8171 participants. Multiple answers were chosen by 963 citizens, which is 9.5% of total. Subjects that left this question blank is 1034, which is 10.2% of total.

9.5% of police officers chose multiple responses to this question. They correctly see corruption as a complex phenomenon. When combinations of answers are analysed, we can see that the top combinations refer to both general and complex definitions of corruption.

The responses indicate that any education strategy should include broad and diverse notions of corruption together with the unacceptable behaviours that accompany corrupt, unethical and illegal behaviours which amount to corruption.

DO YOU KNOW IF ANY COLLEAGUE ACCEPTED A BRIBE

13.4% of surveyed police officers (1,358) stated they have information about corrupt colleagues. The largest number of them performed the tasks of traffic control (1061), working position on keeping public order, combating crime (285) and administrative affairs (218).

In a previous question they also reported knowledge that 2730 police officers accepted a bribe.

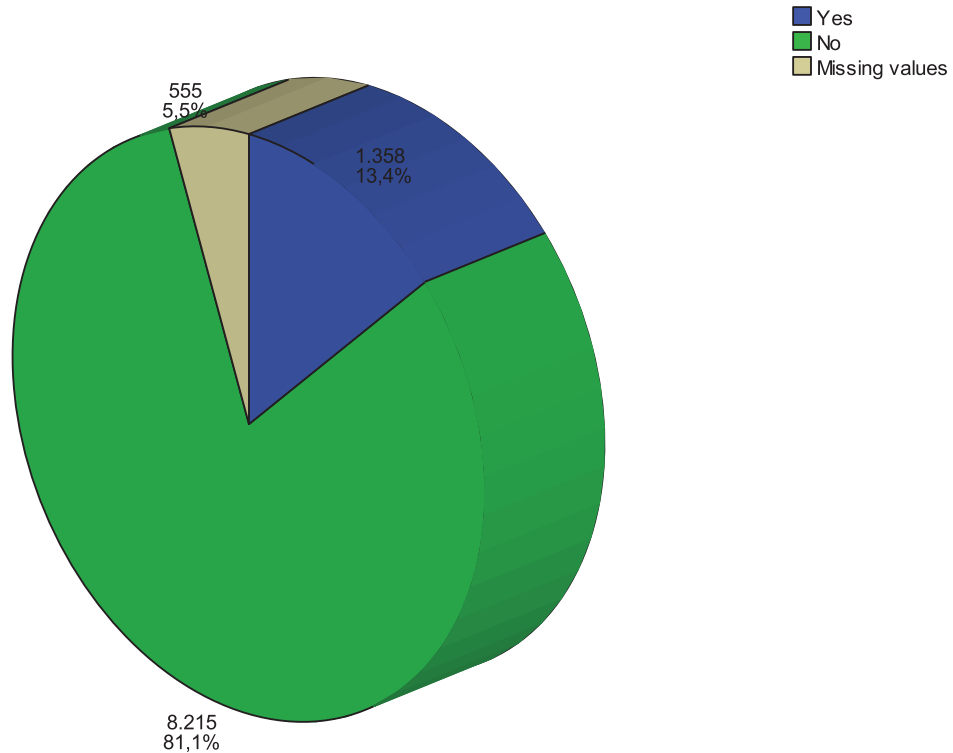


Chart 10 illustrates responses to knowledge of corruption

It is interesting that 94.5% of respondents gave an answer and 81.1% of them said they had never heard of their colleagues accepting a bribe. Consequently when missing values are excluded, only 13.4% of the respondents stated that they had experience of a colleague accepting a bribe.

WHAT ACTION DID YOU TAKE AFTER YOU HEARD COLLEAGUE TOOK BRIBE

Upon receiving information that a police officer accepted a bribe, 395 respondents reported the case to the manager, 131 reported it to the criminal police colleagues, and 252 spoke with the colleague who is suspected of accepting bribe.

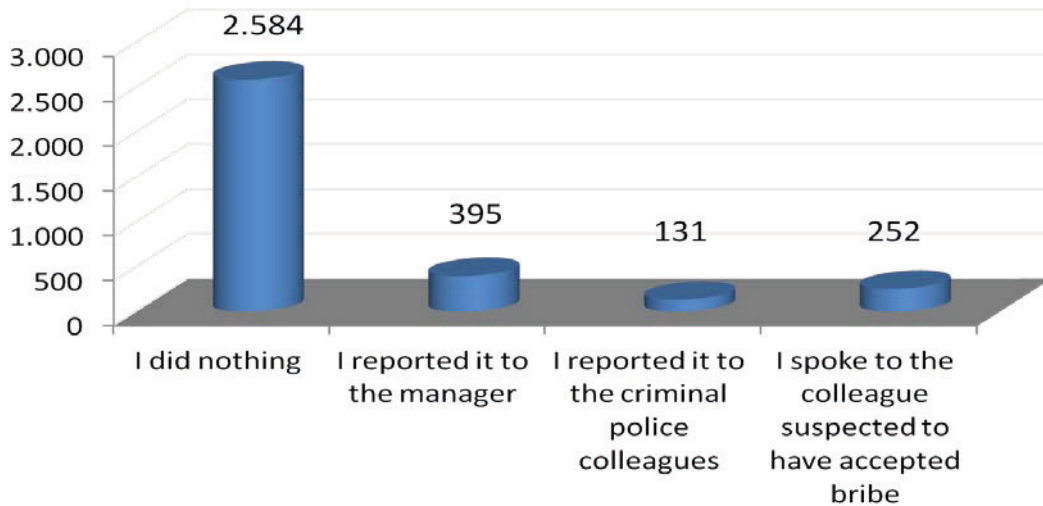


Chart 11 Officers response to discovering corruption

Total answers were given on this question were 3364.

In a previous question 1358 police officers said they had heard of colleagues accepting a bribe when asked directly. This question elicits a greater response from officers.

76.8% of police officers, that gave responses in this question, said that they did nothing after they heard their colleague had accepted a bribe. This is a very high percentage and it alludes to a common and recognised behaviour, to not react and mind your own business. The police code of silence is continually reinforced.

Excluding “I did nothing,” the total sum of one answer, is 780. Only 10 subjects gave multiple responses. We can assume that on 780 occasions some actions have been taken after knowledge that their colleagues had accepted a bribe. Police officers mostly reported a bribery incident to a manager (11.7%) or spoke to the suspected colleague (7.5%). It was less likely that they would report it to the criminal police (3.9%). (Or Internal Affairs)

The data about the passivity of police officers is very concerning; the fact that the largest number of police officers who confirmed that they knew that one of the colleagues had taken a bribe did nothing after receiving such information (2584). When considering the fight against corruption in general and especially, corruption within the police, which is one of the priorities in the work of the Ministry of Interior. The passive behaviour of police officers is viewed as serious and may be influenced by a “code of silence.”

If police officers are not ready to take responsibility and initiate complaints against their colleagues who engage in corrupt behaviour then consideration must be given to initiating disciplinary action against those silent officers for failing to act.

WHAT ACTION WAS TAKEN UPON YOUR REPORT

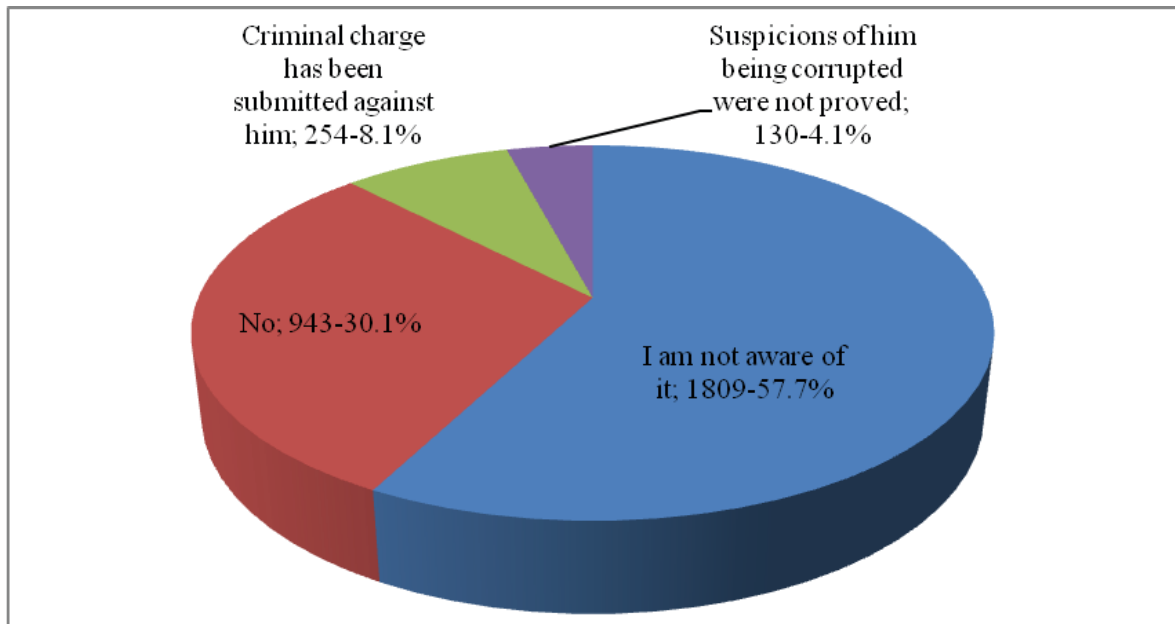


Chart 12 Ministry responses to internal reports of corruption

Categories "No"- "I am not aware of it" and "Suspicious of him being corrupt were not proven", account for 91.9% only 8.1% or 263 subjects report that something happened to a corrupt officer upon their report (Criminal charge had been submitted against him). Viewed statistically this means that less than 1 in 10 reports of corruption that emerge from within the Ministry of Interior actually end in a positive outcome. Alternatively More than 9 out of 10 fail. It is hardly surprising that officers demonstrate a lack of confidence in Ministry leadership to deal with internal corruption

On a previous question 501 subjects said that they had reported a bribed colleague (to the manager or to the Criminal Police). In this question there are additional answers on the actions taken upon their report.

WHAT WAS JOB OF OFFICER SUSPECTED OF CORRUPTION

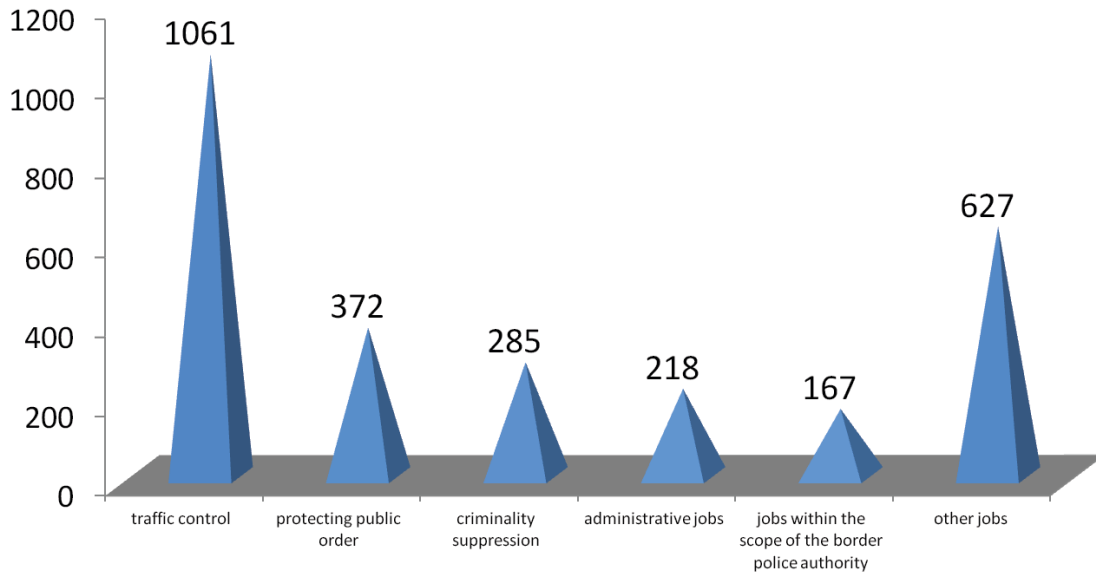


Chart 13 Suspected employees role.

Whilst 1,358 employees’ previously stated they have information about corrupt colleagues. In this question they state they have knowledge that the 2730 police officers accepted a bribe. The largest number of them performed the tasks of traffic control 1061, working position on keeping public order 372, combating crime 285 and administrative affairs 218.

Total for single responses equals 1913. The sum of multiple responses is 252. A collective total, is 2730. It is not clear if this is the number of bribery cases that officers had experience of. Caution should be exercised in the difference between the two figures as 1358 previously stated that they had heard of a colleague who had accepted a bribe.

According to single and multiple answers, traffic police are targeted as the most bribed. This is likely because of their higher frequency of contacts with the public and direct contact with money. One of their working duties is to charge (collect) penalties.

Top 3 frequencies for the job of officer suspected for corruption: Traffic Police (38.9%), other jobs (18.9%), jobs of Protecting Public order (13.6%). The category of other jobs is made up of 23, analytical jobs 30, logistical 48, other 488, and gendarmerie 38 amounting to 627.

All top combinations for multiple responses include traffic police. According to single and multiple answers the traffic police are identified as the most bribed.

WHAT FAVOUR DID THE OFFICER DO

Respondents stated that police officers mostly accepted a bribe to help citizens in return for not taking measures when traffic violations are committed (593) and for other misdemeanour offences (340), then for providing assistance in obtaining ID documents (271), but also for not filing criminal complaints (267).

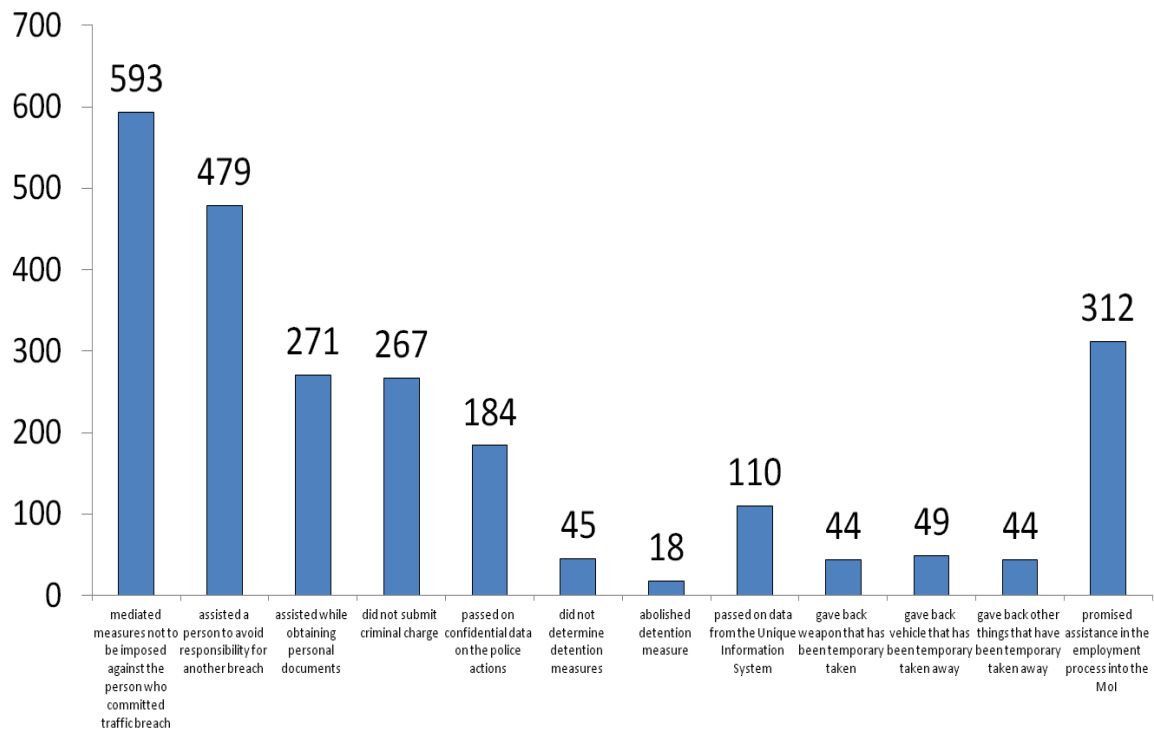


Chart 14 Categories of corruption undertaken.

A single response was chosen by 1648 participants. Multiple responses amount to 223 citizens.

One quarter of the total responses answered with "mediated measures not to be imposed against the person who committed traffic breach" (24.5%); other answers contribute with lower percentages. The highest percent is again connected with traffic control.

All multiple combination answers contain "mediated measures not to be imposed against the person who committed traffic breach" which again stresses the connection of traffic police with accepting bribes. It is not certain if the multiple replies imply multiple briberies.

Written comments on this question can be categorized in three groups (85 in total)

- 1) Made false records or not made them at all
- 2) Colleague took money
- 3) I have never heard of such colleague

The first two categories contain answers concerning false records and receiving money in general.

When the answer is composed of additional or more precise information, it is usually connected to traffic officers, for example, receiving money not to make a record of a traffic breach or make false records about the traffic breach.

Within the 3rd category, it seems that some respondents wanted to confirm that they had never heard of a bribed police officer by writing it down in their own words.

WHAT DID THE OFFICER GAIN

For services rendered, according to employees, citizens usually gave money to police officers (1,150), in a smaller number of cases they promised a favour (400), presents of a value over 1000 Dinars (187) and gifts of smaller value under 1000 Dinars (82).

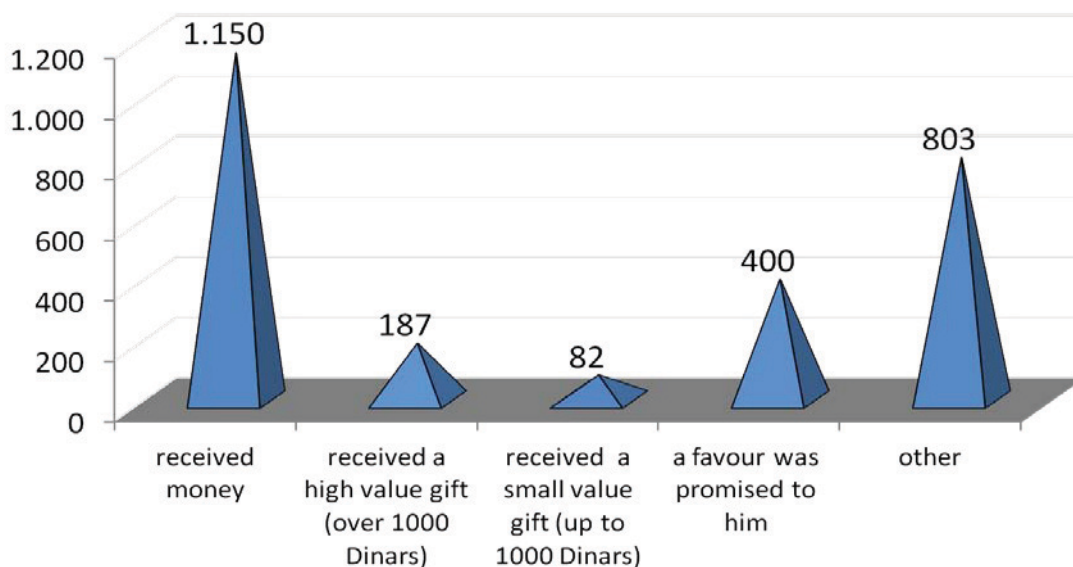


Chart 15 Officers rewards for corrupt activity

The total sum of single responses is 2256, multiple responses is 142. They may suggest knowledge of multiple briberies but this cannot be assumed with any degree of certainty.

