

Reform Processes in the Police – the Case of Croatia

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Summary

To observe the rules of democracy, rule of law, firm guarantee to observe civil and religious freedom, equality of all our citizens, the right of each individual to have the same opportunities and protection of fundamental rights and freedom guaranteed by the international conventions and Croatia's legal system are the principles set by the Government as the highest political and moral principles to follow.² To achieve the program goals set up by the Government, the Ministry of the Interior (MoI) has its strategic goals to be realized within the given mandate.

This paper presents the reforms in Croatia's police from three viewpoints. The first set of reforms are defined by the program guidelines of the MoI of the Republic of Croatia for the period between 2004 and 2007, the second are the consequences of the geopolitical position and the outcome of the war in the region and the third represents a systematic adjustment to the current situation determined by global terrorism.

Introduction

Croatian police as the main and fundamental component of the Ministry of the Interior are going through a new stage of development. The police are based on the values and results of the Patriotic Defense War, but have also been undergoing a turbulent and dynamic development in the past sixteen years.

¹ All statements made in this article are solely those of the author and in no way reflect the official positions or policies of the Republic of Croatia, Croatia's Government or Ministry of interior.

² Constitution of the Republic of Croatia, Zagreb, 25 April 2001.

Today, the Republic of Croatia with the Police as its component is faced with new challenges such as full EU and NATO membership.

The Ministry of the Interior is responsible for performing the tasks of the police, which have the status of a public service providing its citizens the protection of their fundamental constitutional rights and freedom as well as protection of other values guaranteed by the Constitution in accord with the current law.

The sphere of the Ministry of the Interior's activities is defined by the Constitution of the Republic of Croatia and other laws, particularly by the Law on the Police specifying the structure, organization, tasks and competence of the police.³

To perform the police tasks, the Ministry of the Interior has founded the General Police Directorate as an administrative organization within the Ministry. A total of twenty Police Directorates are set up on the territory of the Republic of Croatia being in accord with the existing structure of local administration. According to the size of the area, number of inhabitants, number of criminal acts and offences the importance of traffic routes, geographic position, the Police Directorates are divided into four categories.

At the headquarters of the General Police Directorate there are Police Administration, Crime Investigation Administration, Border Administration, Operative-communication Police center, Special Police Command, Center for crime expert assessment, and the Police Academy.⁴

The above mentioned police structures employ police officials authorized to perform police tasks and civil servants and employees who are not in charge of police tasks.

³ Law on the Police, Zagreb, 19 December, 2000.

⁴ Benko M., Head of the police of MOI HR: Introductory speech at the scientific and expert meeting *Human Resources in Fighting Terrorism*, Police Academy, Zagreb, 7-8 September 2006.

Reforms Defined by Program Guidelines

Strategic goals of MoI of the Republic of Croatia are defined in the program guidelines for the period from 2004 to 2007,⁵ and divided in two groups as follows:

- goals with regard to security and
- goals with regard to the promotion of police organization.

Goals with regard to security imply the following:

1. Crime prevention
2. Cooperation and coordination between police and judiciary
3. Increase in road traffic safety
4. Maintaining law and order
5. Supervision of the state border
6. Providing security for protected individuals, objects and space
7. Development of the MoI's system of acting in the state of crisis

Goals with regard to the promotion of police organization imply the following:

1. Building the asylum system
2. Improvement of the international police cooperation
3. Development of partnership with social community
4. Development of successful communication with general public
5. Development of the police management
6. Building the system for staff control according to EU standards
7. Reform of educational system for the police officials
8. Institutional supervision of scientific and research work⁶
9. Modernization and development of information and communication system

⁵ Program guidelines of the Ministry of the Interior of RC for the period between 2004-2007, Zagreb.

⁶ Antoliš K., "Prerequisites for Systematic Fighting Terrorism", Conference on *National security & traffic perspectives for Republic Croatia*, Croatian Parliament, Zagreb, 27-28 February 2006.

10. Protection of data and information in ICT systems
11. Office standardization and automation
12. Development of the system of taking responsibility for the results of work, legal acting and observing the code of ethics.

