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## **PRIVATE SECURITY IN WESTERN BALKAN COUNTRIES**

### **Current Situation and Challenges**

*The notion Western Balkan exist after clash of ex Yugoslavia and it mean all ex Yugoslav republics, except Slovenia, but with Albania. As a new geo-political notion, Western Balkan sometime, for the purposes of various analytical approaches has more regionally-geographical connotation, than political one. In other words, more space-economic than historic-cultural-political meaning. In some other contexts, Western Balkan countries is seen as exclusively political notion. So, we are talking about Serbia, Bosnia & Herzegovina, Montenegro, Croatia, Albania and Former Yugoslav Republic of Makedonia (FYROM). We analysed state of private security in these countries with critical approach to possibilities of development of private security industry and its harmonization with European model of private security.*

**Key wards: private security, social dialogue, public private partnership, european model of private security, CoESS.**

### **History**

There are many similarities which characterises development of private security sector in these countries. *Firstly*, common thing to all these countries is that they were under socialist regime with „social property“ as a dominant

model of property ownership. *Secondly*, in all of them, except Albania, there was an extraordinary law – „Law on social self-protection“, which regulated protection of man, property and business, in most efficient way. That law we can say, was almost ideal model for today’s processes of socialization of security function in society, which we can notice in many old democracies in Europe. *Thirdly*, private security, as one among alternative security models, came after crucial social changes in all countries (decomposition of the state- Yugoslavia and sever ethnic war afterwards, or social collapse in Albania). As a consequence of such dramatic social changes, reises *fourth* similarity- chaotic structuring of private security sector (so many ex-policeman, ex-criminals, uneducated and untrained persons for private security services). Finally, *fifth*- orientation of the owners of the private security companies toward the financial income, instead of quality of services.

There is one more, complex field of similar private security praxities in these countries; *a posteriori* legislation. In this respect, a case of Serbia is extreme one. After 18 years of absence of special law on private security, this winter Serbian Parliament is adopting the law.

Question of legislative of private security services is important in various ways. Primarily strong constitutional, public and institutional interests have been and still are the driving forces behind this sort of legislation in societies. The reasons and goals as Haakala<sup>1</sup> argues, can be grouped into three main categories:

Firstly, there are the constitutional requirements, such as protection of individual human rights, maintaining the state monopoly on violence and the definition of the public/private division of labour in security work.

Secondly, there are the public interest requirements, such as exclusion of unsuitable elements from the industry, guaranteeing of security providers’ accountability and control of weapons in private security work.

Thirdly, there are professional requirements, such as the elimination of ‘cowboy’ companies from the business, the setting of minimum ethical and quality standards for the industry’s activities, the organising of industry-specific training, and the guaranteeing of proper terms of employment for security officers.

Finally, we think that one more reason, especially when Western Balkan countries are concerned; there is a great provision for the whole society in adopting special law on private security, because in that case one of the big and very active source of corruption could be eliminated!

The actual, ‘real life’, trends pushing for new and modernised private security regulation in today’s society seem to be connected to the general changes in governance: the gradual development of private security into a provider of public security, the outsourcing of security duties by public authorities and the privatisa-

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1 Haakala, J. (2008) Why to Regulate Manned Private Security: CoESS, internal publication.

tion of industries and services belonging to societies' critical infrastructure and which need a new model of protection... Seems like these are additional reasons why to legislate private security.

Now back to Western Balkan.

It seems that shaping, structuring, modeling, developing and socializing of private security in Western Balkan countries, started with their membership in CoESS.

The Confederation of European Security Services (CoESS) is the European umbrella organization for 30 national private security employers' associations. It was founded in 1989. CoESS is the only representative European employers' organization representing the interests of the private security services industry. It is recognized by the European Commission (DG Employment, Social Affairs and Equal Opportunities) as a European sectoral social partner in accordance with the European Treaties.

