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Serbia Chronicle 3 – Serbian gendarmerie and police corruption

by SeConS

Belgrade, June 2013



“Two burned bodies found in an Audi, waiting for DNA analysis” – Blic (15.07.13)¹

“Young men from the Audi killed by member of gendarmerie” – B92 (16.07.13)²

“Veljovic requests replacement of Dikic” – B92 (16.07.13)³

“Dikic calmly accepts the decision of his replacement” – B92 (17.07.13)⁴

“Dikic awarded new function” – B92 (20.07.13)⁵

Replacement of Bratislav Dikic

The events that followed the discovery of two burned bodies in an Audi in the village Ratkovic on the 15th of July 2013 have sparked widespread public controversy regarding corruption in the police and gendarmerie.⁶ On the same day the bodies were discovered, a member of the Serbian gendarmerie was arrested in suspicion of the crime. According to police reports, the gendarmes is suspected to have shot the two young men while driving, after which he drove the car with the victims to the village where he consequently set it on fire. As the main motive for the crime, police report a dispute over a debt of 5.000 euro's.

¹ <http://www.blic.rs/Vesti/Hronika/393530/Dva-ugljenisana-tela-pronadjena-u-audiju-ceka-se-DNK-analiza>

² http://www.b92.net/info/vesti/index.php?yyyy=2013&mm=07&dd=16&nav_category=16&nav_id=732920

³ http://www.b92.net/info/vesti/index.php?yyyy=2013&mm=07&dd=16&nav_category=11&nav_id=732983

⁴ http://www.b92.net/info/vesti/index.php?yyyy=2013&mm=07&dd=17&nav_category=11&nav_id=733472

⁵ http://www.b92.net/info/vesti/index.php?yyyy=2013&mm=07&dd=20&nav_category=11&nav_id=734461

⁶ In Serbia, the gendarmerie is an organizational unit of the Directorate of the Police in the Ministry of Interior which is responsible for planning, organization and execution of the most complex security tasks in the country.



ACIK
TOPLUM
VAKFI



HELSINKI
YURTTAŞLAR
DERNEĞİ



The day after naming a gendarme as the perpetrator, the director of police Milorad Veljovic requested the dismissal of the commander of the gendarmerie Bratislav Dikic. Veljovic stated that he saw the replacement “as the only solution” and that the newest incident of crime perpetrated by a subordinate as the “drop that spilled the glass over”. The request received immediate backing from the Minister of Interior Ivica Dacic who, in accordance with the Law of Police, signed the decision for the removal of the commander. Although the minister did not give an extensive comment regarding the incident, he did state to the media that the decision was made “with an objective responsibility in response to previous events”. Once the decision was handed over to the commander, the police director stated that this was just one of a series of changes that will be implemented in the gendarmerie, meaning that the event would be further investigated by the Internal Affairs Sector.⁷

Following these highly publicized events, many were shocked when the news broke out, just a few days later, about the reinstatement of the former commander of the gendarmerie as the new assistant to the director of the police, who requested his resignation in the first place. Not only that, but the position could be seen as a promotion rather than a demotion. As a result, critics attacked the decision of the state. Firstly, they characterized the decision as part of a continuous tendency to implement bad personnel policy. Secondly, they highlighted the states inability and unwillingness to make serious reforms within the police, which in this case have only been ‘swept under the rug’ by requesting replacement. Lastly, questions were raised around the fact that no disciplinary actions were taken against Dikic while the replacement itself was implemented very quickly. The latter sparked doubt and speculation for the ‘real’ reasons behind the dismissal of the commander and the possibilities of corruption, especially since the police have never had the practice to change commanders and chiefs in cases where crimes were committed by subordinate members of the force.

All in all, there is no doubt that this is a very severe issue. If the vary forces that are supposed to ensure the security of the citizens of the country are committing crimes and are actually a source of insecurity, even in the traditional sense of the concept, the situation is highly threatened. Not only that, but the case described is not an isolated incident nor an incident that only involves a selected group of people, but suggests corruption and unauthorized actions at different levels of the security forces and politics.