The category with the highest frequency is "received money" (44.8%). Receiving a small value gift is hardly mentioned (we have seen previously that this action is hardly considered as illegal). One third of the total responses is "other" which could be a subject of further research. All top 4 combinations of multiple responses include the answer "received money" which is the most common way of bribing police officers. It cannot be stated with certainty that multiple replies imply multiple briberies.

WHO DID THE POLICE OFFICER ACCEPT BRIBE FROM?

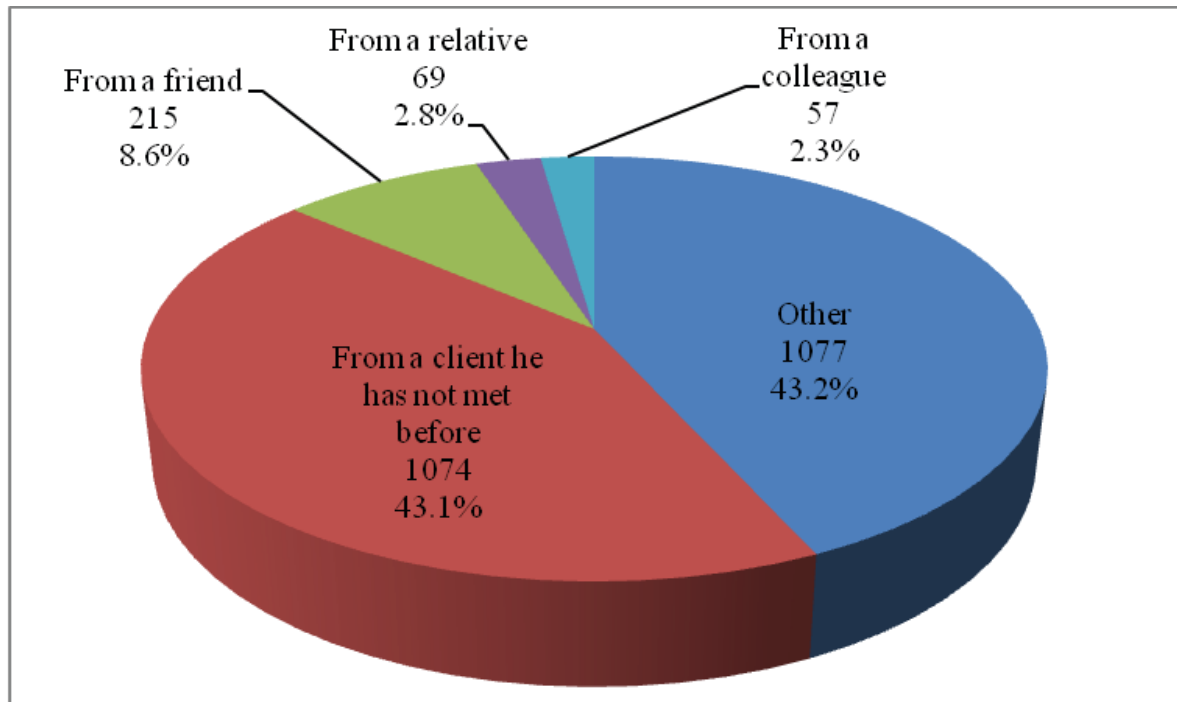


Chart 16 Relationship with corruptor

Total sum of single responses is 2227. Total of multiple responses given is 81. This may suggest knowledge or experience of multiple incidents. Percents are calculated on total responses 2492 including multiple answers

The percentage of 43.1% for answer "From a client he has not met before" is clear. However, the "other" category is unclear and maybe an area of additional research. It is interesting that categories friends, relatives and colleagues have low response frequencies. Indicating that officers don't do favours for friends, relatives and colleagues, or, if they do then it is usual not to accept anything in return.

ARE YOU SATISFIED WITH YOUR JOB

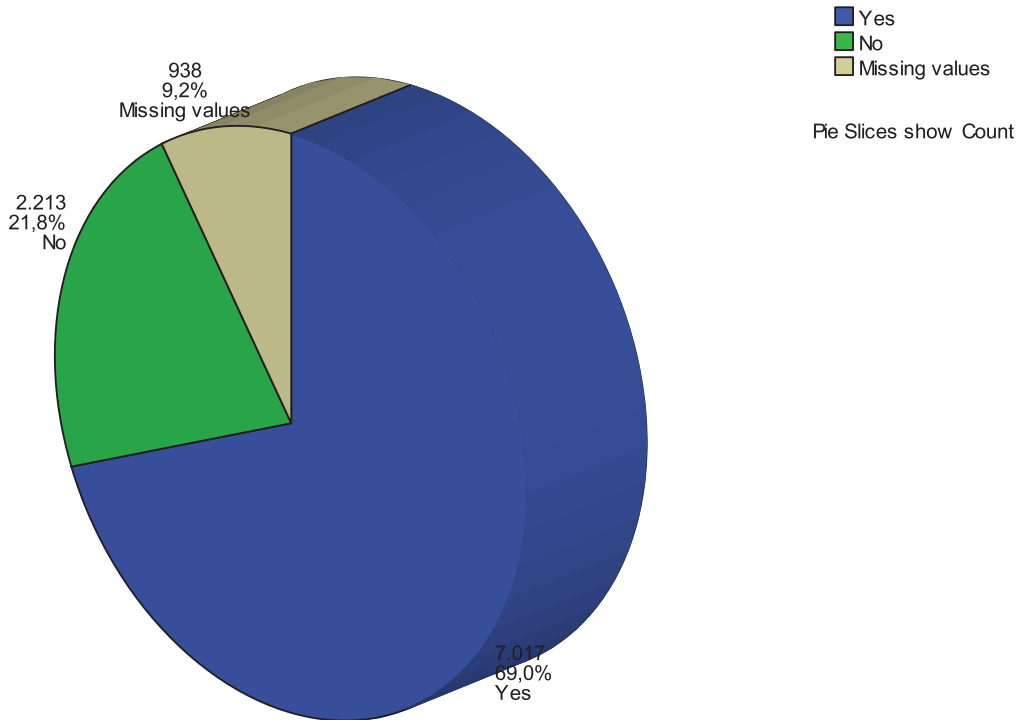


Chart 17 Job satisfaction

69.0% of respondents are satisfied with their job. This is a high percentage and is interesting when examined in a social context such as strikes, low salaries, employment conditions etc. In this context it can be considered uncritical and it could be a consequence of numerous influencing factors. Officers are likely to be concerned about consequences if they openly express dissatisfaction. This can manifest itself by insincerity; such peer or employment pressure can fuel compliance with the "code of silence"

Additionally, the belief that corruption is someone else's problem can be evident. Where multiple individuals simultaneously experience the same stimulus, diffusion of responsibility and/or the bystander effect may release individuals from the need to act. If no-one from the group is seen to act, each individual may be further inhibited by conformity. There may also be a tendency towards "I can't fix this problem, so I need do nothing about it" (a perfect solution fallacy). This can and does lead to "learned helplessness."

DO YOU THINK THERE ARE LOTS OF CORRUPT EMPLOYEES IN MoI

The majority of respondents think that corruption does **not** exist in the Ministry of Interior 6194.

2597 thinks it exists, while 1337 did not answer this question.

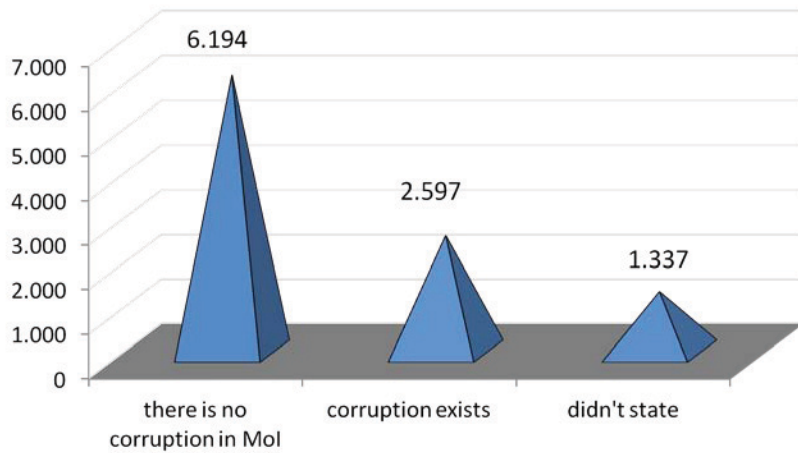


Chart 18 The existence of corruption in the MoI.

A high percentage answered "No" (60.9%), but one fourth said "yes, there are lots of corrupt employees" This is a high percentage response, considering the context and the subject of the research. 13.5% declined to answer.

There is concordance in this question with the job satisfaction responses. Statistical analysis indicates there are some differences between groups of satisfied and non-satisfied employees in opinions about the extent of corruption. Satisfied employees are more likely to state that there are not high levels of corrupt police officers.

DO YOU THINK MoI TAKS ADEQUATE MEASURES AGAINST CORRUPT EMPLOYEES

4940 state the Ministry takes adequate measures against corrupt employees

3591 think that the Ministry does not take adequate measures.

1597 declined to answer this question.

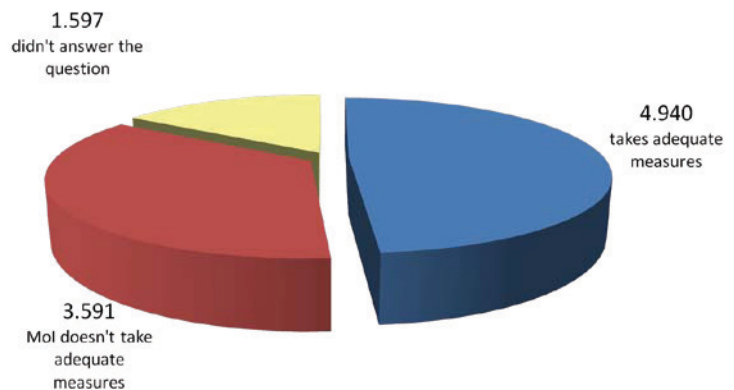


Chart 19 Sufficiency of anti corruption measures taken by MOI

WHAT SHOULD MoI DO TO SUPPRESS CORRUPTION

In terms of finding ways to prevent and combat corruption, the majority of surveyed employees believe that this could be done by improving the material status of the MoI employees (6592), also by performing thorough checks (vetting) during the employment process (1721), and to check more thoroughly all indications of corrupt police officers (1496), then to organize better preventive activities, i.e. to educate police officers (1,167), to provide monitoring of all official premises by applying technical measures (CCTV) where contacts with the public are established (527) and other (154).

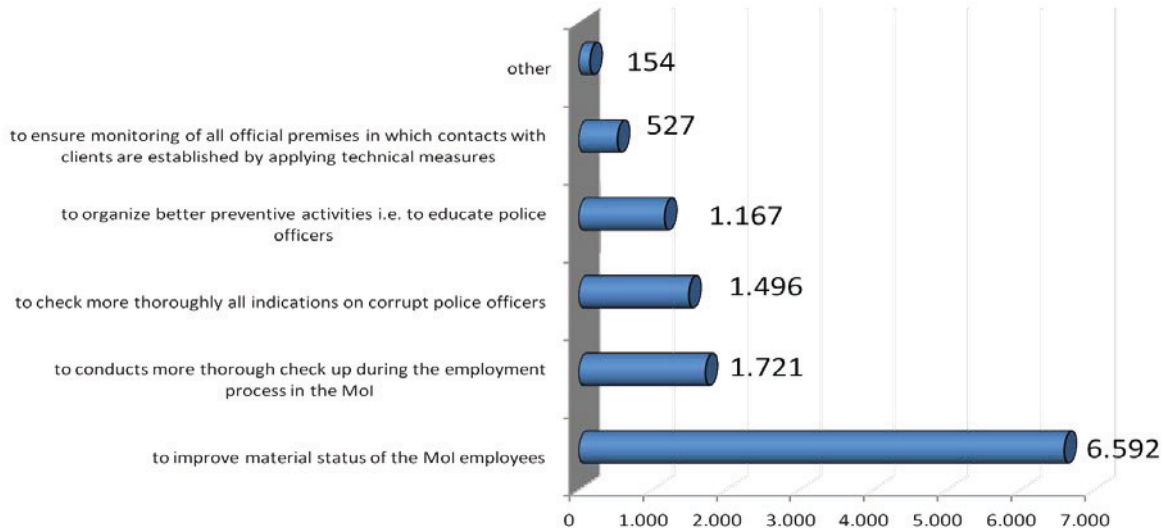


Chart 20 Suggested methodology to combat corruption.

The total sum of responses is 11,659 which is higher than 100% of subjects (10168) as multiple responses were possible.

A high percentage, 56.5% suggested to improve the material status of employees. This answer suggests the most likely solution to corruption in the Service is to pay an appropriate salary. This is not surprising, because of the general dissatisfaction within the Ministry at low salary levels. The total number of responses is high. It seems that despite previous questions a significant number of employees think that the measures which MoI undertake to fight internal corruption are not quite adequate enough; Also, it can suggest that the employees believe that change is possible, which is an optimistic and encouraging position.

Written comments that employees gave on this question can be categorised:-

- 1) Higher salaries
- 2) Better monitoring and control of employees

One answer was chosen by 6931 participants. Multiple answers were chosen by 1811 citizens, which is 17.8% of total. The total for subjects that left this question blank is 1034, which is 10.2% of total. All top combinations of multiple responses are composed of the answer “to improve material status of the MoI employees” which is seen as the most important measure

for suppressing corruption. Some of police officers think that, better monitoring and control of employees could be an adequate measure for preventing bribery.

In addition to the above, police officers suggest that it would be necessary to conduct a check on managers during work. They believe that police officers would not be able to take illegal actions with impunity without the knowledge or support of managers. Also, to take measures to educate management in corruption matters.

The transparent and effective selection of managers, would allow better organization and functioning of work activity. During the employment procedures in the Ministry, priority should be given to professional qualifications, and not to political affiliation. To avoid employment of persons through "connections", who often do not meet all the requirements necessary for the work in the Ministry. They also presented proposals that it is necessary to ensure proper implementation of oversight and control of police officers, strengthen internal control. One of the opinions is that corruption can be prevented by adequate evaluation of the work of police officers. It is necessary to come up with a clear penalty policy, in order to state to employee's what kind of behaviour will be punished and to what extent.

HAVE YOU EVER RECEIVED A GIFT FOR A FAVOUR YOU DID

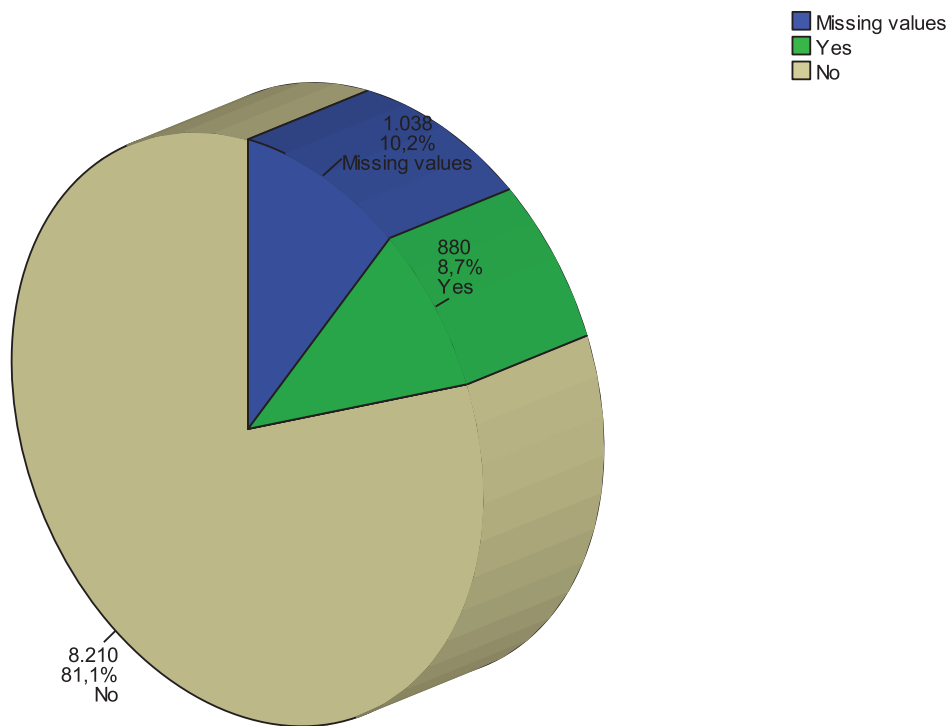


Chart 21 Self declared rewards for a favour completed.

8.7% of employees said that they had received a gift. The percentage for missing values is higher at 10.2%. 81.1% deny that they ever received a gift for favour done.