CoESS' primary objective is to represent and defend the joint interests of its national member federations and of their member companies in turn, both at European and at international level. CoESS is therefore strongly involved in the work aimed at harmonizing national private security legislation and regulations building on the highest level of professionalism and quality.

With more than 20 years' sector experience, gained by working in close partnership with both public and private customers, CoESS can draw on a broad expertise and knowledge base and is the prime interlocutor for EU policymakers and policy advisors seeking industry know-how. For that reason, CoESS is systematically consulted on any EU policies and strategies, which may affect the industry's short-term or long-term interests.

CoESS represents 21 EU Member States and a total of 28 countries, which translates into some 50,000 private security companies employing a total of 1.7 million private security employees. The European private security services industry generates a yearly turnover of approximately € 23 billion Euros.

First that became a member of CoESS was private security association from Serbia in 2005/2006. We assist and help association of private security companies in Bosnia & Herzegovina to join CoESS that very year. Few years later associations from other ex-Yu countries become a members of CoESS too. Now only Montenegro and Albania among Western Balkan countries are not members of this European umbrella association

The state of private security in these countries we will analyse through several levels; (1) general data; (2) Private-Public-Partnership; (3) Social dialogue in the sector; (4) challenges.

## ***Bosnia & Herzegovina***

### **General data**

Population: 3. 844, 046

Gross National Income: € 13.53 billion

Ratio security force/population: 1 / 2,295

Ratio police force/population: 1 / 217

Yearly turnover in Bosnian private security Market, by latest data available, was € 28,8 million in 2010. But the market growth, based on yearly turnover shows interesting changes; from incredible 170% turnover in 2004 down to 98% in 2010. Although still high, Bosnian private security market turnover tells us that strong foreign investment flows, specially from rich Muslimžs countries, slowly goes down.

Repartition of yearly turnover (2010) by private security industry segment is as follows:

General guarding€ .....14,3 million

CIT € 4 million

Monitoring and remote surveillance € .....3.5 million

Other segments € .....7 million

Private security companies in Bosnia & Herzegovina made 75% of commercial contracts with private costumers, while percentage of commercial contracts with public costumers was 10% , and in- house contracts 15%.

Licensing for private security companies is mandatory by the law. Total number of licensed private security companies was 94 (2010). Total number of licensed guards- 4.027, out of which 1.075 is licensed to carry weapons.

Maximum number of working hours in the private security industry according to the collective labour agreement is;

A maximum of 12 hours per day

A maximum of 40 hours per week

Overtime: 40 hours per month

Weekend and nights: Only as defined by law

Maximum number of working hours in the private security industry according to national legislation

A maximum of 12 hours per day

A maximum of 40 hours per week

Monthly starting salary of a licensed, full-time, non-armed private security guard performing basic tasks (not taking into account overtime, weekend, evening, night and/or other allowances)

Gross: € 480

Net3: € 280

Average monthly salary (not covering social security charges paid by the employer) of all private security guards (including overtime, weekend, evening, night and/or other allowances)

Gross: € 500

Net: € 350

Average age of a private security guard working in the private security industry: 25

Percentage of men and women active in the private security industry

Men: 98%

Women: 2%

Annual staff turnover rate in the private security industry: 5%

This percentage includes transfers of contracts and/or other considerations

Private security activities are regulated by the law from 2002.

Competent national authority in charge of controls and inspections for the private security industry is regional police authorities.

There is an obligation for private security guards to follow basic guard training. Mandatory training for personnel includes: Training in the application of 'minimal use of force' as regulated by the Training Programme for Acquiring a Certificate for Physical or Technical Protection of People or Property.

This training programme is mandatory by law.

Number of training hours: 50 (40 hours of theory and 10 hours of practice)

The training is provided by the Federal and Regional Ministries of the Interior.

Upon successfully completing the basic training, private security guards are issued with a certificate of competence.