History of gendarmerie



In order to understand the full extent of this controversy, the events that took place need to be seen in light of the gendarmerie in general as well as its history. Firstly, it is not the first time in recent years that misconduct of members of the gendarmerie have occurred. Previous incidents of racketeering, loan sharking, extortion, provision of security details to suspected criminals, unauthorized surveillance, and even a case of planned murder, have all contributed to an overall distrust in the institution.⁸ Secondly, as the commander of the gendarmerie, Dikic and people close to him have been suspected to be linked to several illegal activities, especially in south Serbia. Furthermore, Dikic has implemented several reforms without clearance from superiors from police or ministry. Earlier this year, this suspicion has even led to an Internal Affairs investigation, which is still ongoing.⁹ What is clear is however that the leadership has been both morally and legally questionable.¹⁰ And thirdly, the reinstatement of Dikic as the Assistant Director of Policy is assumed to have ulterior motives. Different theories about the reinstatement of Dikic are currently circulating, from belief that it is a political power-play between Dacic (Minister of Internal Affairs and Prime Minister) and Vucic (Minister of Defense), to the belief

⁷ According to the Law for Police, the Internal Affairs Sector is an independent body that reports directly to the Minister of Interior, usually only once the investigation is completed.

⁸ The planned murder refers to the incident where a young man was killed in a car explosion in Nis. Although the murder has not been solved, involvement of several members of the gendarmerie is suspected. *Telgraf* 05.02.2013: <http://www.telegraf.rs/vesti/530299-nis-i-policajci-na-poliqrafu-zbog-ubistva-djordja-stanojevica> (22.07.2013).

⁹ It should be added that news reports have come to light of threats made against the Internal Affairs unit during their investigation.

¹⁰ The newest TV spot for the gendarmerie has received a lot of attention and criticism because it states that “God and the gendarmerie protects Serbia” and shows signs of ethnic Serbian nationalism. Furthermore, Dikic himself has been named “Little Legije” after the former commander involved in war crimes and extensive criminal activity. *Investigation against Dikic: Hronika* 12.03.2013 http://www.b92.net/info/vesti/index.php?yyyy=2013&mm=03&dd=12&nav_category=16&nav_id=694381 (22.07.2013).

that Dikic would be easier to control by staying close to Veljkovic, and lastly, to the suspicion that there is a widespread fear of the gendarmerie within the police and politics which limits them in taking any extreme action against them.

The above listed reasons for suspicion into the interests and actions of the gendarmerie are further strengthened by the history of the institution, especially during the wars in the 1990s. During this time, the institution was cemented both as a 'right hand' of the state as well as partly independent criminal organizations. As such, the gendarmerie was involved in both war crimes and organized crime. Although reforms were implemented after regime change, the involvement of the gendarmerie in the assassination of the Serbian Prime Minister Zoran Djindjic is just one example that shows that the reforms were not extensive enough.¹¹ New reforms followed and a new Law of Police was adopted in 2005. But as the above events show, some core problems remained. Apart from questions regarding the institutions transparency and accountability, one of the most alarming aspects of their work is the high degree of nationalistic, religious and ethnically segregating discourse. The first paraphrase of the gendarmerie oath, written by Dikic himself, reads: "Kosovo is my mother, I come from Kosovo, my ancestors come from Kosovo, my history is from Kosovo, my Serbian folk come from Kosovo, Serbia was established on Kosovo". This type of discourse is strengthened by the recent public campaign promoting the special force, with the slogan reading "God and the Gendarmerie are protecting the Serbs".¹²

All this raises important question regarding *who* the police are protecting, *how* they are ensuring the security of all citizens in Serbia, and *who* and *how* the police is assuring its own accountability. The following researches indicate that the police unit is still in a very ambiguous position, not only in terms of internal practices but also in direct contact with the public.

Corruption in the Police

The reasons for the persistent problems within the gendarmerie can be seen in lights of overall problems of corruption in state institutions in Serbia and within the police forces in particular. Research conducted since 2001 shows declining trends in corruption and more belief in positive reforms, but these are slow and inconsistent

Recent results from the research conducted by CESID and UNDP in December 2012 by assessing public and police attitudes towards corruption, corruption reports and the overall work of the police shows that the integrity of the police and its officials is not in line with the prescribed standards and legislations. For instance, the research shows that police accounts for 19% of all cases of corruption cases, making it the second most corrupt institutions in Serbia following behind the health sector. This is of course not in line with the general attitudes of citizens who believe that the police forces should be the main responsible body for countering corruption in the country.¹³ Further data questioning the integrity of the police force is derived from the Global Corruption Barometer, where results show that 69% of citizens believe that the police is corrupt while only 21% consider that the measures taken are somewhat or very effective in countering these trend.¹⁴