HAVE YOU EVER BEEN OFFERED A GIFT

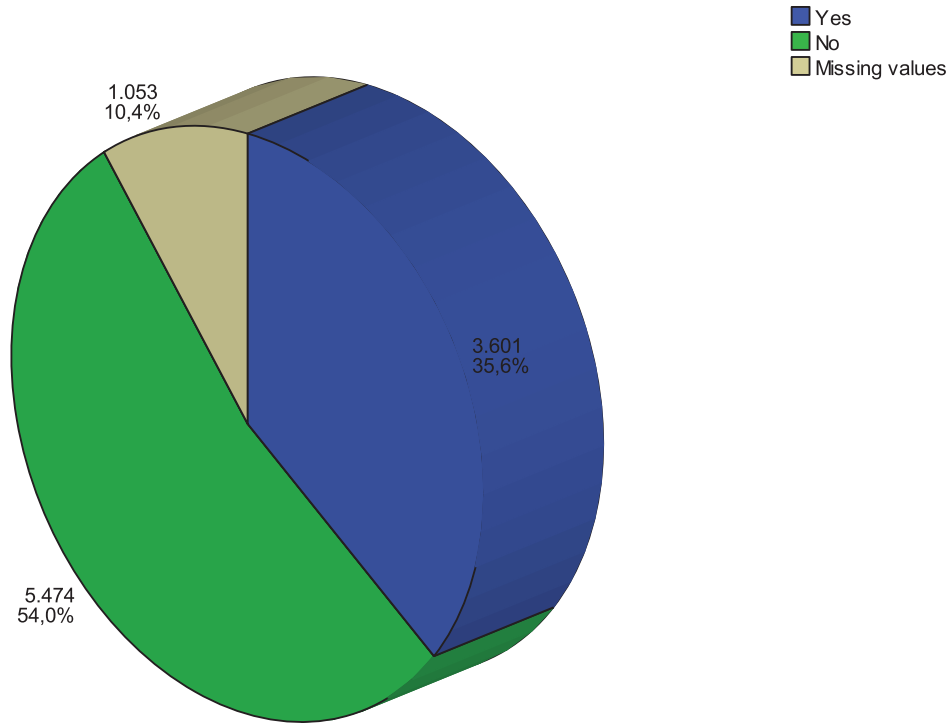


Chart 22 Instances of gifts offered

53.8% have responded as they have never been offered a gift; 35.4% said that they have been offered a gift and 10.7% didn't answer this question.

This question is interesting in that respondents imply that citizens encourage corruption by offering bribes or gifts. This reflects on the hypocrisy of citizens in that they want corruption effectively dealt with but they are quick to offer bribes if it will get them off a driving violation.

HAVE YOU EVER CONDUCTED AN OFFICAL ACTION YOU WERE NOT ENTITLED TO DO

The most common assistance was in the process of obtaining personal documents (1115 cases). After the introduction of biometric documents, the process of issue was very difficult and slow. That waiting to get ID documents was extremely time-consuming. This appears to have provided the impetus for the public to engage in bribery to assist a speedier administrative resolution. In short a government designed process has provided the opportunity for increased corruption.

The assistance of police officers to avoid responsibility for a traffic or other breach (426), passing on confidential data (99), assistance in the employment process in the Ministry of Interior (56) and when giving back seized weapons, vehicles and other items (47), support to persons who should have been imposed a detention measure (43).

A total of 33 police officers stated that they assisted persons against whom criminal charges should have been filed and that helped them to avoid criminal responsibility.

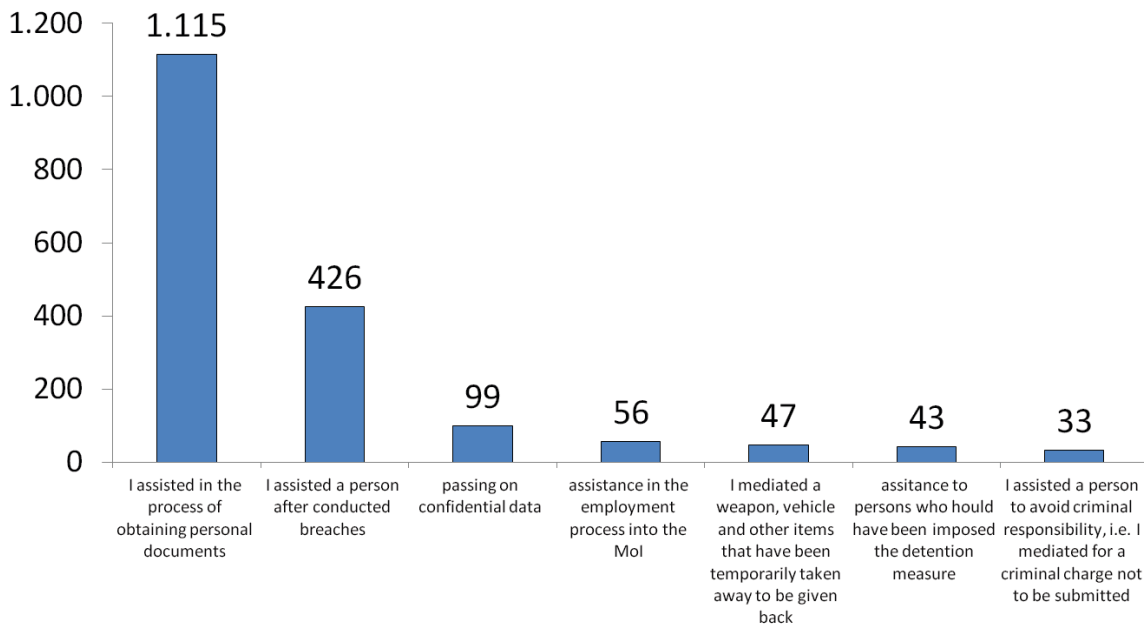


Chart 23 Instances of favours delivered

Four of five top multiple responses are combinations composed of assistance in obtaining personal documents. Second most frequent is assistance in avoiding responsibility for conducting a traffic breach, in three of five combinations. These answers are again the most frequent,

WHO DID YOU ASSIST

Respondents mostly cited to have helped their relatives 1149, friends and acquaintances 82, and persons whom friends asked them to assist 263. However, 235 stated that they also helped persons unknown to them.

These responses contradict an earlier question when citizens were asked if they knew the officer they bribed. They responded negatively. However this question clearly demonstrates that family, friends and acquaintances are the most likely people to induce Ministry staff to commit corruption.

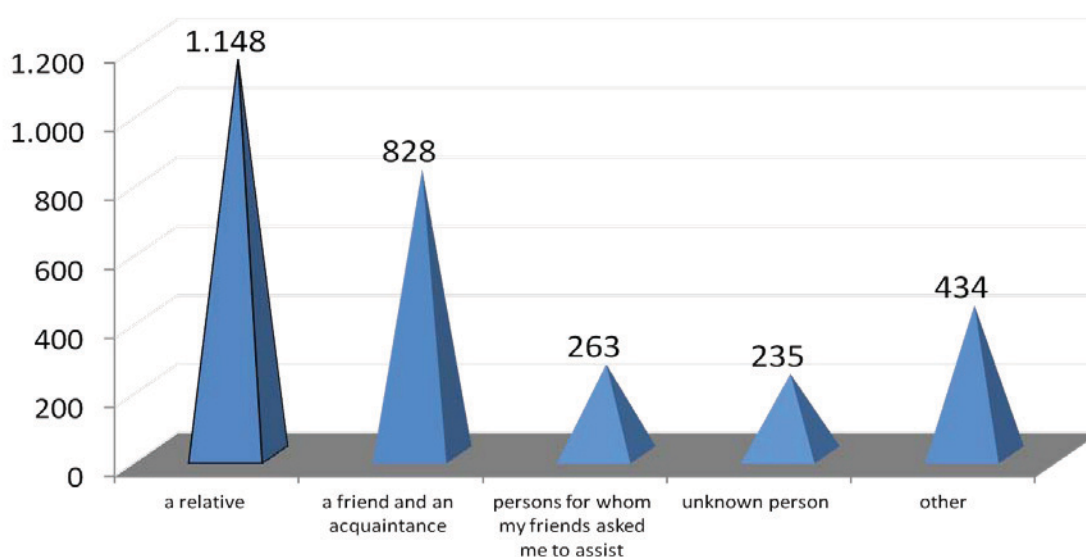


Chart 24 Who was assisted?

Most respondents assisted a relative (39.5%), then a friend or acquaintance (28.5%). The total responses given on this question is 2908, with multiple responses accounting for 344. Both totals are higher than those given on a previous question when asked if they had conducted any action they were not entitled to.

Written Comments that employees made on this question totalled 70, namely:-

- 1) No one
- 2) persons that provide information for service, operational connection

For some reason some of the respondents wanted to reconfirm once again, that they did not assist anyone.

The second group of answers refer to providing assistance to persons that are connected with the Ministry or with an operational connection. In other words, they wanted to motivate an associate to cooperate in future, by providing him/her with assistance.

Certain police officers stated that they helped co-workers and informants, but that assistance mostly consisted in accelerating the process of obtaining personal documents. The motives for giving this type of assistance were purely of a business nature. They helped them in order to develop a relationship with them and thus improve cooperation in the future. Also, they rendered services to colleagues from their previous work in other organizations or companies.

It can be seen that four of the five most predominant combinations of multiple responses are composed of assistance to a relative, a friend or an acquaintance, and, persons for whom friends asked to assist.

The most frequent persons that were involved in receiving help are known to the employee.

HAVE YOU RECEIVED A GIFT FOR THAT FAVOUR

In terms of types of gifts, respondents stated they mostly received drinks, cigarettes, flowers (481), gifts of symbolic value up to 1000 Dinars (81), and 193 police officers stated that citizens, to whom they provided assistance which goes beyond regular activities, were compensated another favour. Only 32 surveyed police officers stated that they received gifts of higher value and 34 that they received money.

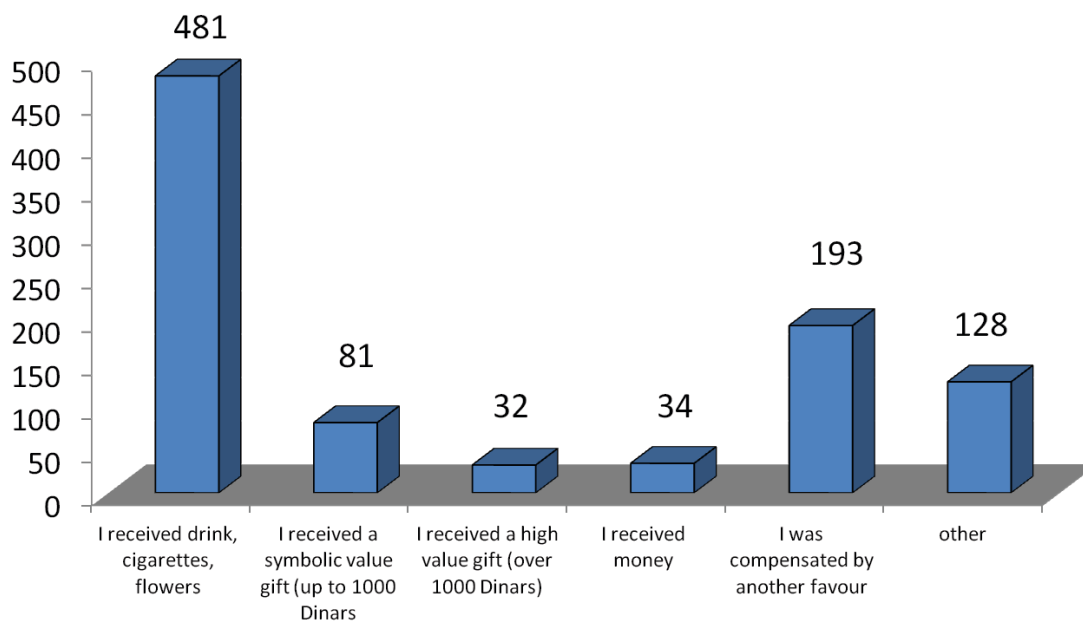


Chart 25 Instances of gifts received

There are 949 answers indicating employees received a gift (the sum of all categories, excluding "no"). If we examine multiple responses, the total that said they have received a gift is 837.

This data is congruent with answers on previous questions. Have you ever received a gift for a favour you did? (880). some of the employees stated they had received a gift, failed to respond to this question about the precise type of gift.

The most frequent category is "drink, cigarettes, and flowers" (50.7%). together with the category of symbolic gifts, up to 1000 Dinars. This is 59.2% of all responses given on this question. It seems that there is no difficulty in admitting to receiving gifts of a small value. Thus, reinforcing acceptability, and the social norm in this area. As mentioned earlier, these small value gifts are hardly considered as a bribe. They are often perceived as normal in Serbian society.

The second category, by frequency, is compensation by another favour (20.3%). This is an area suitable for future research. To investigate which favours are perceived as valuable enough for an employees risk their own job?

It is interesting that a number of surveyed police officers pointed out they had never asked for anything from the persons whom they helped in performing some tasks, but the citizen themselves bring "symbolic gifts" (coffee, cigarettes, chocolate, etc.), but that this is also very rare due to the financial crisis.

HAVE CORRUPTION LECTURES BEEN ORGANISED IN THE LAST 2 YEARS

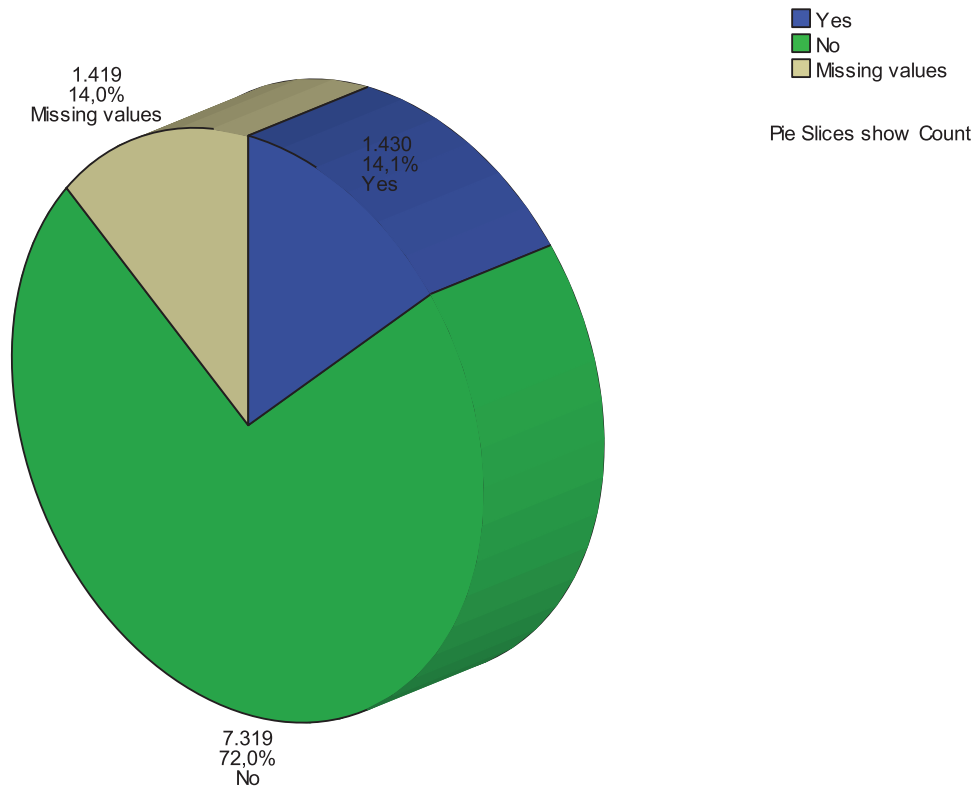


Chart 26 Frequency of anti corruption lectures in last 2 years

14.1% of employees said that lectures on corruption had been organized in their unit. 72.0% said “no”, and 14.0% did not answer this question.

This question shows managers should pay more attention to organising seminars, lectures, training and education, on the subject of corruption. If the Ministry strategy is to suppress corruption, the first step should be to inform employees through different kinds of seminars and training events about what corruption is, what are their responsibilities as employees, how can they react, who they can talk to on that subject, etc. By providing permanent education, information and support to employees, it is possible to get closer to the goal of lowering the level of corruption. It seems that the first step needs to be a more pro-active role in the service by managers and supervisors.

It is evident that the most important factor is political will. The support to Ministry of Interior employees and citizens is essential in setting standards. The ultimate goal is to influence a change of social norms and values which are currently tolerant if not benevolent towards corruption.

HAVE YOU ATTENDED A SEMINAR OR TRAINING ON CORRUPTION IN THE LAST 2 YEARS

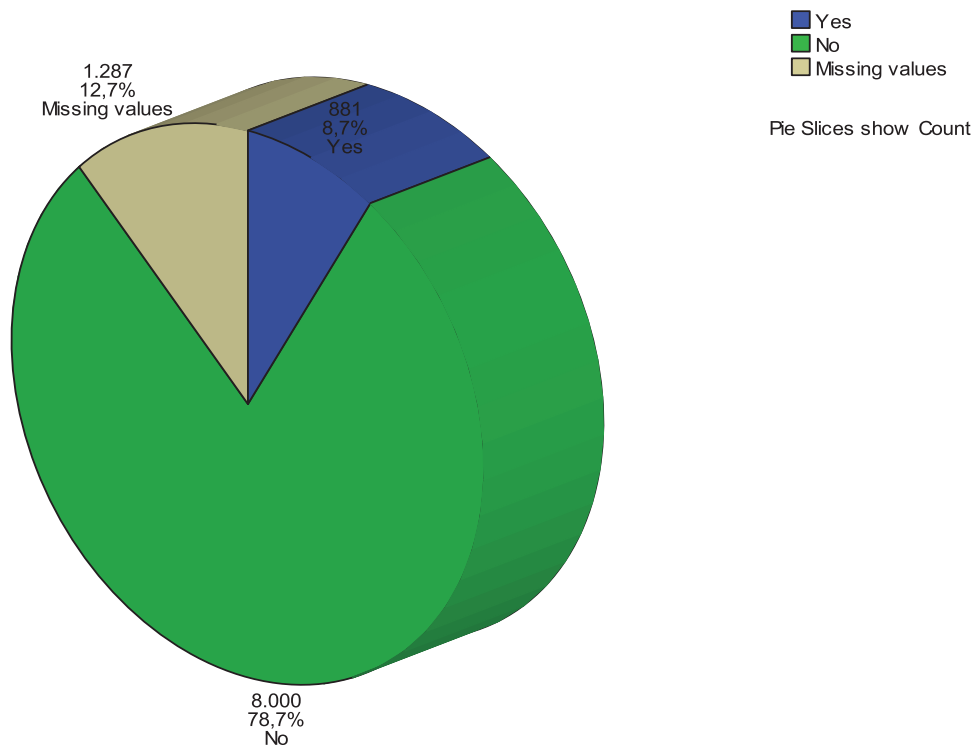


Chart 27 Attendance at anti corruption training in last 2 years.

8.7% of respondents attended a seminar on corruption. The total count of 881 responses indicates that training is a very low priority.

Employees that attended seminars that were organized in their own organisational unit account for 35.9% (316) of all employees that attended seminars. 60.4% (532) attended seminars or training in some other organisational unit.