Mandatory specialised training exists for private security managers, i.e. operational managerial staff influencing operations (from site supervisor to CEO)

Number of training hours: 50

Follow-up or refresher training exists.

This follow-up or refresher training is organised every year.

This follow-up or refresher training is mandatory by law.

Specialised training is foreseen for the following types of private security activities.

Beat patrol – duration: 10 hours.

Body guarding (close protection) – duration: 10 hours.

Cash-In-Transit services (including cash handling/processing) – duration: 10 hours.

Alarm and CCTV monitoring – duration: 10 hours.

Private security training – duration: 10 hours.

These specialised trainings are provided by the company.

When applying for an individual private security guard licence, the law requires the private security guard in question to undergo a background check/security check

This background check/security check is carried out by the Ministry of the Interior.

The basic conditions for a private security guard to pass this check are: No past criminal offence, no ongoing criminal investigation.

### **Private-Public Partnership**

The relationship between private and public sector in Bosnia and Herzegovina, is more rivalry than partnership. The relations between private security companies and the public security sector are more accurately described as rivalry than partnership.

Probably the old stereotypes of police as the only one institution able to maintain security and safety in society, are still alive in Bosnia & Herzegovina- as in other Western Balkan countries.

### **Social dialogue**

There is no sector specific- binding collective labour agreement. Social dialogue haven't been established in Bosnia & Herzegovina private security sector.

### ***Croatia***

#### **General data**

Population: 4,425,747

Gross National Income (GNI): € 46.46 billion

Ratio security force/population: 1/276

Ratio police force/population: 1/216

Yearly turnover of private security industry in Croatia, according to available data (2007) was € 160 million

Market growth of the private security industry (based on yearly turnover) in recent years: 16%

Total number of private security companies (2010): ± 246

Total number of private security guards (2010): ± 16,000

Maximum number of working hours in the private security industry, according to the collective labour agreement

A maximum of 12 hours per day

A maximum of 50 hours per week

Overtime: 10 hours per week

According to national legislation

A maximum of 40 hours per week

Overtime: Within a 40-hour working week, 8 hours of overtime are allowed. It is possible to extend this over- time period for a short time (e.g. tourist season) through an agreement with the employee.

Monthly starting salary of a licensed, full-time, non-armed private security guard performing basic tasks (not taking into account overtime, weekend, evening, night and/or other allowances)

Gross: ± € 505

Net1: ± € 420

Percentage of men and women active in the private secu- rity industry

Men: 88%

Women: 12%

Annual staff turnover rate<sup>2</sup> in the private security industry: ± 15-20%

The private security industry is regulated by law (Private Protection Act of April 22, 2003 replacing the Protection of Persons and Property Act of October 8, 1996)

Minimal protection measures in operations involving cash and valuables (Cash and Valuables Act of October 31, 2003, revised in 2005), and Firearms Act, revised on June 6, 2007.

Between 40-100 hours of industry training (depending on the nature of the task(s) and previous experience and education). Training is mandatory by the law.

### **Social dialogue**

There is sector-specific binding collective labours agreement in place for the private security industry: A branch collective agreement was signed by the employers association, CSA, and four unions (September 30, 2008). So, we can say that social dialogue in private security sector in Croatia, exist for almost five years.

According to one research conducted by the Slovenian private security association, on state of social dialogue in South East and Central European countries, social dialogue in Croatia is far more developed than in other Western Balkan countries. Still, Croatian association have to work harder on this issue in order to reach EU standards in social dialogue in private security sector.

