

* Other submissions filed with the Ministry of the Interior are: anonymous complaints in connection with performance of police officers; petitions by legal entities which have not been signed by an authorized person; grievances not relating to performance of police personnel; criminal charges against persons; reports of violations of other regulations; requests; suggestions; opinions, etc.

If you know, or strongly suspect that a police officer has committed or is committing a criminal offense, please report this to Internal Affairs Division, who will immediately conduct the necessary inquiries into the allegations.

8. HOW CAN I COMMEND A POLICE OFFICER AND TO WHOM DO I SUBMIT THE COMMENDATION?

You may commend police officer(s) for acting appropriately and responsibly towards you and when in communicating with members of the public police personnel respected human dignity of all persons and acted to uphold the Ministry's good name by sending the commendation to the organizational unit in which the police officer(s) is/are employed, or to Internal Affairs Division.

It would be useful that you provide personal information and sign the commendation, so it can play an important part in the procedure of official commendation of the police officer in question.

9. WHERE CAN I OBTAIN THE COMPLAINT/COMMENDATION FORM?

Complaint/Commendation Form and the Brochure with all necessary explanation regarding the proceedings is available in all police stations.

Complaint/Commendation Form is also available at Internal Affairs Division's presentation on the Ministry's official website, <http://prezentacije.mup.sr.gov.yu/sukp/sukp.htm>

Exceptionally, when warranted and at your written request, the form may be delivered to you at your home address.

INTERNAL AFFAIRS DIVISION MAIN OFFICE:

Bulevar Zorana Đinđića 104 (Bulevar AVNOJ-a),
11070 Novi Beograd
Telephone: 011/31-31-840
Fax: 011/30-08-183
E-mail: sukp@mup.sr.gov.yu
Internet: <http://prezentacije.mup.sr.gov.yu/sukp/sukp.htm>

SUBDIVISION – Center Beograd:

(For police departments: Belgrade, Pančevo and Valjevo)
Bulevar Despota Stefana 107, 11000 Beograd
Telephone/Fax: 011/329-39-10

SUBDIVISION – Center Novi Sad:

(For police departments: Novi Sad, Zrenjanin, Subotica, Sremska Mitrovica, Sombor, Kikinda and Sabac)
Pap Pavla 46, 21000 Novi Sad, Telephone: 021/488-53-52

SUBDIVISION – Center Niš:

(For police departments: Niš, Zaječar, Leskovac, Vranje, Bor, Prokuplje and Pirot)

Nade Tomić 14, 18000 Niš, Telephone/Fax: 018/503-337

- Office in Vranje:
Matije Gupca 4, 17000 Vranje, Telephone/Fax: 017/414-847
- Office in Leskovac:
Koste Stamenkovića 1, 16000 Leskovac, Telephone: 016/251-299
- Office in Prokuplje:
Tatkova 4, 18400 Prokuplje, Telephone: 027/324-499 Ext. 136

SUBDIVISION – Center Kragujevac:

(For police departments: Kragujevac, Požarevac, Jagodina, Čačak, Užice, Kraljevo, Kruševac, Smederevo, Novi Pazar and Prijepolje)
Svetozara Markovića 41, 34000 Kragujevac, Telephone: 034/379-128,
Fax: 034/379-168

- Office in Jagodina:
Boška Buhe bb, 35000 Jagodina, Telephone/Fax: 035/242.649
- Office in Novi Pazar:
37. sandžačke divizije bb, 36300 Novi Pazar, Telephone: 020/314-744
Ext. 156

MINISTRY OF THE INTERIOR OF THE REPUBLIC OF SERBIA INTERNAL AFFAIRS DIVISION OF THE POLICE

POLICE IN THE SERVICE OF CITIZENS



COMPLAINTS AND COMMENDATIONS REGARDING THE POLICE

We wish to thank the OSCE Mission to Serbia for the assistance provided in developing and printing of this leaflet.