When we consider those that didn't attend lectures and had the opportunity to they account for 68.7% or 982 (percent of all subjects that said a seminar/training was held in their unit). The largest joint category is for employees that didn't attend seminars nor had lectures organised in their organisational unit (65.3% of all employees or 6636). It can be concluded that the great majority of employees do not actively participate in obtaining new knowledge, information or skills connected to the fight against corruption.

This is a critical message for Ministry leadership, more lectures (education) should be organised in general, more organisational units should organise training so more employees get the opportunity to learn about differing aspects of corruption and how to deal with them. This is also an opportunity for the Ministry to clearly state its position on corruption and its expectations of serving officers. The evidence is clear; Education and Prevention of corruption are not priorities in the Ministry of the Interior. Despite constant rhetoric that corruption is a priority.

GRIEVANCES OF CITIZENS

During the year of 2010 and the first ten months of 2011, citizens submitted a total of 173 grievances concerning police corruption to the Internal Affairs Sector and the regional police directorates.

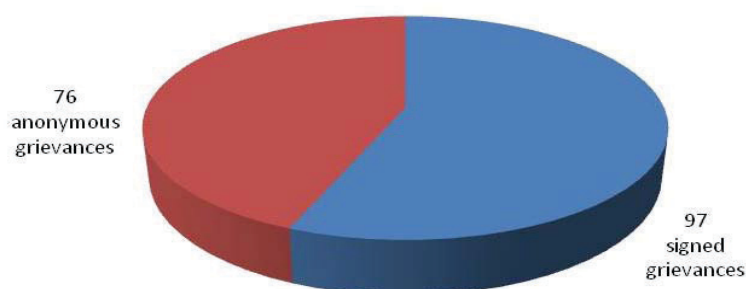
1. Submitted grievances are categorised:

- Citizens who possessed some knowledge on corrupt police offices
- Police officers who reported a corruption problem in the environment-police directorates in which they work
- Foreign citizens

Grievances submitted to the IA Sector, concerning corruption were submitted anonymously in 44,4% of cases

number of signed grievances	97
number of anonymous grievances	76
total number of grievances	173

Such a high percentage of unsigned grievances could demonstrate a lack of confidence in the authorities dealing with police corruption



Anonymous grievances were often signed in the name of „citizens“ of a suburb or police officers in certain organizational units of the Ministry. The information was of a general nature without relation to any specific event, but contained opinions on „ a corrupt police service” often without any explanation. They usually referred to multiple police officers.

Those that related to named police officers as being corrupt appeared to be the retelling of public gossip, often without sufficient data that could become the basis of further investigation. It is more difficult to check the information provided in anonymous grievances since they often contain insufficient information that could be subject to follow up.

Anonymous grievances are more often submitted in smaller towns, which may show that citizens do not trust local police officers and are concerned about reprisals

Citizens who submitted grievances could be divided into two categories:

- Those who were **direct** victims of corrupt behaviour, i.e. affected in a concrete way,
- Those that were **indirect** victims or discovered the corruption in another way, including those repeating public gossips.

In a high number of cases citizens were expressing their personal experiences or knowledge. There were 173 grievances submitted within the period in question. 13 were grievances by police officers, whilst a further 12 of them were submitted by foreign citizens.

MoI employees	13
foreigners	12
citizens	72
number of signed grievances	97
total number of grievances	173

Foreign citizens inevitably addressed specific events of their own experience with corrupt police officers. Some foreign citizens personally submitted grievances, while others did it through diplomatic-consular offices in Serbia. Also, through Serbian offices in their home countries.

The grievances mostly related to:

- Traffic policemen who took money from them in order avoid punishment for traffic violations committed.
- Police officers who asked for money in order to assist them complete an administrative function. For example, register their stay in Serbia, or not to sanction them for non-registered stay.

Particular difficulty appears when complainants leave Serbia upon submitting a grievance, without providing enough information that would help identification of the police officer they reported.

From the 12 grievances known to be submitted by police officers, 11 are anonymous. This may be interpreted as demonstrating a significant lack of confidence in the system with a potential fear of reprisals for breaking the code of silence.

Only one contained personal information of the police officer who submitted it. They mostly pointed to corruption among managers or commanders of police stations and heads of police directorates. The grievances were general, often pointing to management links with the criminal environment, from whom they get money and other expensive gifts (paid vacations, cars, etc.), but also to the ownership of real estate as a clear and obvious indicator of corruption, which they could not gain or buy from their salaries.

2. Findings of grievances submitted by citizens

In 13 cases citizens allegations of corruption were proven and criminal charges were filed against the police officers involved. Criminal charges were filed against:

- police officers of the Traffic Police Sector for the highway, who took 40 Euros from two Macedonian citizens in order not to initiate proceedings for traffic violations they conducted.
- Two police officers who registered and issued a license for a technically incorrect vehicle, which did not pass regular technical check-up;
- Two traffic police officers who took money from the owners of driving schools in order to assist them during control of business operations
- two traffic police officers for failing to make a report a driver who was a relative to one of them, although he was driving an unregistered vehicle;
- A traffic police officer, who accepted 15.000 Dinars from a driver not to make a report, that he had driven through red traffic light;
- A police officer who accepted 1.000 Euros from a citizen in order to influence police officers not to arrest or prosecute him for allegedly committing a robbery;
- A police officer who accepted 130 Euros from a citizen in order to put him on a schedule list for applying for passports to be issued for two children;
- A police officer who requested from a driver 1.500 Dinars to ignore a traffic violation - not using safety belt and not having the lights switched on.
- Two traffic police officers who asked a driver for money to ignore his involvement in a traffic accident, which caused damage;
- A police officer who received 4.000 Dinars from the perpetrator of several criminal offences to „protect“ him from arrest and prosecution
- Several police officers who enabled citizens in driving schools to obtain driving licenses by providing them with responses to the exam questions and failing to include in the written report mistakes from the practical part of the exam;
- Organized groups of police and customs officers on a border crossing who requested and received money from citizens to let them pass and not to apply legal measures for conducting violations (transporting goods with banned or limited sale, not having personal documents or having them with the expired dates, driving vehicles without having authority to do so, , etc.). In addition to the criminal charges, discipline measures were also undertaken against these police officers and they were removed from the Ministry.

The majority of grievances by citizens could not be proven. The reasons for such a large number of failed investigations are various:

- Accusations provided by many citizens did not contain enough detail necessary for identification of the police officers.
- During the investigation the evidence necessary for the prosecution of the police officers could not be collected, for example, there were no witnesses.
- The grievances contained general allegations that could not be proven.

In some cases, the citizens quoted all the information necessary for the identification of the police officers they reported as being corrupt, but in other cases they claimed they could not identify the officers or did not have enough information on which they could be identified.

In certain grievances, some citizens assumed the officer was corrupt because reports or complaints they had made were not proven or concluded to their satisfaction therefore the officer must be corrupt.

3. Forms of corruption reported by the citizens

In their grievances, the citizens reported individual and organised corruption. In the grievances sent to the police directorates, the citizens reported very specific complaints against police officers whose names they knew, and included their actions in specific cases.

In the grievances sent to the Internal Affairs Sector, the citizens often complained in general terms by claiming there was corruption in certain police stations or police directorates, but without mentioning specific information which could be investigated and without naming police officers. They suggested that the assets owned by some police officers indicated their involvement in corruption, or they drew conclusions on their corruption based on a perceived friendship with local criminals.

The organized forms of corruption reported by citizens related to:

- Involvement of police officers in the organized criminal groups
- Organized groups in which police officers are prominent.
- The presence of extensive corruption in certain units which creates the impression of being organized.

A small number of grievances related to the involvement of police officers in organized criminal groups. Allegations were mostly general and did not mention specific information about the police officers involved, but their description in general referred to:

- Links with the individuals involved in smuggling of commercial goods (cigarettes, petrol, etc.)
- Links with drug dealers
- Links with „the construction mafia“ and the „petrol mafia“

According to the allegations of the citizens, the role of the police officers in organized groups was to protect the organized group members from arrest. Assist them to cross borders without being disturbed and safely pass through the territory of certain police directorates. To provide physical security to the organizers of these groups, as well as direct security to the transport of smuggled goods, etc.

Within the grievances, the citizens highlighted one case of an organized group of police and customs officers, involved in corrupt activity.

Citizens often reported on the links between police officers and individuals from the criminal environment. However most were general allegations, and rarely provided detailed explanations. Many pointed to the fact that a police officer’s reputation was being ruined by appearing together with criminal individuals in public. Consequently, ruining the reputation of the whole police. From this association, they concluded that the police officers provided information to criminals. Further, that they are protected them from prosecution

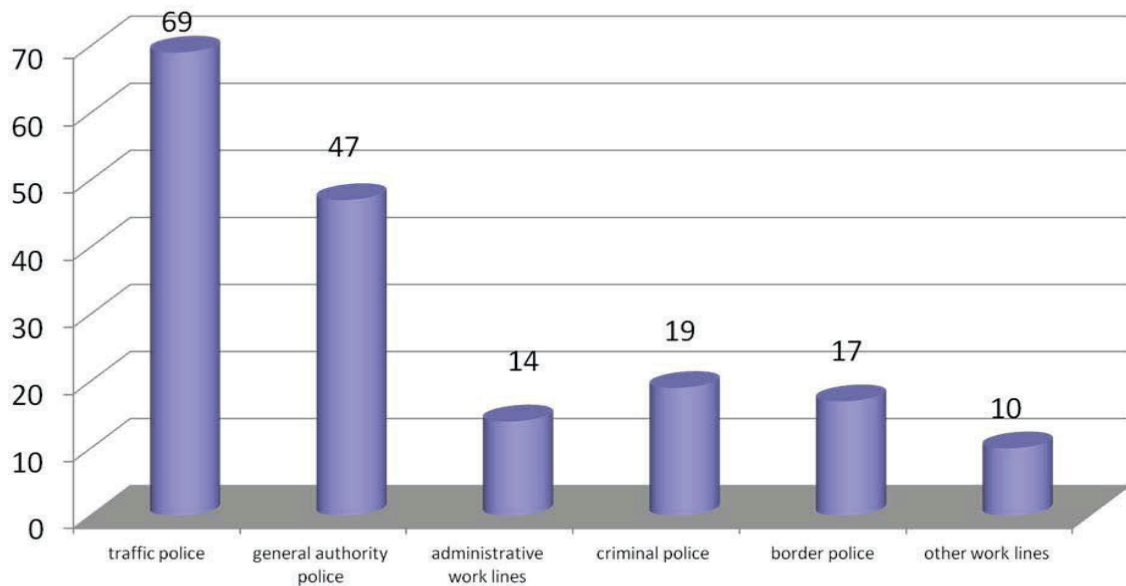
The majority of grievances pointed to specific corruption cases by accusing certain police officers of being prone to bribery or taking a bribe in specific cases.

Citizens also reported corruption in a general way by stating that „all managers“ in certain police stations are corrupt, that they cooperate with and protect criminals known in the local environment by their problematic behaviour. Their cooperation is reflected in the fact that criminal charges and breaches are not filed against those criminals, they are informed about the action the police plan against them and any information the police may hold on them.

4. Vulnerable police roles

The largest number of corruption grievances is among traffic police officers and general authority police officers. This is unsurprising as they represent the largest number of officers with the most frequent contact with the public. A significantly smaller number of grievances report corruption of police officers in other work environments

Traffic police	69
General authority police	47
Administrative work lines	14
Criminal police	19
Border police	17
Other work lines	10



Traffic police

The grievances in which the citizens accused the traffic policemen for corruption could be divided into two groups:

- Specifically by describing that they or someone known to them gave a bribe to a police officer.
- Generally and often based on hearsay that traffic officers are corrupt. However the affected individuals are named.

Most of the complaints that citizens filed about traffic police officers refer to accepting a bribe from drivers due to traffic violations they allegedly committed. In their grievances citizens inevitably made allegations about corrupt police officers within operational positions. Police managers did not feature.

General authority police

Corruption of general authority police officers was most often reported in the complaints submitted by the citizens who were dissatisfied with the actions the police took after they had complained about harassment and other forms of the public order disturbance. They thought that unfavourable outcomes were the direct consequence of corruption. If the initial complaint was not resolved to the citizen's satisfaction then it must be due to the officer being corrupt. Furthermore, citizens drew conclusions on the corruption of police officers based on witnessing them socialising with the criminals. Consequently they concluded that the police officers protect criminals from arrest.

Citizens often claimed that police officers in this category took a bribe in order to:

- mediate in finishing administrative actions out of the regular procedure
- enable criminal activity

Some citizens took the financial status of the police officers as sufficient evidence to draw a conclusion that they were corrupt. Unlike the traffic police for which the citizens think that operational level officers are more corrupt than managers, with the general authority police the situation is viewed differently.

Citizens often claimed that large numbers of managers are corrupt. (Based on their financial appearance). Those general claims were often provided without any explanations.

Criminal police

Grievances referring to the criminal police officers mostly contained allegations that officers took money from:

- Owners of enterprises in order not to undertake legal measures against them while conducting control of their business operations
- Individuals who conducted criminal offences in order not to submit criminal charges against them
- Citizens whose goods had been seized (mostly cars and firearms) in order to give the goods back to them.

Administrative work

Citizens claimed that administrative officers took bribes in order to enable some citizens to avoid regular procedure and promptly get their personal identification documents without waiting, primarily, biometric travel documents. The introduction of biometric identification documents and the procedure for issuing them compelled citizens to wait several hours to submit all necessary documentation for the identification documents to be issued. Resulting in certain citizens ignoring the queue when submitting their documentation.

In most of these grievances the citizens described it as „minor corruption“ Possibly a small value gift to the administrative line officers (coffee, juices, sweets, etc.).

The second category described in these grievances refers to the administrative officers who took money and other gifts from citizens in order to issue identification documents for which they did not have the necessary documentation or they were not entitled.

The third category described in these grievances refers to the administrative officers who accepted bribes from individuals who applied for registration of vehicles that did not comply with the legal provisions.

Border police

Citizens submitted a relatively small number of grievances (17) against border police.

Possibly with the assumption that in practice, the most frequent form of corruption is referred to as minor. To which Serbian citizens appear to be accustomed, and see it as the means to conduct business quickly.

Citizens described this corruption category as:

- Letting vehicles transporting commercial goods pass without documentation,
- Assisting drug smugglers across the border,
- Taking money from the owners of transport enterprises in order to enable their truck drivers pass the state border without waiting,
- Assisting foreign citizens regulate their stay in Serbia and avoid the sanctions for not reporting their stay in Serbia.

5. Corruptors – bribe givers

Two categories of individuals could be distinguished from the grievances of citizens who give a bribe to the police officers.

Individuals from the criminal environment who the citizens claim are connected with certain police officers. Additionally, the managers of certain police stations. They are distinguished because the citizens believe they give bribes to officers based on the fact they are seen together. They also assume that criminal charges are not filed against them when there are grounds to do so. These grievances are mostly from small towns, where citizens know each other and see local officers more often.

Officers are reported to socialize frequently with certain criminals. Often visiting restaurants and cafes together, but also paying home visits. These activities were identified mostly in small towns, and were noticeable more easily. Every form of contact with the police officers with these individuals caused reactions within the environment damaging the police reputation.

The drivers who give a bribe to a police officer in order to avoid being held accountable for a traffic violation. This category is relatively numerous. The affected citizens were the ones who reported the corrupt police officers. There were various problems related to proving their claims – including the fact that those who reported the cases often did not have adequate information which could identify the corrupt officers.

The citizens claimed that the bribe givers were also:

- Individuals involved in commercial smuggling
- Owners of private enterprises who secured a more favourable outcome of the control of their business operations
- Owners of driving schools
- Individuals who attempt to quickly conclude administrative activity within the scope of police work .

Contacts between police officers and individuals that citizens reported in the grievances could be categorised:

- Isolated event that presents the opportunity for a corrupt action. The police officer accepts a bribe from the individual they see for the first time. Taking advantage of a situation (Traffic violation)
- A corrupt relationship that has been on-going for a period of time with mutual interests. By itself this makes legal sanctioning more difficult, because the bribe giver rarely decides to report on the police officers.

A separate category involves citizens who use familiarity or good relations to avoid regular procedures when engaged in administrative processes. For example, obtaining identity documents, or registering vehicles etc. They usually do not consider the gifts (often of small value) to be a bribe, but an act of gratitude or reward for „favourable treatment.“

6. Signs by which the citizens „recognized“corruption

Grievances sent to the Internal Affairs Sector of the police and the regional police directorates often claimed that certain police officers accepted money. In a significantly smaller number of grievances they mentioned other gifts, while allegations about favours and promises were few. Often including the preferential employment of a family member or relative of the officer.

The amounts of money that the police officers were allegedly receiving differ from several dozen Euros to several hundred Euros. The smallest amounts were asked and taken by the traffic policemen, ranging from 500 Dinars to several thousand Dinars, Apparently dependent on the violation the driver conducted. The requested amounts were somewhat higher when foreign citizens were involved.

The cost of „the services“ provided by the criminal police officers, was significantly higher and often paid to them in regular amounts every month. For example, in one of the grievances the citizen stated that a police officer, allegedly asked for 5-6000 Euros from all individuals involved in commercial smuggling. To ensure no action would be taken against them.

In another grievance it was stated that police officers took 2000 Euros from an individual who had been reported for theft, in order not to submit criminal charges against him. In a further case police officers received 3000 Euros to make a positive report about an individual who had previously been sanctioned for crimes.

The citizens claim that gifts were often received by the administrative officers who enabled citizens to obtain identification documents more easily, and conduct other administrative activities. However, besides receiving minor gifts, the citizens claimed that certain administrative officers received higher amounts of money when they „assisted“ citizens who did not have the necessary documentation, or those that did not comply with the legal provisions.

**CRIMINAL CHARGES
FILED AGAINST POLICE OFFICERS
FOR THE OFFENCES OF CORRUPTION**

Police officers have been charged with criminal offences containing the elements of corruption. However, police officers are also amongst the perpetrators of more complex criminal offences of corruption, when undertaken by organized criminal groups or groups organized in less sophisticated ways. Referred to as disorganised criminal groups

Organized forms of corrupt activities of the police officers

A number of organized criminal groups have been identified with activities that include the elements of corruption. Two organized criminal groups were identified, which abused the procurement process for medical furniture and cytostatics for a large number of health care institutions. During 2011, two further organized criminal groups were identified, one used bribery to obtain biometric identity cards and passports of the Republic of Serbia and another was involved in illegal gaming in a large number of betting houses.