### ***FYROM***

#### **General data**

Population: 2,052,722

Gross National Income (GNI): € 6.79 billion

Ratio security force/population: 1/410

Ratio police force/population: 1/213

Total number of private security companies (2010): 165  
Total number of private security guards (2010): 4,000  
Number of licensed private security guards (2010): 4,000  
The licence fee is financed by the guard  
Maximum number of working hours in the private security industry  
According to national legislation  
A maximum of 8 hours per day  
A maximum of 40 hours per week ( full-time)  
Overtime: A maximum of 190 hours per year  
Average monthly salary (not covering social security charges paid by the employer) of all private security guards (including overtime, weekend, evening, night and/or other allowances)  
– Gross: € 300  
– Net2: € 200  
Average age of a private security guard working in the private security industry: 30  
Percentage of men and women active in the private security industry  
Men: 98%  
Women: 2%  
Law regulating the private security industry: Law on security of people and property, enacted in 1999, updates and/or amendments introduced since: 2007  
There is an obligation for private security guards to follow basic guard training. This training programme is mandatory by law.  
Number of training hours: 40  
The training is provided by the Chamber of the Republic of Macedonia for Security of People and Property  
The training is financed by the guard.  
Upon successfully completing the basic training, private security guards are issued with a certificate of competence.  
Private security guards must follow specialised and obligatory training (by law) in order to be able to carry and use weapons. This training comprehends: Theory and target practice. Number of training hours: 10. The training is provided by training institutes licensed by the Ministry of the Interior  
Mandatory specialised training does not exist (by law) for private security managers, i.e. Operational managerial staff influencing operations (from site supervisor to CEO).  
Follow-up or refresher training does not exist.  
Specialised training is foreseen for the following types of private security activities:  
Event security (crowd control)



Body guarding (close protection)  
Cash-in-Transit services (including cash handling/processing).

### **Social dialogue**

In this country, there is no any form of social dialogue in private security sector. There are no sector-specific binding collective labour agreements in place for the private security industry.

### **Private-public partnership**

Although there is no specific research on this issue, we know that relationship between public and private security sector in this country is very close. In certain aspects, police dominate private security (training, licensing, control, many ex-policemen in private security companies etc.).

### ***Serbia***

#### **General data**

Population: 7, 306, 677

Gross National Income (GNI): € 33.62 billion

Ratio security force/population: 1/146

Ratio police force/population: 1/218

Yearly turnover (2010) of the private security industry: € 180 million

Market growth of the private security industry (based on yearly turnover), goes from 10% in 2006, up to 20% in 2010.

Repartition of yearly turnover (2010) by private security industry segment:

General guarding (excluding the segments listed hereafter): € 92 million

Airport security: € 4 million

Cash-In-Transit (CIT): € 62.5 million

Monitoring and remote surveillance: € 1.5 million

Other segments;

Electronic security: € 20 million

Number of armoured cars currently (2010) in use in the private security industry for Cash-In-Transit (CIT) operations: ± 800

Number of commercial contracts for the private market (private customers): 8,500

Number of commercial contracts for the public market (public customers): 6,000

Total number of private security companies (2010): 797

Number of private security companies (2010) actively carrying out private security services: 580

Percentage of single-service private security companies (only carrying out private security activities): 60%

Percentage of multi-service private security companies (carrying out auxiliary/additional activities next to private security activities): 40%

Total number of private security guards (2010): 50,000

Licensing for private security guards is mandatory by law.

According to the collective labour agreement maximum of 12 working hours per day, and maximum of 42 hours per week. Overtime: 2 hours per day.

Monthly starting salary of a licensed, full-time, non-armed private security guard performing basic tasks (not taking into account overtime, weekend, evening, night and/or other allowances);

Gross: € 270

Net: € 200

Average monthly salary (not covering social security charges paid by the employer) of all private security guards (including overtime, weekend, evening, night and/or other allowances)

– Gross: € 270

– Net: € 200

Average age of a private security guard working in the private security industry: 35

Percentage of men and women active in the private security industry:

– Men: 80%

– Women: 20%

Annual staff turnover rate in the private security industry: 30%

This percentage includes transfers of contracts and/or other considerations<sup>2</sup>!

### **Social dialogue**

There is no any element of social dialogue in the sector yet. The problem is in the fact that in Serbia there is no special law on private security. Almost every owner of the private security company is waiting for the law to be adopted and then start with establishing social dialogue.

