

# PRIVATE SECURITY INDUSTRY

## CURRENT SITUATION

Despite the fact that Serbian Private Security industry employs over 30,000 people and has over 150 active security companies, there had been no significant changes in legislation. Today, Serbia is the only country in the region and in Europe without special law on private security. Few drafts of the Law were made, but never reached relevant commissions at Serbian Government.

There are several laws whose provisions indirectly regulate private security in Serbia, however those laws regulate only some of the activities of the sector, and only certain provisions of those laws (Criminal Law - provisions defining self defense and defense in extreme necessity; Law on Police; Law on Firearms; Traffic Law; Law on Labor; Law on Fire Protection; Law on Health and Safety at work).

Since there is no special law on private security, there are no defined standards in performing private security services.

Keeping in mind the European perspective, a lack of legislation in private security industry produces serious problems in functioning of this market making it an active source of corruption (no governmental licensing of companies – without security industry criteria anyone can set up and start operating as security company; no licensing of security officers – no official pre-employment screening and vetting; no professional liability risk covered by insurance in general; no mandatory training and education programs; no defined industry standards; no performance & quality control, etc.).

Another negative aspect influencing Private Security industry is stagnation of police reforms and realization of the “4D” project (depoliticization, decentralization, decriminalization and demilitarization). The gradual development of private security into a provider of public security, followed by outsourcing of security duties by public authorities due to privatization of industries and services considered as State’s critical infrastructure needs a new model of protection and must be regulated.

## POSITIVE DEVELOPMENTS

Private security in Serbia faces changes due to the increasing influence of foreign private security companies – as of 2008 two of the world’s largest security companies (both have European origin) are present in Serbia, bringing new “know-how” and international standards based on and harmonized with European models of private security.

The internationalization of the private security sector in Serbia is bringing some new methods of security activities which are enhancing factor of ensuring safety and security in society.

These positive developments converge with the public interest requirements, such as exclusion of unsuitable elements from the industry, guaranteeing security providers’ accountability and liability.

Another important development is establishment of Serbian Association of Private Security Companies (SAPSC), gathering owners of the security companies (international and local) who cover 2/3 of the private security market in Serbia. This association is a member of Confederation of European Security Services (CoESS) which is an European umbrella organization with a longstanding expertise, “ready and willing to help and support both SAPSC and the competent national authorities in Serbia to work towards adoption of a specific law governing private security and to harmonize such legislation with a complex European environment and practices in the field of private security”.

## REMAINING ISSUES

The most urgent issue is introduction of the Law on Private security. The Law should be fully harmonized with EU standards and create positive environment for further investments into Serbian Private Security Industry.

Next issue is standardization. Recently formed “Commission for standards” at Association of Private Security Companies apparently attempts to become some sort of National Licensing Body, allowing or forbidding private security companies to work based on “Serbian National Standard in Performing Private Security”.

Serbia should avoid a situation of creating its own model of standards rather than accepting EU solutions available through CoESS. Since USA private security market is considered to be the most developed and advanced when it comes to standards, some EU countries (Netherlands, Denmark,...) are now in process of adopting certain standards of the American National Standards Institute i.e. The Organizational Resilience Standard. Serbia should be aware of such trends and think and act in advance.

Status of security companies needs to be revised in order to establish relations between Public Security and Private Security sectors.

Status of employees working in security industry needs to be redefined considering the fact of working in the risky industry where protection of people and assets has no major differences from similar police activities.

### FIC RECOMMENDATIONS

- Immediately start with creating (drafting) the legal framework to introduce the Law on Private Security - legalization through legislation by activating Ministry of Internal Affairs as responsible entity;
- Licensing of the Companies should be handled by the Government (Ministry of Internal Affairs) or another Governmental agency and not by any organization/association since it would lead to monopolization of the industry and conflict of Interests. Serbia's Ministry of Internal Affairs should be governing body in issuing working licenses. It should also establish licensing criteria, training criteria etc;
- During the process of legislation (preparing the text - content of the law), the Government should initiate close cooperation between participating factors of security (both Public and Private sectors), with consulting of large private security investors due to their availability to present their experience and best practice from other EU countries where they have operations; it should involve private security associations in a manner of accepting and working with "core adviser" CoESS who would incorporate elements of synchronization with European legislative in the sector of private security;
- Start working on project of building active cooperation/partnership between police and private security sector-realizing preconditions to open "hot-line" between two sectors.