There are two types of organized groups:

a) Organized criminal groups consisting of mainly of police officers

Groups in which police officers hold the senior or controlling roles within them. Their main characteristic is, the abuse of their professional employment (control of goods at border crossings, issuing biometric identification documents, etc.). Three organized criminal groups, have been identified, the members of which were solely or mainly police officers:

- An organized criminal group was identified that used to purchase goods in the territory of the Autonomous Province of Kosovo and Metohija and transport it to Veliki Trnovac in Bujanovac Municipality, in order to resell it. The group organizer was a police officer. Criminal charges were submitted against 5 police officers. The activities of this group had a negative effect on the Republic budget of more than 3 million Dinars.

- In 2011, an organized criminal group of 24 individuals was identified, 16 of which were police officers who enabled individuals to purchase biometric identity cards and passports. They were receiving between 150 and 500 Euros to submit the documentation necessary, and were also taking between 150 and 300 Euros for obtaining the birth and citizenship certificates. It is not known how many illegal biometric passports were issued.

- During 2010 the Sector filed criminal charges against 35 police officers and 7 customs officers from a border crossing. The police and customs officers requested and accepted money from citizens in order to enable them to cross the border promptly or to ignore prosecution for breaches they had committed (transporting goods for which the sale is banned or limited; not having personal documents; driving vehicles without having the authority; etc.

b) Organized criminal groups to which a police officers belongs

These are organized criminal groups, which have a police officer among their members. Unlike the previous category in which the police officer holds a prominent or majority role. The police officer in this group is often an intermediary or functionary. The criminal activities of this type of organized criminal groups, are not necessarily related to the professional activities of the police officers, but cover a much broader scope of activities. For example theft, illegal production and sale of spirits, smuggling vehicles, etc. Several organized criminal groups have been identified.

- In 2010, an organized criminal group was identified, which obtained more than 5 million Dinars by stealing crude oil and then selling it through two private enterprises. Eight individuals were arrested including a police officer. The role of the officer was to enable undisturbed passage of the oil.

- In 2011, numerous individual Police officers accepted bribes to enable the organised smuggling of cigarettes across the state border charging 100 Euros each time.

- An organized criminal group was identified, which illegally produced and sold spirits. It gained more than 40 million Dinars. A total of 21 individuals were arrested including a police officer

- Seven members of an organized criminal group were arrested. They were buying stolen vehicles outside of Serbia and re-selling them in Serbia. A total of 8 individuals were reported including a police officer.

Disorganised crime groups with police officers amongst their members

Police officers appear as members of criminal groups at a lower organizational level.

Disorganised groups with a large number of police officers among their members –They link their criminal activities to various activities including those related to enforcing police powers for example, control of excise goods, driving examinations, investigation of traffic accidents, etc. These groups can have many perpetrators. Among the group members are multiple police officers.

- In 2010, twelve individuals were arrested including four police officers, and a total of 25 individuals were reported for illegal trade of diesel on the Danube river. The police officers enabled individuals to conduct an illegal trade in diesel. The role of the officers was to observe, protect and monitor the activity.

- During 2011 six traffic policemen were reported. They had been making official reports of alleged traffic accidents (without injury and with small financial damage) based on which the individuals were claiming compensation from the insurance companies.

- In 2011, criminal charges were filed against three traffic policemen and a police officer of the Gendarmerie. They were making reports on investigations of previously simulated traffic accidents, in which they included false information about individuals that were allegedly injured. They fraudulently claimed compensation and received 80.000 to 100.000 Dinars for

one traffic accident. A large number of insurance companies were affected and several hundred thousand Dinars claimed.

- In 2011, criminal charges were filed against 11 police officers on the grounds of suspicion of abuse of office. As members of the commission for driving examination in the driving schools. They enabled a large number of citizens to obtain driving licenses. They provided answers to examination questions and failed to include in the examination report errors made during the practical part of the examination.

- In 2011, criminal charges were filed for abuse of office against 4 police officers. They stole seized drugs from official premises, and then re-sold them for more than 2,5 million Dinars.

Disorganised groups with police officers among their members

It has already been mentioned, these groups do not have the status of organized criminal groups. But operate at a more fundamental level. Often as an isolated enterprise. A small number of police officers (often individuals) appear among the members. The corruption conducted by these groups also tends to be related to police powers, such as traffic duties, control of border crossings, registration of address etc.

- In 2011, The Registrar of the Civil Registry and the Head of the Section for administrative affairs of the police. Were arrested after the registrar illegally issued a birth certificate and citizenship certificate, the police officer registered the address of the individual,(and relatives) which he knew to be false thus enabling them to obtain certificates on the basis of which identity cards and passports were issued to them.

- In 2010, several business men and a police officer were arrested for giving and receiving a bribe. The police officer together with other individuals, started to illegally construct a residential building without a licence to build or the necessary technical documentation.

3. Individual police corruption

Additional to the organized and disorganised crime groups in which police officers are members The largest number of corruption offences were conducted by individual officers working in isolation.

These offences of corruption are usually related to accepting a bribe, abuse of office or embezzlement. In addition other criminal offences were often identified such as unlawful mediation, disclosing information, etc, but the common aspect is the intention to achieve a personal gain for himself or another. The criminal offences of accepting a bribe or abusing office represents corruption in its most direct form.

The relationship between the police officer and the third party can be:

- **direct** – as in most cases there are two parties: the police officer and the corruptor. The person for whom some form of gain is being achieved.
- **indirect** –There is a smaller number of cases in which the police officer appears as an intermediary between the individual who is to conduct an illegal activity and the individual who will gain from the action.

Third party structure. The individuals with whom the police officers have direct or more rarely indirect contact. We can determine:

- **Citizens** – who had contacts with police officers, usually to avoid sanctioning for traffic violations or to obtain assistance when seeking biometric identity documents, etc. This relationship is a short one, because it relates to a concrete action, which was the initial reason of the contact.
- **foreign citizens** – who had contacts with police officers, usually while crossing the state border, or during traffic control of their vehicles etc; This relationship is also short, because it relates to a specific situation
- **perpetrators of criminal offences / individuals who are wanted** – people who had contacts with a police officer, to obtain police protection from arrest; this relationship lasts a certain period, as the officer provides a protection to the individual he is linked with, whether it is avoiding arrest or hiding his criminal activity:
- **owners of private enterprises; agencies; driving schools; casino's etc;** – who had contacts with the police officer, usually to avoid arrest for a criminal offence; or not to file criminal charges; The nature of this relationship is dual – it can last for a short time if there is a concrete situation it relates to. Or it can last a long time if a relationship exists.

With regard to **the gain** achieved by those involved in the corrupt relationship, whether it is the direct relationship or the officer is acting as an intermediary. It has a dual nature:

- **gain to the third party** – often it is a non-financial gain, such as avoiding criminal accountability; avoiding control (premises, vehicles, etc.); acquiring documents or authority. Obtaining confidential information.
- **gain to the police officer** – most often it is a financial gain or a material benefit such as a free holiday, use of facilities, a favour in return or food products or various kinds of services (free lunch),

CASE STUDIES

Criminal offences of corruption were conducted with the aim of obtaining biometric identity documents.

Firstly, there are the cases related to the individuals that do not meet the prerequisites for biometric identity documents, so they use corruption as the means of obtaining them. In such cases, the police officer abuses his position in an illegal way.

Secondly, there are cases in which corruption appears between the police officer and the individual who meets the prerequisites for obtaining biometric identity documents, but uses corruption to obtain them quickly. The offenders are primarily employees directly working on the reception of documentation and issuance of biometric identity documents.

Police officers from other sectors appear among the perpetrators, but they are generally intermediaries acting between the citizens who needed the identity documents and the police officer issuing them.

- Fraudulent issue of biometric identity documents (passports, identity cards) to individuals who does not meet the requirements. This can be achieved by inputting a fictitious data into the Unique Information System. For example, an employee of the Section for administrative affairs was reported for inputting fictitious residence registrations into the Unique Information System for a number of foreign individuals.

- A police officer was reported for completing the necessary documentation and making false reports on field check up's. Based on which he registered five foreign individuals to his wife's address, in order to issue them passports for the Republic of Serbia, although they did not meet the prerequisites for obtaining them.

- Legal issue of biometric identity documents (passports, identity cards). Accepting a bribe in order to schedule an early appointment. This method also appears with organized forms of criminality, as well as in fewer individual cases.

Protection or aid to individuals

The characteristic of this activity is a relationship or acquaintance, between the police officer and the individual who is provided with protection or aid. There are a number of ways an individual can be assisted, depending on whether the individual is the perpetrator of the criminal offence, the owner of some business premises (such as restaurant or cafe) or somebody who needs confidential information. We can distinguish;

- Accepting bribe in order to provide protection to an individual. A police officer was arrested for accepting 4.000 Dinars in order to ensure that the perpetrator of a robbery would not be arrested.

- Accepting bribe for the false promise of providing protection. A police officer was reported for accepting a scooter, and mobile phone from a shop owner to whom he had promised protection. While in reality he had a relationship with the extortionist

- Accepting bribe in order to provide information on police activity. A police officer was reported for receiving 300 Euros, to provide information on the movement of police officers deployed on border security.

- Allowing illegal operation. Two police officers were reported for requesting money and other items from the owner of cafe in order to allow the premises to operate longer hours than permitted

- Warning about impending police search. A police officer was reported for disclosing information about an impending search

- Disclosing confidential information. A police officer was reported for disclosing confidential information related to individuals and motor vehicles.

Frauds with the element of corruption

The characteristic of this corruption offence is the appropriation of the money entrusted within the work process. In fact a direct link between the police officer and the third party is not established. Among the perpetrators of fraud, there are also police officers who are exposed to communication with third parties. They are most often administrative officers issuing biometric identity documents, traffic police officers and the border police.

- An administrative officer who worked on the issuance of passports and identity cards, appropriated approximately 68.000 Dinars. She was taking the money directly from the citizens who were genuinely applying to obtain identity documents

- A police officer was reported for receiving money from drivers who had committed traffic violations, but he kept the money upon receiving it

- A police officer, was reported for violating the Law on administrative fees by issuing an entry-exit visa to a Romanian citizen employed as a driver. Thus enabling him to enter illegally. Another police officer from the same station committed a criminal offence in the same way by issuing an entry-exit visas to a large number of Moldavian citizens

- A police officer was reported for appropriating money given to him by citizens who were to pay fines determined by the Magistrates Court.

CORRUPTION IN THE SERBIAN POLICE WITHIN THE SOCIAL CONTEXT

The Public Domain research

This Public domain research is Meta-analysis of material on Police Corruption that has been published within recent years in Serbia. The focus is corruption within the Police. A better understanding of police corruption requires a connection with other areas of public service, corruption in general and social norms within Serbian society. This additional data and evidence will be used, to provide a better insight and context into the problem of police corruption.

Introduction

Serbia, as one of the Balkans' countries in transition, it faces widespread problems of corruption in all sectors. Corruption in these new governments and new democracies of the Balkans has the same causes. Inadequate investigations by police, inadequate and weak laws, corrupt judges and politicians, insufficient sentencing and a lack of coordination in anti-corruption efforts. But corruption is not a new problem in countries in transition. Corruption was widespread and deeply incorporated in communist societies, but it was dangerous to talk about it and get into conflict with authorities. Transitional societies more openly talk about this phenomenon so it gives the impression that corruption is the product of transition (Prokopijevic, 2011).

There are a number of steps that can be made in order to decrease the level of corruption. Of great importance are political will and the active role of citizens. In other words, all interested parties should be involved in combating corruption. A lack of political will and apathy of citizens nowadays, sends a pessimistic message on the future of Serbian society. Are the proclamations on combating corruption from politicians serious, real and sufficient? The statements to the EU that everything possible is being done is one side of the medal, and the other is reality. According to research conducted in Serbia, reality seems to be different.

William INFANTE, UN Resident Coordinator, commented on recently published material (UNDP, 2011) that "Reviewing the anti-corruption strategy in Serbia will certainly take a while, because there were bad intentions from the start, since it says nowhere that the government is dedicated to the fight against corruption and will pursue a policy of zero tolerance. This has been muddled up deliberately," (Regional conference entitled "Partnership Against Corruption" in Belgrade, BETA NEWS, 16.11.2011; Politika Online, 28.11.2011, Voice of America, 15.11.2011). The European Union's Ambassador in Serbia, Vincent Degert, added that Serbia should adopt a new strategy for the fight against corruption, with zero tolerance as the key principle (BETA NEWS, 9.12. 2011).

Earlier commentary can give a wider and more historical context.

In a report on Serbia's 2009 progress, there is a conclusion that Serbia made progress on improving the institutional framework for the fight against corruption. Implementation of Group of States against Corruption¹ recommendations and international conventions

¹ „The Republic of Serbia has made important progress in virtually all areas where GRECO issued recommendations“ (GRECO II, 2010)

continued, „but corruption remains prevalent in many areas and continues to be a serious problem. The 2007 action plan had not yet been implemented. There is no clear plan for the measures needed, to implement the international conventions that have been ratified. The overall processing of corruption cases remains inefficient, with only a few final convictions (Commission of the European Communities, 2009).“

Corruption in general

Corruption in general, is illegal, mutual and a voluntary act. Also, corruption is immoral, economically harmful and socially unacceptable (Prokopijevic, 2011). Police corruption necessarily involves an abuse of position. What is corrupted is the “special trust” between police and the citizens. When police commit criminal acts under the cover of such trust and when that trust is employed for illegal reasons such as providing services for money (Klockars, according to Tim Newburn, 1999).

One of the main problems with investigating corruption is there are no valid statistical data concerning its scope. Acts of corruption (extortion and offering a bribe) are often without witnesses. Plus it is practically impossible to reach the top levels of politicians and the level of their involvement with corruption. Even when they provide information or make public statements against corruption, their statements cannot be taken as accurate. Their ‘bribability’ can only be estimated indirectly.

An additional problem is that research on corruption is mostly not reflective of the real level of corruption, but citizens’ perception of it (Vuković, 2002).

Corruption in Serbia

Perceptions about corruption in Serbia are rather negative and show that the phenomenon of corruption is a common practice. More than half of the population believe that corrupt practices occur often or very often in a number of important public institutions, including political parties, local government, public hospitals, the police, the judiciary and customs office (UNODC, 2011).

Furthermore, 45 per cent of Serbian citizens believe that corruption is actually on the rise in their country, while 44 per cent believe it to be stable and a further 10 per cent think it is decreasing. Although this data is perception, and not actual experience of corruption. It is important because it highlights social norms in Serbian society (UNODC, 2011). Administrative bribery appears to affect the different social strata without establishing a clear pattern (UNODC, 2011). This is one more confirmation that it is wide spread and deeply incorporated in society. Some additional findings support this conclusion. Giving less expensive gifts is hardly considered as corruption. 4% of citizens and 3% of police officers agreed (Twinning research, 2011). It seems that providing small, inexpensive, gifts is so common that it has become a “normal” activity in modern Serbian society. Unsurprisingly about half of the bribes paid are actually offered by citizens themselves (UNODC, 2011; Twinning, 2011).

Though this data from the twinning research is solely for giving a bribe to police officers and UNODC data was for giving a bribe, in general. This lack of faith that Serbian citizens have in the ability of the public administration to function without the payment is confirmed by the fact that one third of citizens who participate in a bribery act, do so to speed up a procedure, while almost one in five does so to make the finalization of a procedure possible or to receive

better treatment. In UNDP's (2011) research a greater proportion of respondents perceive corruption as having increased compared to a previous survey of October, 2010. Expectations of reducing corruption in the year ahead are more negative than in all previous rounds of research. In citizens' opinion, only the government and state institutions have the power to confront corruption and they should assume the lead role in the fight against corruption. At the same time, these institutions are perceived as being highly corrupt (UNDP, 2011; Transparency International, 2010).

This state in society is actually a vicious circle. High levels of corruption give the impression of normality, for bribery. This reinforces the belief that behaving "normally" means the public continue the tradition of giving bribes and maintaining the level of corruption (or even increasing it).

Despite the everyday presence and normality of corruption, it seems that citizens become more aware of the importance of this issue. Different authors agree that citizens of Serbia see corruption as complex and (one of) the most important problems facing their country after unemployment and poverty/low standard of living (UNODC, 2011; Twining, 2011; OSCE, 2010)².

In 2010, 42% of the participants (OSCE, 2010) said that corruption had worsened in the preceding 5 years. Only 5% think that this problem has improved. This percent has not changed compared to 2009. Serbia marked a drop in CPI (Corruption Perception Index) from 3.5 in the past two years to 3.3 in 2011. The annual report of Transparency International ranked Serbia 78th in CPI rankings in 2010 (Transparency International, 2011). In addition, the chairwoman of the Serbian government's Anti-Corruption Council, Verica Barać, stated that the reason why Serbia had regressed on the CPI list of Transparency International, is the fact that the 1990's system of values has been restored in society. Barać stated that this system is no longer as rigid as it used to be, but that there is still the same model of managing public enterprises, adopting laws, tutelage of institutions, which creates the illusion that the institutions are functioning, with the accent on how many laws have been passed, instead of how good they are and how they are implemented. She added that the state institutions have been completely feudalized and that "powerless institutions" have been created, which are incapable, or sometimes pretend to be incapable, of doing what they exist for. An example is the Anti-Corruption Agency, which is "a large and bureaucratic body which is incapable of fighting against corruption." She estimated that many institutions which have been created to fight these problems³ "openly work according to the dictate of the authorities" and that this is best seen in the (lack of) prosecutions (BETA NEWS, December 2, 2011). In addition, Pešek and Nikolajević (2010) say that independent regulatory institutions—such as the State Audit Institution, the Committee for the Suppression of Conflicts of Interest, the Anti Corruption Council, the Competition Protection Commission, the Public Procurement Office, and the Commission for the Protection of Bidders' Rights—continued to face difficulties in carrying out their mandates⁴ due mainly to a lack of resources and inadequate official follow-up to their decisions and recommendations. In short, accountability isn't working.

What is harmful in corruption?

² Drug abuse, crime and corruption are most often spontaneously named issues 2008-2010; though the percentage of the citizens who mentioned these problems substantially decreased in 2010. Comparing to earlier years, but these problems remained top 3-in 2010. More people mentioned economic and social problems, such as unemployment, low living standard and political situation as main threats, probably due to Economic crisis (OSCE, 2010)

³ It is not important just to create these institutions but to guarantee they would operate effectively, GRECO II, 2010.

⁴ Citizens' applications about officials' corruption, instead in the Anti-corruption agency "ended" in the Ministry of Interior, because recipients are at the same address. Though the recipient was clear, Ministries employees opened the mail, Politika, 24.10.2010.

Besides being immoral and socially unacceptable, corruption is economically harmful. This aspect of corruption is often overlooked. Corruption does not create new wealth, but illegally redistributes existing wealth.