### **Private Public Partnership**

For several decades now, partnership between these two sectors doesn't exist. Even in period of '80s in last century, according to one research<sup>3</sup>, when that

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2 All data & figures are used from CoESS recent publication *Private Security Services in Europe: CoESS Facts and Figures 2011*. There was not the data for Montenegro and Albania, since those countries are not a member of CoESS!

3 Davidovic D. (1993) *Self-Management Policing in Yugoslavia*. In Findley M. And Zvekic U.: *Alternative Policing Styles*. UNICRI, Kluwer Law and Taxation Publisher, Deventer, The Netherlands 1993.

cooperation was excepted by the law, there was very poor coordination- not to mention partnership. So, we must admit that there is a lack of partnership between the private and state security sectors, which is a key precondition for ensuring the security and safety of citizens, the local community and society in general. This is important in two main respects; (1) the governing model of internal security in Serbia is one of state-centralization, and, in relation to this; (2) there is evidence of a persistent stereotype that holds the police as the only provider of security in society.

A lack of communication and cooperation between public and private security sectors suggests that the Ministry of Interior (MoI) and Serbian authorities are torn between competing demands to re-define and organize modern policing, on the one hand, and demands to preserve the status quo, on the other.

These are the problems which will be starting point for critical, strategic activities in realization of recently signed Memorandum of cooperation between Serbian Ministry of Interior and Private Security Association at Serbian Chamber of Commerce.

This Memorandum is an integral part of all activities done by Security Association during last year, in preparation of special law on private security. The draft of the law is one of the issues in agenda of current Serbian Parliament session.

### **Challenges for private security in Western Balkan countries**

The private security industry in Western Balkan countries, despite the presence of unresolved problems, is entirely ready to integrate itself into wider concept of *European Model of Private Security*. These problems can be easily and efficiently solved by way of proclaiming and realizing several principles; (1) the principle of legalization (2) the principle of professionalization; (3) the principle of standardization and (4) the principle of Europeanization.

Using these principles Western Balkan countries could reach a wider and higher stage which by definition release them from dependence to political will and economic strategies of development... They should depend exclusively on; (1) qualifications and capability to join the European security community that, four years ago, signed the Joint Declaration on European harmonization of laws that regulate the sector of private security; (2) the reform potential of the MoI represents the basic precondition for establishing the partnership between private and public sectors and finally; (3) strategic reform-based projects that would, according to the principle of *horizontal coordination* and *vertical integration*, lead to the development of a more modern and functional concept of the internal security system.

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#### ***PRIVATNA BEZBEDNOST U ZEMLJAMA ZAPADNOG BALKANA***

##### ***Stanje i izazovi***

*Pojam Zapadni Balkan počinje da se koristi nakon raspada bivše SFR Jugoslavije i obuhvata sve bivše jugoslovenske republike i Albaniju, osim Slovenije. Kao novi geopolitički pojam, Zapadni Balkan, za potrebe različitih analitičkih pristupa, ponekad ima više regionalno-geografsku konotaciju, nego političku. Odnosno, više prostorno-ekonomsko nego istorijsko-kulturološko-političko značenje. U nekim drugim kontekstima, Zapadni Balkan se koristi isključivo kao politički pojam. Dakle, mi govorimo o Srbiji, Bosni i Hercegovini, Crnoj Gori Hrvatskoj, Albaniji i Bivšoj jugoslovenskoj republici Makedoniji. Odnosno, analiziramo stanje i probleme sektora privatne bezbednosti u ovim zemljama, uz kritičku analizu mogućnosti unapređenja ove delatnosti i njene harmonizacije sa evropskim modelom proivatne bezbednosti.*

***Ključne reči:*** *privatna bezbednost, socijalni dijalog, javno privatno partnerstvo, evropski model privatne bezbednosti, Evropska konfederacija službi privatne bezbednosti.*