Misija u Srbiji

ORGANIZACIJA ZA EVROPSKU
BEZBEDNOST I SARADNJU

1. SHOULD I FILE A COMPLAINT REGARDING THE POLICE?

You may file a complaint regarding the MoI police officers if you are aware of misconduct or shortcomings in their performance, specifically if you believe that by acting unlawfully and inappropriately police officers violated your rights and freedoms, namely if they:

- behaved inappropriately towards you;
- used undue force;
- arrested you unlawfully;
- made it impossible for you to exercise your rights;
- violated your rights in any other way.

By calling attention to alleged unlawful or improper behavior on the part of Ministry employees, members of the public assist the Police in proving cases of abuse or other misconduct, so that appropriate legal action can be taken.

Preferably, your complaint regarding the police should be filed within 30 days of the alleged violation of your rights and freedoms.

2. HOW DO I FILE A COMPLAINT?

The complaint may be filed:

- in writing;
- orally, which fact shall be entered on the record; or
- electronically.

3. WHAT SHOULD I INCLUDE IN MY COMPLAINT?

Your complaint should:

- be understandable;
- contain your name and surname and other personal information, including residence and telephone number;
- contain information on time and place of the events and a brief description of the police officer's action or failure to act which forms the basis for your complaint, and other useful information;
- be signed.

All information in your complaint, and in particular your personal information, will be treated as confidential.

4. TO WHOM DO I SUBMIT MY COMPLAINT?

Complaints regarding police officers may be submitted to:

- the Police Department in which the implicated police officer is employed;
- the Internal Affairs Division Main Office.

You will be informed in writing on the further proceedings regarding the complaint.

You may file your complaint personally or through an authorized representative (such as your attorney or an organization that provides legal aid). In order for a third party to represent you, you must authorize them in writing.

5. WHAT HAPPENS TO MY COMPLAINT?

Your complaint will be considered first by the head of the unit in which the implicated officer is employed. The competent senior officer will conduct the proceedings in accordance with regulations and in an impartial manner, and:

- call you and conduct interviews with you in connection with the allegations in the complaint;
- conduct interviews with any eyewitnesses and other persons deemed to have knowledge of useful information;
- gather and review official documentation;
- obtain medical records and other documentation;
- interview the implicated police officer;
- take all other necessary steps to review the matter.

The procedure must be concluded within 15 days of the complaint.

In cases where you as the complainant agree with the position taken by the unit head regarding the review of your complaint, the review procedure will be considered completed and complaint resolved. This fact shall be entered on the record.

6. WHAT WILL HAPPEN IF I DISAGREE WITH THE FINDINGS OF THE HEAD OF ORGANIZATIONAL UNIT, OR FAIL TO RESPOND TO A REQUEST FOR INTERVIEW?

All documents will be handed over to a Commission (composed of a representative of Internal Affairs Di-

vision, a representative of the police authorized by the Minister, and a civilian representative), which then conducts further proceedings to resolve the complaint.

- Should the Commission decide that your complaint is founded, confirming there have been shortcomings in the performance of the implicated police officer(s), measures will be taken in order to file criminal, misdemeanor, disciplinary, material and other charges.
- The decision of the Commission on the complaint is final.
- A written response on the decision of the Commission will be sent to you, informing you that you may pursue other legal remedies if you are not satisfied with the outcome of the review.
- The entire complaint resolution procedure must be concluded within 45 days of the complaint.

Your attendance will be required at the session of the Commission. A written notice to appear before the Commission shall be sent to you.

It is not mandatory that you appear in the course of the proceedings before the competent senior officer, or to attend the session of the Commission.

7. WHAT WILL HAPPEN WITH MY OTHER SUBMISSIONS TO THE POLICE?

All other submissions* filed with the Ministry of the Interior which are not complaints will be handled by the Internal Affairs Division, or another relevant organizational unit in the Ministry authorized to do so by Internal Affairs Division.

- Internal affairs Division or other relevant organizational unit in the Ministry will immediately conduct the inquiries into the allegations.
- Personal information you provide will be treated as strictly confidential and will make it possible for us to contact you for further assistance in the matter.
- Should you file an anonymous complaint, you will deny yourself the right to be informed of the outcome.