In other words, it is essentially unproductive. Plus, it increases the cost of business. If a company needs to bribe a public servant so the business can function and then to keep giving bribes to maintain that functioning. Then that can seriously affect investments from other countries (Prokopijevic, 2011).

According to some authors, corruption “swallows” a quarter of pensions in Serbia (Privredni pregled, 3.10.2011). One fourth of the total money needed for pensions is the equivalent amount which disappears in large public procurements. In addition, a grey market is well developed in Serbian society. According to some assessments there are about one million workers that are paid under the table, without paying income taxes or contributing to such public service as Social Security and Medicare. In relation to the health system, in order to get a job in a hospital, a doctor may have to pay a bribe of 5 to 10.000 Euros, in Belgrade up to 20 thousand (Press, 10.11.2011). The Minister of Health Mr Stanković recently confirmed that wide spread corruption in the area of health is, unfortunately, a reality. Such activity has resulted in placing Serbia in 92nd place (of 183 economies) for 2012, in „Ease of Doing Business”, by The World bank (Blic, Press, Privredni pregled, Politika, 21.10.2011). A change in rank, compared to 2011. Of minus 4, (88th place). Also, US business magazine Forbes has ranked Serbia 93rd on its 2011 “Best countries for Business” a list that covers 134 world economies, sliding from 81st place in 2010 (Blic, 6.10.2011).

The Police

Similar conclusions are made in several researchers results. The most bribed are doctors (Health), police officers and state administration employees (UNDP, 2011; UNODC, 2011; Twining, 2011; Blic 29.10.2010). Police officers have the highest average prevalence rate (9%)⁵. This index shows not only the importance of contact with public officials for paying a bribe (according to the findings contact with clients do not have to be essential for bribery) but to identify occupations where the risk of bribery is higher. An important indicator of the extent of bribery is frequency of payment. According to UNODC 2011, Police officers received almost three bribes from each bribe-payer. The traffic police were identified as the group most likely to be bribed (Twining, 2011). One probable explanation lies in the opportunity of traffic police officers to collect fines ‘on-the-spot’ (Paunović, 2005).

When the public were questioned, the first two positive spontaneous responses relating to the police were 1) safety, security, protection of citizens and 2) they guard our peace and order. The first two negative responses were 1) corruption and 2) fines. Spontaneous associations related to the average police officers were: 1) Positive: cultured, polite mannered, responsible, conscientious and the Negative associations 2): unkind, impertinent, arrogant and corrupt (OSCE, 2010). We can see that the main negative associations contain the view that the police are corrupt.

⁵ „Prevalence of bribery is calculated as the number of adult citizens (aged 18-64) who gave a public official some money, a gift or counter favour on at least one occasion in the 12 months prior to the survey, as a percentage of adult citizens who had at least one contact with a public official in the same period. In this chart prevalence of bribery is computed separately for each type of public official.“, UNODC, 2011.

In comparison to 2009, 60% of people think that there is corruption in the police service, a decrease by 2 points on a previous survey. Comprising, extremely corrupt (23%) and quite corrupt (37%) (OSCE, 2010). Similar questioning within the “Twinning Project” research confirms these figures. Generally, these percents are similar to previous findings on corruption, rated as extreme (23%). Furthermore, the belief that the police are too corrupt to investigate cases of corruption has increased compared to last year, from 60% to 72% (UNDP, 2011).

Some findings from the OSCE’s, 2010 research suggest that police misconduct problem is perceived as slightly improved in the last five years prior to the research. Rising from 18 to 20%. Compared to 2009, there is no significant change in the number of people who noticed a change in police work. Among those who think something has changed, a lesser percentage than in 2009 think that Police have changed for the worse, 6% to 4%.

In comparison to one year before the research was conducted, (2009) a lower percentage of people credit the Ministry of the Interior for the improvement of safety issues, and substantially more, credit the Ministry of Justice. The Police remain at the same level as in 2009. Those who think that the problems are aggravated put more blame on the Republic government and Judiciary than in 2009, and significantly less blame on the Police and the Ministry of interior. Despite the fact, that the public safety issue, is a matter for the Police. There are more people who think the police want to effectively tackle security issues but they are not in a position to do so. The explanation for this is stated as being political pressure and influence, inefficient judiciary and poor legislation. A great majority of the population think that politicians have influence over operational police work⁶. In comparison to the previous year, this opinion is even stronger. However there are less people who now think complete police influence exists and more people who believe politicians influence police work (OSCE, 2010).

About half of the population would report activities related to organized crime, significantly more than in 2005. The great majority of them would report it to the Police (84%). The most important reason for not reporting the activities of organized crime is the perceived inability of the State to guarantee the safety and security of those reporting.

Significantly less people mention this as a reason than in 2005. Only 5% stated ... “the police will not take seriously my report”. Again, we can see that the State, more than the Police is targeted as being responsible. The majority of people believe that either the Police or the Ministry of Interior is giving the biggest contribution to fight against organized crime. Politicians, leaders of criminal groups and representatives of big business are most frequently perceived as some who hinder the fight against organized crime (OSCE, 2010).

People are still divided in their feelings on the institution of the police and whether the police officers are close to or estranged from the public. However, the Ministry of Interior, the Police, and the Army, are the only institutions with an increased percentage of favorable impressions, in comparison to 2009 (OSCE, 2010).

Generally, research findings are both negative and positive and show that there is potential that could be used in order to improve the reputation of the Police. Not only is the reputation itself important, but trust in the police system that goes with it. When citizens observe the

⁶ In addition, according to interviews held with police officers for the purpose of the assessment, inadequate cooperation from other agencies, including the Public Prosecutor's Office-due to political pressures and lack of capacity-makes the daily work of fighting corruption harder and less effective (UNDP, 2008)

police as an institution that is worthy of trust, they will be willing, to co-operate. An additional finding in 2011 is that public confidence in the Police, increased by 13% compared to 2010 (Politika, 27.1.2012).

Education and employment

The percentage of well-educated police officers is considered to be high. Some 34.8% claim University education. (Twining, 2011). This capacity could be used for designing corruption education and prevention plans for police officers in the future. Also, some criminologists point out that training for police officers and better preparation for activity should be organised. Primarily, to improve their safety (RTS, 8.11.2011).

Golubović (2009) emphasises the anti-corruption role of constant and quality education that will assist police officers to develop higher levels of professional commitment and awareness of their social role.

The public sector recruitment process is regulated in order to ensure transparency. New staff are normally selected on the basis of criteria such as competence and experience. Research indicates that it appears other factors also come into play in Public Sector recruitment. Nepotism, cronyism, or even bribery (UNODC, 2011). When questioned spontaneous answers indicated that most of the population (41%) think that recruitment of senior police management is undertaken by political decisions, rather than by competence and public job announcements. This is slightly lower than in 2009 (45%). Participants also stated that candidate's selection should be based on capability, efficiency and experience (61%) adding education and competence (44%) (OSCE, 2010).

Code of silence

A high percentage of police officers did nothing after discovering that a colleague had accepted a bribe. 76.8% of police officers that answered this question (2584) said that they did nothing after they had heard they're colleague had accepted a bribe (Twining, 2011). The number of citizens that reported police officers for corruption is low. Less than 1% reported their experience to the authorities. Some citizens do not deem bribery to be of the same gravity as "real" crimes. This maybe because there is an acceptance that bribery is a common practice. This confirms to some extent the socialization of corruption in the police.

An influencing factor is that bribe payment can be of direct benefit to the bribe-payer. Additionally they believe reporting to be a futile exercise as nothing would be done, nor would anyone care. More than one in three bribe-payers (37%) recorded in this survey that it was the first time they had admitted to the payment of a bribe (not even to close friends or relatives). This well established and selective code of silence still exists in many cases (UNODC, 2011).

There is clear evidence that a code of silence affects citizens and police officers. This is discouraging because reporting corruption is beneficial for both the Police service and society. The message is clear. Support should be provided at a higher state level so that both, citizens and officers, have confidence to report these illegal acts. Additional to this support, the transparency of investigations and outcomes of such reporting is important. If allegations are rarely proven, why would anyone be motivated to report corruption? (Twining, 2011).

In addition, when citizens observe that state bodies as worthy of trust, they will be willing to co-operate. This position confirms one of the conclusions from recently published research by Centre for free elections and democracy (CESID) and OSCE in Serbia (Politika, 27.1.2012).

Findings suggest that 69% of police officers are satisfied with their job (Twining, 2011). In this context it can be understood why Police Officers support the code of silence and fail to report internal corruption. It can be the consequence of a number of matters. It can include protecting colleagues, and the possibility of retribution. There is also the view that it is someone else's problem. It is important to understand the unwillingness to talk about corruption. When multiple individuals simultaneously experience the same stimulus, there is a diffusion of responsibility and/or the bystander effect can release individuals from the need to act. If no-one from the group is seen to act, each individual may be further inhibited by conformity. There may also be a tendency to believe that "I can't fix this problem, so I need do nothing about it" (a perfect solution fallacy). This can and does lead to "learned helplessness". People can think that whatever they do, it won't change or influence anything. It can also be a matter of external locus of control, and, in such circumstances others are responsible, not the individual. If an individual is driven by an external locus of control they believe that in their environment, some higher power, or external influence does actually control the decisions affecting their life. Consequently the tendency is to be passive.

This phenomenon is also related to citizen's reactions and responses to corruption. Their reservations and fears are likely to be different from police officers'. For example it is illegal, not just to accept a bribe, but also to give a bribe. Reporting that they gave a bribe would be admitting to a criminal act, at the same time. The potential for revenge and feeling unsafe to report, are likely to influence the decision not to do so.

If citizens are afraid for their safety, property, family, position etc, they are more likely to give a bribe than to report the incident. The Bribery experience, in general, is usually not reported to the authorities.

Bribe-payers share their experiences with people they know. About 60 per cent of citizens with bribery experience discuss it with friends or family but such talk does not go beyond the group of immediate acquaintances and only fractional numbers of bribe-payers discuss the bribe with others (UNODC, 2011).

When it comes to bribery, a well-established and selective code of silence still exists in many cases. Plus, as we have seen, some gifts are not even considered as a bribe. It is considered normal to provide bribes or gifts if they are needed to get something done (Twining, 2011).

Who has responsibility?

The responsibility for democratic society functioning is logically shared among its participants. These are categorised in three groups: 1) Government and politicians, 2) Institutions, 3) citizens.

Government and politicians have the highest level of influence and responsibility. By election into the state hierarchy, it obligates them to act in order to improve the overall state of society. Beneficial acts of politicians should be to support state institutions and the rule of law and to be a model of behaviour for society. Experiences suggest and many officials agree that real and beneficial actions are missing starting with the policy of zero tolerance to corruption.

That many officials pay “lip service” to the fight against corruption (Degert, BETA NEWS, 9.12.2011; Infante, 16.11.2011). Saying the right things but actually delivering little impact upon the problem. If politicians don’t embrace the fight against corruption, then citizens’ concepts are reinforced. The notion of “learnt helplessness” expands.

The average score for government’s activities in the fight against corruption decreased from 2.38 to 2.24 (Transparency International, 2010). It emphasized the view that corruption has become a normal part of social functioning in Serbia, part of the social value system. If this is deeply incorporated in society then social values and behaviour’s tend to be changed. It is recognised that the economy and employment are key social concerns. However the growth of the grey (employment) economy indicates significant loss from avoiding taxes by employers. This is just one of a number of examples where the State losses significant income. Using this money for improving the police service, for example, would achieve multiple benefits. Not least, promoting legitimacy of actions.

Police officers can change by increasing their own level of social responsibility and corruption awareness by refusing bribes, reporting corruption cases, and be more involved in education and prevention. Apart from police officers themselves, there is an extremely influential sub group within the police service namely, Police leadership. Managers should be dedicated, supportive and willing to participate in fighting against corruption in their own ranks. There appears to be little evidence of this.

One of the conclusions from the EU Twinning research suggests that managers should pay more attention to organising seminars, lectures, and training on the subject of corruption. Only 14.1% of employees said that lectures on corruption had been organized in their units. If the goal is to suppress corruption, the first step should be to inform employees through different kinds of seminars and trainings about what corruption is. What is their role as employees, how can they react, who could they talk to on the subject. By providing career education, information and support to employees it is possible to get closer to lowering the level of corruption. Only 8.7% or 881 police officers responded by stating they attended a seminar on corruption, which is unacceptably low (Twining, 2011).

Finally, the citizens’ contribution is vitally important. We have seen that citizens recognize the role of the politicians in dealing with the most important problems in society. They are seen as being more responsible and accountable than the Police.

In addition, political life is perceived as an area where corruption is rife and politicians are perceived as having no real will to fight corruption. Furthermore, the majority believe that the government (politicians) are incapable of stopping corruption and that, consequently, they should be replaced (UNDP, 2011). It is encouraging that citizens are aware of divided responsibility of different participants in social life. However, they often forget their own responsibility and capability to change something. The evidence shows that citizens are accustomed to corruption, 88% agree that corruption is common in Serbia. Ordinary people feel that they are the victims of corruption in everyday life, while the elite are perceived as being protected and disinterested regarding corruption (80%). Despite the fact that the fight against corruption needs to be generated and led by the government, citizens seem to underestimate their own role, contribution and responsibility. Slightly more than half of respondents (52%) think that there is less corruption thanks to citizens themselves, while 57% think that a person giving a bribe is as responsible as the one accepting it (UNDP, 2011).

It is important to note that offering some money or a gift to public official is usually more tolerated than the request actually made by official (UNDOC, 2011) and some types of bribe are hardly considered as corruptive acts and seen as common and normal behaviour (Twining, 2011). Although, it is optimistic that citizens themselves are becoming more aware of their role in the fight against corruption (Twining, 2011) and, accordingly, need to be provided with more opportunities where they could report instances of corruption (UNDP, 2011). However, some data does indicate resistance to bribery, for every three who do accede there is one who refuses to pay the bribe, turning down the request made by the public official. From those citizens who refuse to pay the bribes, 29% refuse to pay police officers (UNDOC, 2011).

It is helpful to understand cultural norms. It seems that the predominant locus of control in Serbian society is external. In other words, it is always easier to accuse someone else and to overlook one's own responsibility. This passive attitude is connected with fear, pessimism and learned helplessness.

There is some positive data that indicates a call for change. A belief in change and an understanding of the complex phenomenon of corruption and establishing trust in the Police.

Clearly, change should be conducted on different levels, in order to exploit these sources of possible progress in the future. If the goal is change, some analyses should be conducted and based on strategic change with comprehensive action plans for the future, together with assigned responsibility to deliver. This could lead to influencing the passive attitude and the system of values which will exclude corruption from normal and accepted behaviours.

Public procurement in the Security sector and other abuses of the office

Milošević and Savković (2011), researchers of Belgrade Centre for Security Policy, state that money from the State budget goes to the Security sector. However, an important issue is the methods and purposes of spending those funds. They state that the problem of transparency becomes more complex when confidentiality of the data is required. Hidden behind the confidentiality issues, the Ministries of Defence and Interior benefit from the secrecy.

In the last 10 years, only one official resigned because he was under suspicion of abusing the office. The individual left the Ministry not because a Court case was launched against him, but because he lost the support of the leader of the Political party he was member of (Milošević and Savković, 2011). He participated in purchasing resources that were not necessary, with a very low level of transparency. This is the most common abuse in Public procurement.

A further case is when the leadership of a Ministry (2004) tried to obtain souvenir "Zippo" lighters and Swiss knives, through official tender, instead of uniforms, hats and official equipment for officers. The individual remained in position till the end of the Government's mandate.

According to Milošević and Savković (2011), these cases are a consequence of incomplete Public procurements law. Additionally, a lack of supervisory bodies of the State, (governance), and a lack of expertise of supervisors is recognised. This is compounded by a lack of political transparency being evident.

There are numerous examples of high level, State corruption. Serbian media has identified many instances of possible corruption where investigation or prosecution have commenced many years later. Legal processes are usually very long, often inconclusive or with minimum penalties (Jovičević, 2011).

These cases show to citizens that corruption can succeed. This is the most dangerous and damaging of consequence (for the public) and leads to apathy of citizens who accept corruption as one of the social values, as a part of the socio-economic and political system (Vuković, 2002).

Media

The proportion of importance given to transparency has also significantly increased (UNDP, 2011). It seems there is a serious need to raise public awareness through educational campaigns run by civil society groups and the media.

Media activity has a huge importance in combating corruption. In Serbia, the media are often dismissed as politically biased or for sensationalizing circumstances. It is not always easy because, as UN Official INFANTE stated, many news publications are the property of parties or individuals, often not objective or unbiased (BETA, 16.11.2011). They are often used for a variety of manipulations. For example, if there is public pressure to do something against a corrupt authority an investigation into minor matters is often evident⁷. This manoeuvre is used to move the focus onto some other part of the issue in question and avoid giving important answers (Prokopijević, 2011).

Despite these matters the Media have made some important contributions to the fight against corruption (Jovičević, 2011), for example B92's "Insider".

An Additional problem is that approximately half of citizens perceive the media as highly corrupt. As in previous rounds, the November 2011, results reveal that people are mainly informed about corruption by the media (61%), while word of mouth (42%) and friends/relatives (40%) are the second and third most common sources of information respectively. Personal Experience represents a source for 20% of citizens (UNDP, 2011).

Conclusions

It appears that the socio-economic and political situation in Serbian society is rather complex, and severely affected by both petty and systemic corruption. The Police are not the exception to this situation. But, part of a much larger society, that is "tolerant" of corruption.

Within the current legal and institutional frameworks, there are a number of obstacles to achieving better results in the efforts of the police to fight against internal corruption. The number of corruption cases reported to the police is lower than previously experienced; the lack of witnesses' readiness to cooperate fully with the police is evident. Public cynicism and political indifference and police apathy are damaging factors..

⁷ GRECO recognises this phenomenon and says that while the criminal legislation of Serbia provides a sound basis for the investigation, prosecution and adjudication of corruption offences, its effectiveness in practice needs to be increased. More must be done to secure convictions not only for petty bribery, but also high-level corruption in the public sector (GRECO, 2010).

It seems important to start with motivating all participants to behave more actively and become socially responsible, in order to contribute to the fight against corruption. Of great importance is the protection of the participants involved. The citizen, to safely report corruption. The honest police officer to do his or her duty. Police leadership, to manage to the highest professional standards. These are key requirements of a modern democratic society. Finally, strong political leadership, to achieve improved and accountable public services. The maturity, readiness and willingness of the State to fight corruption must be seen. The production of a comprehensive anti corruption strategy is essential. Its adoption and enforcement within the Police is vital to improving standards and values and providing a key service to the public. A police service in which, public confidence is critical to society.