Evidence of corruption in the police forces has not only been recognized by academic circles and activists. Even the Ministry of Internal Affairs has identified numerous risks that can lead to corruption. These include, but are not limited to¹⁵:

- Lack of legal framework regulating activities of policeman outside working hours.
- Undeveloped internal and external system for advertising vacancies within the police.
- Undeveloped system of control and monitoring of employment.
- Lack of reporting of cases of corruption witnessed by police officers.¹⁶
- Unlawful authorization/issuance of documents and permits.
- Police officers are willing to participate in corruption in exchange for small financial gains or promises of future benefits.
- There is no police document where the definition of corruption is operationalized, nor where risks of corruption are formulated.
- Responsibilities of the three internal sectors for control are not divided and clear, and mechanisms of cooperation with external systems for control are limited. Furthermore, the sector for Internal Affairs is not completely independent because they are operating under the authority of the Minister.
- The development Strategy of the Ministry of Internal Affairs (2011-2016) does not mention the role of control mechanisms/institutions.

¹¹ For example, half of the personnel remained from the earlier regime.

¹² This can also be seen a music spot created and promoted as part of the campaign: <http://www.youtube.com/watch?v=9saG37DZ-fw>

¹³ CESID and UNDP (2012) *Attitudes of Serbian citizens towards corruption. Report December 2012.*

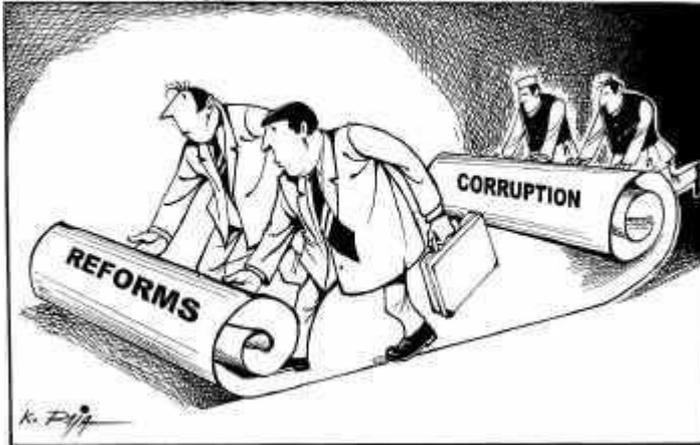
¹⁴ Transparency International (2013) *Global Corruption Barometer 2012/2013*: http://www.transparentnost.org.rs/index.php?option=com_content&view=article&id=81&Itemid=28&lang=sr.

¹⁵ Petrovic, P. (ed.) (2013) *Corruption in the security sectors in Serbia*, Belgrade Center for Security Policy, pp. 63 -69.

¹⁶ 75% according to Strategic Intelligence estimate of Corruption 2012: 37

- No regulated system in place for protection of whistleblowers.
- Lack of information regarding the work of the Department of inspection in the gendarmerie.
- Lack of willingness by citizens to report cases of corruption in the police.

Unfortunately, reform is slow and considerable changes are yet to be made. Just in a recent media conference held by the president of Transparency Serbia, Vladimir Goati, claims a stagnated fight against corruption in the past 6 years, despite formation of several anti-corruption institutions. Although these claims were made in response to a research examining corruption in campaign contributions, they are very disconcerting for the overall agenda of eradicating corruption.



Future of corruption in police

Unless legislation and practices within the Serbian police forces see considerable changes, the security of the countries citizens will remain questionable. Not only so, but by legitimizing and tolerating such practices within state institutions, similar practices can be reproduced elsewhere. Just a few days after discovering the involvement of the gendarmes in the murders of the two young men, another man was killed by private security forces working at a night club in Belgrade.¹⁷ This gruesome murder was attributed to both a lack of legislation regarding private security and a criminal milieu. On a more positive note, the month of July also presented the adoption of the National strategy for the fight against corruption. But as Djordjevic stresses, it is not until the implementation of the Action Plan of the strategy that we can expect to see prominent results.¹⁸

¹⁷ http://www.b92.net/info/vesti/index.php?yyyy=2013&mm=07&dd=26&nav_category=16&nav_id=736415

¹⁸ Djordjevic, S. (2013). *Towards reestablishment of integrity in the police: planning against corruption*. Belgrade Center for Security Policy.