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CONCLUSIONS AND RECOMMENDATIONS

A number of different sources of information have been used in preparing the first national strategic intelligence assessment (SIA). They provide a contemporary and more complete picture of modern Serbian policing

- Questionnaires to serving officer's and MoI staff
- Questionnaires to members of the public
- Internal Affairs records of recent grievances received and investigated,
- Criminal charges initiated from recent corruption investigations.
- A review of public domain material that has a recent and relevant influence on police corruption in the Ministry of the Interior.
- Trade union contributions

These relevant and diverse sources of information paint a picture of corruption and its context that will inform and challenge many serving officer's and police leaders. The purpose of this research and national reporting is to draw together in one document a valuable source of strategic information. Information that will inform decision making, prioritise funding and allocate appropriate resources to this key vulnerability. It will also act as a primary benchmark to measure future progress.

The tip of the iceberg

The research clearly demonstrates that the majority of activity surrounding corruption does not get reported into official statistics. It is a safe assumption that the official records of police corruption represent the „tip of the Iceberg“ The „grey figure“ of corruption can only be guessed at. From the survey 800 citizens experienced corruption and 21 reported it. Indicating that a more accurate picture would require the official Ministry figures to be increased by a factor of 38. 2584 police officers witnessed, but did nothing about a colleagues corruption a further 395 reported it to a manager. A factor increase of 6.5. What can be safely assumed is that the official figures represent a small part of the real level of corruption within the police. When comparing this with the official records in grievances and charges against corrupt officers we can see that these figures represent a minor part of the larger corruption picture.

REC 1 *Further independent research should be conducted to establish the true extent of corruption within the Ministry of the Interior.*

REC 2 *A fully developed Strategic Intelligence Assessment with supporting Risk Assessment and control measures should be conducted bi-annually.*

REC 3 *The Internal Affairs Sector should be established as the national centre with responsibility for fighting corruption. It will prioritise investigations and coordinate all anti and counter corruption activity within the MoI.*

REC 4 *The Internal Affairs sector should be appropriately staffed with skilled and experienced officers. Fully equipped, and able to operate independently in both covert and overt investigation.*

REC 5 *To fully staff and equip a specialist Intelligence and Analytics department within the Internal Affairs Sector. To lead the intelligence drive against police corruption, conducting appropriate research and complying with all EU conventions on ECHR and data handling.*

REC 6 *To introduce a clear set of performance figures for IAS, with visible accountability to be enshrined in practise.*

REC 7 *To develop and introduce a comprehensive Inspection and Review regime to all key aspects of Ministry of Interior policing.*

REC 8 *The establishment of a central corruption intelligence data base within the Internal Affairs Sector, should be considered. Securely managed and audited to EU standards by IAS.*

REC 9 *The IAS Intelligence and Analytics department to produce an annual progress report, risk assessment and action plan on the fight against police corruption within the Ministry of Interior.*

REC 10 *All corruption allegations and intelligence should be subject to mandatory referral to the Internal Affairs Sector within 24 hours of discovery. This should be enshrined in Ministry regulations.*

REC 11 *A full IT security analysis should be undertaken to firewall and protect all corruption intelligence from unauthorised or unnecessary access. A need to know security structure should be implimented.*

REC 12 *Operational independence should be established and all investigations accountable through the courts by a dedicated special prosecutor.*

Non reporting of Corruption

The reasons why Citizens fail to report corruption is that some take corruption as a common practice and culturally acceptable. Primarily in the work of state administration and, as a way to get a job done more promptly and successfully. A small gift helps to speed up the process. A clear lack of public trust that corruption allegations will be investigated objectively, or that the responsible person(s) will be prosecuted are also key features, in non reporting. The citizens survey clearly demonstrates a mistrust of the state when it comes to protecting citizens human rights.

Recently published research funded by the Dutch Embassy again corroborates this finding and confirmed that „Corruption is a seriously under reported crime....“ it added that reporting to the police was pointless, „*who cares?*“

REC 13 *To introduce a positive action plan for the receipt of all corruption complainants. With the requirement to immediately seek and preserve evidence as the primary task of the receiving officer. Failure to comply should be a disciplinary offence, subject to dismissal.*

Anonymous grievances and reports seems to indicate that citizens exhibit a fear of the consequences if they are discovered reporting corruption. Public confidence and partnerships must be established and developed if democratic policing is to progress to EU standards.

REC 14 *A Citizens charter should be considered, outlining minimum standards of service the public can expect, and made publicly accountable for performance.*

The Code of Silence

Within the Police, corruption is not reported for slightly different reasons. A well documented „Code of Silence“ operates across police behavioral boundaries. This phenomenon is widely accepted within the international police community. It would be foolish to think it did not apply to Serbian law enforcement.

A significant cause for concern deriving from the police officers survey is their passive behaviour, towards corruption. A quarter of the police officers who participated in the survey said that they did nothing after receiving information on corrupt colleagues. This may reflect a mentality of „learnt helplessness“ or a locus of control that is perceived to be outside the influence of the officers. In other words its someone else’s problem. The high failure rate of internal corruption investigations seems to support this notion of helplessness

REC 15 *To introduce a ZERO tolerance strategy making the non reporting or ignoring of corruption activity a disciplinary offences subject to dismissal.*

Professional corruption investigations?

The survey suggests an investigative failure rate of some 92%. The Dutch research referred to earlier reported that „ The public prosecution dismissed 49% of the reports. Complaining citizens had the lowest chance of seeing their complaint end in an indictment (10%). This poor success rate is worthy of further research which will need to include methods of reporting, value of information received, first response behaviors, policy decision recording etc. All these and more, influence, at an early stage, the success or failure of a complaint or report of corruption. Initial response is also a clear statement of how seriously the M of I take corruption allegations.

REC 16 *Consideration should be given to introducing standard Investigation plans. Together with mandatory reporting and internal oversight to the Head of IAS.*

It is evident that everyone (police and public) should be encouraged to report corruption. Mistrust that the public expresses towards the police and their ability to treat professionally corruption reports, is something the Ministry must address. For the purpose of gaining public trust and encouraging citizens and officers to report corruption to the relevant authority, affirmative actions needs to be designed. This would demonstrate to the public that the Ministry is willing and committed to combat any form of corruption

and support rigorous investigations against corrupt police officers, irrespective of rank or status.

Independent oversight?

The purpose of any investigation must be to establish the truth. When allegations are made it is vital to thoroughly investigate all aspects of the circumstances. It may be that the officer is completely innocent, in which case his or her reputation (and that of the Ministry) must be protected. It may also be that the allegation is accurate and the officer is engaged in corruption. A thorough and professional investigation will establish those facts and go some way to restoring the reputation of the Ministry. Transparent and professional investigation of all allegations are essential to building and restoring public confidence.

One way to ensure that the Internal Affairs Sector do their job correctly is to have an independent oversight mechanism to ensure that the police take corruption allegations seriously. React to them appropriately and record activity accurately and are accountable to the public. Such an oversight body must have powers and authority to inspect and direct investigations as they see fit. They should be the guardians of the „public interest“ The notion of „zero tolerance“ must mean something. Zero tolerance is a dynamic activity.

REC 17 *An Independent oversight body with appropriate powers should be available to guard the public interest and ensure impartiality, professionalism and accountability in all corruption related matters.*

Concepts of corruption

Despite the official definition of corruption in which it is most often understood as accepting a bribe (usually money but not exclusively), the largest number of respondents among both citizens and police officers understand corruption to be „any form of benefit achieved from conducting a prohibited favour“.

The research indicates that the most prevailing deviance is often referred to as „petty corruption“.. It is evident that some police officers and citizens think that this is not corrupt behaviour, but a way of expressing kindness or gratitude for successful and efficient work done. This is confirmed by the fact that some police officers acknowledged that the citizens, on their own initiative, gave „symbolic gifts“ to them (coffee, cigarettes, alcohol, chocolate, etc.), even though they were not requested to do so. This is confirmed by some citizens who also said that they gave gifts to the police officers even though they had not been requested. It appears culturally acceptable for many to give small value gifts to the police for doing their job.

This is unacceptable in a modern police service.

Both citizens and the police officers should be educated about the necessity of abandoning this practice, which damages the reputation of police officers and the Ministry as a whole. Such forms of corruption are not to be ignored, because they lead to a distortion of authority and taint the image of the police as an agency of public service and integrity. It is commonly

understood that such favours can hide an unspoken request or expectation of favourable treatment.

REC 18 *Providing gifts to police officers should be actively discouraged and subject to strict and enforceable guidelines. Introducing a gifts and gratuities policy is recommended. Those who wish to donate or thank Ministry staff could be encouraged to make a donation to a national charity.*

Vulnerable Posts

The corruption survey, together with recorded grievances and criminal charges suggests that traffic police, are the most susceptible to corruption. In these instances, corruption is more prevalent among operational police officers, and less so amongst managers. Operational officers are more susceptible to „lower level corruption.“ Managers are mentioned usually because of their perceived connection or relationship with known criminals. There is very little evidence that middle management or senior police leadership are ever subject to corruption investigations. Successful investigations or the prosecution of senior staff is virtually unheard of within the Ministry of Interior.

Administrative affairs is a high vulnerability post. There is a clear susceptibility to corruption of small value gifts for more favourable or prompt treatment. This is widely reported in the findings. The common practice of the citizens „remunerating Ministry employees“ needs to be addressed.

REC 19 *Consideration should be given to devolving the administrative functions of the Ministry to a separate business area to avoid tainting policing activity with procedural malpractices.*

It can be concluded that the citizens should be educated to abandon such practices, while such behaviour of police officers and employees should be checked periodically and sanctioned by disciplinary measures. Cultural tolerance of corruption should be challenged and changed.

REC 20 *Ethical training should be introduced to influence cultural changes that are necessary to eradicate corrupt behaviors and attitudes of ministry employees.*

Corruptors

Corruptors represent very diverse categories of individuals. From those who seek swift administrative responses to those criminals who seek to avoid justice. Each leaves its own taint on the police reputation.

Both organised and disorganised criminals represent the most significant threat category when examining police corruption. They actively seek police intelligence, and protection from prosecution. Consequently the harm to public safety is ever increasing. There is also the perception of being untouchable, which significantly damages the police reputation. At a lower level citizens claimed that they gave bribes to police officers they did not know, or those they were recently acquainted to. Less citizens claimed that the police officers, were known to them through friends, or that they were friends or relatives.

The police officers who admitted receiving a bribe, or small value gift, stated they helped their friends, relatives and acquaintances.

REC 21 *Certain roles are more susceptible to corruption than others. Strong and intrusive local supervision must be developed to protect Ministry employees from corrupt behaviors.*

REC 22 *A leadership culture of Management accountability should be developed. Employees continue to be corrupt because there is no fear of discovery or management interventions from department heads.*

REC 23 *Supervisory and management failures should be subject to strict accountability with strong disciplinary action including dismissal, against ineffective leadership.*

Visible signs of corruption of police officers

Citizens responded by saying that the signs of corruption were Police officers who own property of significant value, primarily high value real estate or expensive cars. Especially in small towns where people know each other well. The conclusion to be drawn that police officers cannot obtain expensive property from their regular income and that possession of high value property or luxury items is an indicator of corruption. Further signs may include, expensive trips, frequenting expensive restaurants, excessive spending on clothes and holidays. In short living a life above the income of a serving police officer.

Whilst there are many fallacies that support this public perception It is difficult to change public opinion. Any education strategy should include factors of how officers should conduct themselves at work and when not on duty. Professional behaviors are required at all times from a serving officer.

REC 24 *A comprehensive Education strategy should be developed that includes advice and guidance on professional behaviours both on and off duty.*

Measures taken by the Ministry of Interior ?

The Ministry of Interior has expressed a clear and unequivocal will to combat corruption within its own structure Whilst this is strong language the survey demonstrates that firm, decisive and continuous action is needed if concrete results are to be achieved. The culture of policing must be changed and public confidence improved.

The effectiveness of anti corruption efforts by the Ministry of Interior on suppressing and investigating corruption were divided in the responses of the surveys of citizens and police officers. Almost 43.7% expressed positive impressions about the efforts of the police in fighting corruption internally, while 38.7% believe that the MoI measures are inadequate and the remaining survey participants (17.5%) did not express their views on this issue.

One thing that both police and citizens appear to be agreed upon is the poor salaries of police officers as an influence on the levels of corruption. Some citizens expressed the view that with such low wages it is highly likely that officers will engage in corruption and seek to make extra money in order to survive. The trade union also make this point with some emphasis.

There can be little doubt that employment conditions, salaries and role satisfaction will be a significant influence on an officers choice of ethical or unethical behavior. Much is dependent upon his or her personal circumstances.

REC 25 *Adequate salaries and professional working conditions and practices, are essential to establishing and maintaining an ethical police service in a modern democracy, one that achieves and maintains EU standards*

REC 26 *A fully developed corruption prevention strategy needs to be designed and published with action plans and accountable processes included*

REC 27 *A fully integrated Education strategy should be designed to incorporate, Ministry and Police leadership, Senior management, Supervisory roles, operational and administrative staff. This should include a Public education process to raise the profile of anti corruption activity.*

REC 28 *The citizen's corruption survey should be conducted bi-annually to guage the actual effect of Ministry strategies against police corruption*

REC 29 *A ZERO tolerance strategy should be developed and implimented with the support of the Public and trade unions.*

Concluding remarks.

The actual investigative performance in the fight against corruption is uncoordinated. A large number of departments and units exist within the Ministry that have involvement or ownership of corruption (and criminal) investigations that relate to corruption activity. Not least a whole plethora of disciplinary and misdemeanour investigations and activities that also influence and inform the corruption picture. All these take place without initial reference to or involvement of the Internal Affairs Sector. For example:-

- Unit for the control of legality of police work in City of Belgrade.
- Unit for the control of legality of police work uniformed police.
- Division for the control of legality of Police work within Gendarmerie.
- 27 Regional Directorates have staff that is involved in the control for the legality of police work.

This work is predominantly disciplinary in nature including numerous misdemeanour offences.

The Criminal Police Directorate also investigates and files criminal charges against police officers. As does the unit for combating organised crime.

There is an absence of coordination and prioritisation within the corruption field. There is no single sector or person with responsibility. The diffusion of roles and responsibilities adds confusion and allows poor performance to survive. There is a clear and imminent need to address the absence of responsibility for corruption and performance activity within the Ministry of the Interior.

A significant investment needs to be made by the Ministry in the fight against corruption. This has been suggested many times by a number of published researches in recent years. A useful benchmark is that the corruption department should represent approximately 1% of the organisational strength. In this case IAS should have about 400 staff. The actual effect of counter corruption work needs to be identified and measured.

Therefore the EU should **not** consider further project investment within the Internal Affairs sector until the Ministry of the Interior makes progress in the fight against corruption, namely;

1. A significant Serbian investment is made in staff, equipment and resources to fight corruption by the Internal Affairs Sector.
2. A fully developed and coordinated anti corruption strategy is implemented within the Ministry of the Interior. Assigning action plans and responsibility to senior managers.
3. Successful investigations of junior and senior ranking employees is evidenced by successful prosecutions
4. Public accountability and transparent performance are evidenced.

Once there is a genuine investment and commitment to fighting corruption within the Ministry, that is evidenced by results, then the EU should consider funding specific projects at improving capacity and capability within a fully Independent Internal Affairs sector.

An IAS that has all the necessary resources in place, prior to commencing any new project.

Appendices

2012

EXPERIENCED-BASED OPINION ON THE CORRUPTION IN THE MINISTRY OF
INTERIOR OF THE REPUBLIC OF SERBIA

POLICE UNION OF SERBIA-MEMBER OF EUROPEAN POLICE UNION

Prepared by:

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March 27, 2012

TWINNING Project by EU Commission

INTRODUCTION

For many years backward, Serbia was ranked among highly corrupt countries and the current ongoing process of transition is both slow and painful one, more so since being corroded and challenged by corruption. National Strategy against Corruption has given clear and precise definition of corruption. It states that corruption is the relationship based on the abuse of authority either in public or private sector for one's own benefit or for somebody's other benefit.

Therefore, any misuse of power in the interest of personal or group gain, at the expense of others or society as a whole, has elements of corruption.

Anyone who has the power, is in a great temptation to misuse it, whether it be political power, or in the case of the knowledge-resulted power (a physician, professor, judge), or status-related power (employee, police officer). This "disease of society" slows down economic growth, preventing the strengthening of democratic institutions and threatens the standard of living. Due to corruption, tax revenues are reduced, costs of public services are increased, and resources are redirected into private pockets. Corruption weakens the country and makes citizens poor, regardless of whether it is small bribery (*gifts*) or giving financial reward for small and medium services.

The Law on Criminal Procedure clearly defines the offenses of corruption where receiving and giving of bribes make fundamental criminal offenses. It is very important to make a clear distinction between **serious** and **petty** corruption, where serious corruption refers to:

- a) All elected persons, government officials, minister, secretaries of state, CEOs, prosecutors, judges, and the high officials of state companies, regardless the amount of the bribe.
- b) Everyone, when bribe or earned gain exceeds two hundred million dinars.

Unfortunately, there is a lack of respect and enforcement of the anti-corruption laws and anti-corruption organizations (the Anti-Corruption Council and the Anti-Corruption Agency) exert low influence. It is encouraging that some studies point out that the reduction of corruption is present in the areas having undergone intensive reforms, while areas with fewer reforms are lagging behind such as The Ministry of Interior of the Republic of Serbia.

According to the research done by government and non-government sector, progress has been most visible in the customs and tax administration. In contrast, the judicial reform in the early years of transition is often neglected.

For some period, corruption has not been purely a national issue. It has largely become a transnational problem and the fight against it makes an international obligations. Corruption is one of the important elements of the requirements stipulating the accession to the EU, but also a significant obstacle for increasing foreign investments. Serbia needs to change laws to allow independent operation of the judicial system, prosecutor's office, and police in particular, and to relieve them of the pressures. It is our obligation as the biggest and the first representative of the police union in Serbia to fight against corruption that is present even more in The Ministry of Interior of the Republic of Serbia.

Therefore, with strong determination and great pleasure we present our opinion on the presence of the subject phenomenon, since it is our duty to promote the positive role of the police profession, not only in Serbia but in the whole world as well!

REPORT

Corruption is a phenomenon far exceeding the issue of a country's borders, the antagonisms within a society and elite, hostility between nations, corruption is a form of achieving a goal that cannot be justified by any aspect of ethics. Corruption threatens a state, society and, finally (or primarily) an individual, representing a multidimensional category of an evil- formulated in the terms of poetic. The Ministry of Interior of the Republic of Serbia is committed to fight against corruption, in the external and internal level, or as the employees of The Ministry of Interior would say "the fight in the house". In this report we will focus on internal fight of corruption.

Institutional fight of the Republic of Serbia and the Ministry of Interior as well, being the part of the state's administration, is reflected through hereunder listed items:

- ***The Constitution*** - sets normative assumptions to fight corruption and, like in each civilized country, represents the basis of citizens' rights and duties.
- ***Ombudsman*** – the Constitution stipulates and provides for the definition of the notion and related competencies; it can make unannounced inspection to the Ministry of Interior, conduct interviews with employees, has access to the records and documents, talk to persons under detention. The Employees of the Ministry of Interior do not have a positive opinion about this service, since they consider it to be incompetent, vulnerable to the public influence.
- ***The Assembly of the Republic of Serbia*** - has Security Council; the Ministry of Interior submits reports of its activities. There is an institute of parliamentary inquiries where often the matters, relating to the professional activities of the police, are given priority as actual daily subject topics.
- ***Commissioner for Access to Information of Public Importance and Protection of Personal Records*** - provides for transparent police activities and ensures public access to most file cases, applying, by all means, a restrictive approach in accordance with the provisions of the chapter 19 of the Criminal Procedure Code. The Ministry of Interior has already established the practice and the Commissioner always emphasizes and points the best established cooperation with the Ministry of Interior in comparison to all other state agencies over which it has jurisdiction.
- ***The Sector of Internal Police Control*** - determined by the Law on Police, to be discussed further on in Report in detail.

Non-institutional fight against corruption has been predominately achieved through:

- ***Media activities*** - sometimes are of counterproductive effect, since the police are exposed to pressure, which can result in low-quality criminal charges.
- ***Non-government sector*** - through its respective activities suggests to some normative and specific operational problems in the fight against corruption; several non-government organizations have in their ranks outstanding and competent

professionals. The Ministry of Interior does not have a positive opinion with regard to above-referred Sector, since non-government sector has been commonly associated with media lynch, questionable sources of funding that affect the objectivity of the results obtained through conducted researches etc.

- **Public impact** - prominent, necessary, and unfortunately vulnerable to manipulation due to the control coming from different power centers, mainly through media.

The Law on Police, Criminal Procedure Code, Criminal Code and other positive legal regulations of different catalogues of rights and duties of police officers in the fight against corruption- predict hereunder listed **ways in the fight against corruption**:

- **Operational mechanisms** - operational-tactical and investigative measures and actions taken by police officers, explicitly mentioned in the sources of law.
- **Procedural procedures** – filing complaint procedure on the grounds of uncertainty in legality and validity of the actions undertaken by employees of the Ministry of Interior while performing respective duties. The citizens' petitions can be initiated by looking at the overall employees' behavior, in other words their behaviour outside work place, which again may be an important source of information about the preferences of the employee, behavioral pattern, people he&she socializes with, especially if they come from criminal background, compatibility of income and way of living i.e. the expenses. Besides the Law, this aspect of police activities control is further organized in the Regulation of resolving complaints and the Briefs on application of the rules governing complaint procedure etc.

According to the Law on Police and regarding the organization of the Ministries, provided by the Law on State Administration and the Law on Ministries, the Ministry of Interior of RS formed the **Sector of Internal Audit Service**. By the principles of the authorized ministry, the Sector of Internal Audit Service is intended to an impartial, non-political, professional, and legal fight against crime and other alleged activities of employees in the police. The Law on Police in the articles 171 – 179 determines normative system modes of operation, authority, and rights of members of the Sector of Internal Audit Service. In addition to formal-legal approach in monitoring the operations of this organizational unit, it is necessary to point to some other circumstances. The Sector of Internal Audit Service has its structure, subject to job classification in the Ministry of Interior, whereat most employees are police officers with the highest ranks. From the point of hierarchy, it is subordinated to the Cabinet of the Minister that, on the positive side, stipulates independence of the Police Directorate; on the other side, it excludes the possibility of undertaking total measures and actions towards employees in the Cabinet, which may represent a wide scope of the activities of the Ministry of Interior, but the personal connections of the Cabinet employees as well. The admission to the Sector of Internal Audit Service is conditioned by mandatory years of work experience. This sector of the Ministry of Interior has separate premises, high-quality operating equipment, good technology (and for eavesdropping), very good salary, no matter if the parameter of this statement is the republic average wage or wages of other employees in the Ministry of Interior.

The outlined components of functional authorized organizational units in the fight against corruption within the Ministry of Interior, affect undoubtedly the assumption of a

large number of solved crimes with elements of corruption. Looking at the statistical values, the Internal Affairs Sector is the biggest and most important factor in the fight against corruption in the Ministry of Interior, and members of this unit have clarified majority of the referred crime offences. However, as the statistics may differ from the reality, it is necessary to note that the total number of reported crimes and corruption's dark figure of crimes, the objective results of the Internal Affairs Sector on the legal police field are minor.

More efficient and effective work of the Sector of Internal Audit Service is restricted by unskilled compromised personnel, disputable results of services before joining the Sector of Internal Audit Service. In addition, there is no credibility, none of the senior high officials or senior police has been arrested, significant mix of external and / or internal factors, and a huge fear of being moved to a lower paid job, and so on. Particularly harmful and dangerous practice is that the Sector of Internal Audit Service concerns more with the quantity of reported criminal charges than quality of the filed criminal charges. It is not a rare practice that criminal charges are not processed until the end of criminal proceedings because of the lack of evidence. This is the product of unprofessional and unskilled labor of the Sector of Internal Audit Service, which unfortunately compromises this service.

The Police Directorate for the City of Belgrade has **the Department for Control of Legitimacy of Work** within its organizational units that is in compliance with the job classification of the Ministry of Interior. The Department was established in 1996, operates at the Bureau of Chief of the Police Department in Belgrade, Police Administrative Department for the City of Belgrade. It has 15 executives (inspectors), the head, and Deputy Head. The Department for Control of Legitimacy of Work employed police officers that gradually advanced to the functions performed by the Head of the Resource Public Security that equals to current Director of the Police, Assistant Director of Police, Assistant Head of the Police Directorate at the Ministry of Interior headquarters, Head of the Department of War Crimes, more Police Chiefs and Police station commanders.

Based upon all afore-referred, it is clearly outlined the role of the Department for Control of Legitimacy of Work in primary and direct training of top management personnel within Police headquarters in Belgrade and the Ministry of Interior is clearly stated above. This starting point is basically positive one, since the personnel from the Department for Control of Legitimacy of Work that were promoted once they had proved themselves through completed activities, transferred to newly-assigned positions their knowledge and awareness to fight corruption in the very center of the Ministry of Interior. The Department for Control of Legitimacy of Work outlasted a number of functional restructuring that resulted in the reduction in the field of corruption suppression. In addition to basic police activities (crime prevention, control of employees in the Police Directorate for the City of Belgrade, filing of disciplinary applications ...), this Directorate is extremely burdened with other duties, may we name them as "side activities", in the field of the labour-legal status of employees, cooperation with the Ombudsman, the Commissioner for Information of Public Importance and access to information of public importance etc. These areas are also of great importance, but there are other already established organizational units of the Ministry of Interior for that purpose. The Head of the Police Directorate for the City of Belgrade relies extremely upon Department for Control of Legitimacy of Work and trusts to it all the delicate subjects, regardless the real competence to proceed the said. In addition to these circumstances, we believe that it should be stated that the Department for Control of Legitimacy of Work covers a wide range of police-related activities, making education a must in all areas of police work; all employees have a university degree and previous work experience. However, the Department for Control of Legitimacy of Work has few executives; the focus is distracted from fighting crime to bureaucracy, there is absolutely uneven workload of employees in

terms of redistribution of duties and salaries are about 30-40% lower than in the sector of Internal Audit Service. The Department for Control of Legitimacy of Work is largely trained to fight corruption, but due to functional and personnel policy it does not fulfill its task completely. Support of the thesis suggests that the Department for Control of Legitimacy of Work files 4-5 criminal charges for criminal offenses with elements of corruption annually in the annual level.

As already pointed out, the issue of corruption is not intrinsic only to economically poor countries; however, it is definitely a more favourable ground for appearance, development and fosters of all forms of corruption crime offenses. In 1993, the Republic of Serbia experienced the expansion of incriminated acts with elements of corruption accompanied by a remarkable decline in living standard of all citizens, including police as well; it was the consequence of imposed sanctions, (self) isolation, and warlike circumstances in the neighbouring areas. Unfortunately, this negative trend of society was widely accepted by government officials of different range of competencies and consequently corruption has survived due to the lack of interest and unwillingness of police, public prosecutors and courts to deal seriously with the matter and implement more serious control that would imply punishments and sanctions for the crime offenders. Corruption is currently negatively manifested through occurring forms that accompany the emerging technical and technological development as well, as well as the normative regulation of the civilization; however, it basically represents an improvisation and accommodation to corruption postulates within social relations in acumen, being reflected in Serbia. For the purpose of this report, we herewith present only **one out of other possible source divisions i.e. the forms of corruption in the Ministry of Interior.**

- **Large corruption** - public procurements. This corruption is difficult to detect and control, taking into account the statutory provisions stipulating that the security organs may perform privileged (secret) beyond transparency procurements. Generally stated justification is that a part of the equipment is of confidential character and prevents criminal persons to know police handling resources; Serbia constantly calls upon the comparative method, stating that other countries have privileged procurements- so why should not we have ones, as well. However, the phenotype of corruption in public procurements is indisputable multiplex one, viewed through the prism of symbiosis of imagination as a form of culpability intent and the final effect is obtaining illegal material profit- making a variety of reporting modes.
- **Middle-rank corruption** - can be considered as the corruption committed by the heads of the operational level. That is- organizing raids in certain clubs, contrary to never initiated ones in other clubs of the same business profile; visiting facilities, being recorded through regular work duties included within Ex-officio order under the pretext of threats and criminal factors; control of some carriers while others are free to proceed, arrest of entrepreneurs that are not proved guilty further in the procedure, but their credibility as a trusted business partners with regard to further entrepreneurial activities is irreversibly impaired, and so on. All afore-referred make perfidious aspect of corruption since it seemingly points to a desire to fight against this form of crime ; de facto, it jeopardizes the safety of citizens, criminal cases of corruption are

being performed, and the professionalism and legality, as the basic principles of police work, are being marginalized.

- **Petty corruption** – the most evident one since it is in direct contact with a wide group of citizens. It usually refers to forgiveness of offenses by traffic and border police; the abuse of professional power in the administrative activities done by appointment for issuing identification documents without waiting, completing matters by priority, and so on.

The Ministry of Interior, fortunately, has personnel that have recognized this problem and have personal strength to fight corruption. With their agility, they were able to direct police activities mainly through operational-linear, i.e. functionally competent offices, towards **concrete solutions to fight corruption**. Some legal solutions (standards) are modified to form a good aspect of prevention in fighting corruption. For example, we refer to modified Law on Traffic Safety on the Roads that does not stipulate any more up-front collection of fines for traffic-related offenses, but the collection is made through the account. Of course, by this measure it has been eliminated the contact of police officers with “live” money, but it will not entirely prevent corruption; however, it gives normative directions to traffic police officers and citizens how to act in some actual situations which is, in return, more easily controlled and sanctioned by the competent authority agencies.

Technical solutions have provided undeniable support since the police officers are always afraid of unknown: in this subject case - afraid of technology and they are potentially suspicious of supervising officers that might be somehow recording or eavesdropping them. Installing cameras in official vehicles and at border crossings serve to the purpose of corruption reduction; scheduling the time for issuing identity documents in administrative services is performed over the Internet and so on.

The education of the majority of employees in the Ministry of Interior, starting from the school i.e. training- course for officers prove to be effective provided it is of permanent nature, organized at convenient premises and time. Major role in prevention of primary incrimination of police officers has positive selection of applicants for the Ministry of Interior.

Media activities in the context of public labeling, stigmatization of the police officers, who committed the crime of corruption, have shown some results in rural areas and small towns. On the other hand, the citizens get more confidence in the police work to fight corruption and are open to report this type of crime. In addition, citizens have the opportunity to become familiar with the procedures of police work and some deviations from the protocol may be an indicative behavior of police officers in terms of corruption.

In the last two years the Ministry of Interior has intensified cooperation with the unions the effect whereof is certainly the reduction of corruption. How? Special Collective Agreement for Police Officers is a positive legal act that can be viewed from several aspects: traditional- legal labour, from the point of its impact upon the organization and mode of activities implementation and related operations of the Ministry of Interior, comparison of the activities of the police and other government and non-government agencies and so on. However, the Special Collective Agreement for Police Officers is a valid act that affects reducing corruption of employees in the Ministry of Interior since police officers either is not ready or undertakes a risk to some minor extent to commit an offense and consequently

lose *their* job. Even though their benefits of obtaining compensation for any irregularity in work maximized, it specifies the particular circumstances, so far disputable circumstances arising from the employment and so on. Save for the Special Collective Agreement for Police Officers, thanks to the activities of the Union it was modified the Law on Police and the Article 168 was excluded. This Article 168 derogated the meaning of the Constitution in respect of mandatory compliance with the presumption of innocence. Before making any modifications and additions to the Law on Police, police officers were fired even in the case of a mere suspicion to the existence of committed criminal offense *ex-officio*; now this option exists solely upon rendering final decision. However, in this case it is especially important to note that this institution has not been applied *ergo omnes*, but on the basis of discretionary right, even though the norm was of imperative and not of optional character. It is right this legal moment that opened the possibility of manipulation and corruption. The social dialogue should be added to afore-referred, activities in fighting mobbing, discrimination and so on, which may have negative implications if they are not observed.

Problems in the actions intended to remedy the consequences of corruption, as well as possible prevention and overall fight against corruption, can be categorized under:

- ✓ declaration in the fight against corruption of all relevant state factors including certain segments of the police,
- ✓ lack of clear operational methodology that would monitor the national strategy in the fight against corruption,
- ✓ in the context of above-referred, there are problems with multiplex modes of incompetent and disinterested personnel in the Ministry of Interior,
- ✓ objective lack of funds for achieving plans to fight corruption, purchasing technology, salary increase to police officers and so on,
- ✓ Failure to report criminal offences of corruption since not all citizens are interested in (for example, a fine for not having a seat belt on in a motor vehicle amounts to RSD 5.000, a citizen who is caught committing this offense usually gives 1000 dinars to a police officer with the „agreement“ that he does not write the traffic ticket, the citizen has "saved" 4,000 dinars and does not want to report this event) ,
- ✓ poor coordination between police and public prosecution and courts, taking into account the weight of proving evidence of these crimes,
- ✓ Sluggishness of the bureaucracy in the Ministry of Interior; as an illustration we present an example of Ivan Glisic. Three years ago, he completed the Police Academy (specialized university for education of high officials in the Ministry of Interior), to which he was referred by the Regional Police Department at Loznica. The contract he had entered into with the Ministry of Interior at the time of enrollment, obliged Ivan to complete his studies within a specified period; the Ministry of Interior, by the same contract, committed to return Glisic to the workplace that stipulates university degree. So far, Mr. Glisic has not been able to return to work in the Ministry of Interior, not even with his Diploma on completed secondary education nor with university degree,

since the employer uses a mechanism of silent administration, i.e. an absolute disregard of its all contractual obligations towards Glisic, and many others,

- ✓ the existence of regulations does not mean their use by default because there are obvious and numerous reported cases of mobbing suffered by the employees in the Ministry of Interior,
- ✓ a host of private universities, either with or without license, led to the phenomenon of buying degrees and promotion in the service, with no real educational capacity a diploma holder should have,
- ✓ Unfortunately for the syndicalism in the Ministry of Interior of Serbia some high officials of police unions extremely fast, and contrary to all principles of logic control, were promoted to senior leadership positions. By this act, the Ministry of Interior has succeeded, through unstable and greedy union leaders, in compromising those police unions, and now they are trying to apply Goebbel's methods in sell the idea that all the police unions are the same- easily corrupted, not caring for the employees, but only and exclusively for themselves.

Caution with statistics is certainly necessary in the Republic of Serbia where, for example, we have a paradox directly correlating the corruption. In September 2011, the Mission of the United Nations in Serbia presented the official records based on conducted citizens' survey in Serbia. The conclusion is that the Ministry of Interior and the government administration rank among the most corrupted in our country. However, just a month later, under direction of the most respectable organization dealing with the issue of statistics and opinions of citizens- Cesid, it was organized the survey intended to find out the institutions enjoying the greatest trust of the citizens in the country – the results of the survey revealed that the Ministry of Interior occupies the second position and the Serbian Orthodox Church comes the first.

CONCLUSION

Corruption prevents building of strong democratic institutions and stable country; it destabilizes social stability and prevents the successful economic development. Corruption encourages the citizens' distrust toward the government and public institutions and causes apathy. The country that just came out of period of wars, robberies, murders, emotional breakdowns and sudden impoverishment really does not need this. Corruption is part of our negative image in the world, built during the nineties and certainly one of the main obstacles in the way of our Euro-Atlantic integration. At the end of the report, we want to emphasize that the majority of Serbian citizens and police officers act honestly, conscientiously and in responsible manner in relation to the Country and them themselves.

Corruption is a form of crime, known since the first formation of states; over history, the only change was in the modes it was performed. The fight against this misfortune is continuous one, characterized by either better or worse results, but unfortunately it is deep-rooted and no society or community are immune to it.

The Republic of Serbia needs help in the fight against corruption and its citizens and the police mainly agree that they could have lived much better and enjoy a safer, had it not been the corruption.

Note

In preparing this report, **Serbian police union used the knowledge** that comes from its members that work in some of these organizational units of the Ministry of Interior, former police officer. In addition, certain findings are the product of publicly released information, statistical results made on the topic of corruption that, so far, has not been the subject of criminal proceedings. It used the operative material from public, media speculation, and all other sources of information. Of course, as a serious organization, we could not afford the luxury of this report to present unverified information on corruption and intrigue serviced because of the compromise to the honorable and honest police officers and the entire organizational units of the Ministry of Interior. Moreover, this Report may have been more dynamic, more attractive but certainly more inaccurate, more malicious and more tendentious. We point out that Serbia's police union repeatedly reported the cases of corruptive activities at the Ministry of Interior; they were acquainted with the said through union and some other legal activities. Regardless of the primary connection with corruption offenses (mobbings, complaints, petitions, criminal and disciplinary report, etc.), the Police Union of Serbia filed more requests for verification of legality of the actions of officers.