Preconditions to reach strategic goals as defined above first include a set of standards, the police code of ethics and organizational processes based on professionalism, modernization, rationalization, democratization, transformation and integral development of MoI of the Republic of Croatia.

Reforms, Geopolitical Position and the Consequences of War

Particularly significant factor that has influence on the security of the Republic of Croatia is its geopolitical position. Namely, according to its geographic and traffic position, the Republic of Croatia is a central European state connecting Western Europe's states with the states of South Eastern Europe and Asia. To illegal migrants and trafficked persons such geographic position represents a transitional route across the territory of the Republic of Croatia towards their final destinations in the states of Western Europe.⁷ The MoI of Croatia in cooperation with the other authorized bodies and in accord with the accepted international standards takes operative and preventive measures to stop and remove a threat of terrorist actions including different forms of international cooperation which Croatia is permanently trying to develop to be as efficient as possible, especially by further intensifying bilateral, regional and multilateral cooperation.⁸

Therefore, the Government of Croatia, i.e. the MoI, has made bilateral agreements on cooperation which imply cooperation in fighting terrorism with the aim of exchanging data and information on planned or performed terrorist actions, on persons taking part in those actions, the

⁷ Antoliš K., "Terrorists Routes in South-Eastern Europe and the Balkans", CT WG meeting, Garmisch (Germany), 28-29 September 2006.

⁸ Kirin I., Minister of MOI, RC, introductory speech at scientific meeting *New Horizons of Modern Terrorism and Anti-terrorism – Croatia's View*, Croatia's Academy of Law and the School of Law, Zagreb, 9 May 2005.

fashion in which they were carried out and on activities and technical means applied in the activities.⁹ Cooperation also includes exchange of information on terrorist groups whose criminal activities are being done or were done or planned to inflict damage or are against the interest of other states. It also includes data important for prevention of terrorist or criminal activities threatening public security. It is important to stress that such agreements are made with all our neighboring states.¹⁰

Apart from the afore-mentioned, Croatia, i.e. MoI, as a member of INTERPOL is due to observe the Statute and apply the INTERPOL resolution which regulates these problems. The implementation procedure of the agreement on cooperation between the Republic of Croatia and EUROPOL, of which Croatia will be a full member after joining the European Union, is underway.

Second important factor which has impact on the state of security in Croatia is the outcome of the war in Croatia and the fact that a large amount of weapons and explosives from the arsenal of the ex-Yugoslav people's army have been left without any control and are easily accessible to the public. It is also a fact that the police have recorded criminal acts in the sphere of classic and organized crime, committed with the weapons or explosive of military origin.

Aware of the importance of keeping fire arms under police control and of destroying them, the Croatian Government, i.e. MoI, has several times organized the action of voluntary giving up of weapons, ammunition, mines and explosives, which so far have shown good results.

⁹ Kirin I., Minister of MOI, RC, speech at unofficial meeting of the ministries of the interior affairs of the South Eastern European states in Varna (Bulgaria), 18 March 2006.

¹⁰ Kirin I., Minister of MOI, RC, introductory speech at the scientific and expert meeting *Human Resources in Fighting Terrorism*, Police Academy, Zagreb, 7-8 September 2006.

Reforms Determined by Global Terrorism

Global terrorism is a serious threat to all states in the world today, especially to the member states of the anti-terrorist coalition. We all agree that there is no goal justifying terrorism, yet our approach must be based on the concept of the law-grounded punishment, not revenge. Terrorism must not become a legal means of fighting evaluative changes in human community. I also hold that basic human rights should be particularly observed in the context of fighting terrorism.

The creation of scientific and technological prerequisites for efficiently fighting terrorism grounded on international and national research projects are a guarantee that the sources of scientific and expert knowledge necessary to work out a high quality, modern and internationally valued and verified teaching material will be provided.¹¹

We also hold that along with understanding a general necessity for educated and professional human resources in fighting terrorism, the needs and demands of economic subjects and civil society as a whole, are important to understand¹².

The MoI of Croatia, especially the General Police Directorate, pays particular attention to education and training of the police staff. It includes regular seminars and courses organized independently or in cooperation with the Police Academy including their own knowledge and experts but also part-time associates and experts. Besides, police officials are educated through courses and seminars organized in other states, institutes and organizations. Their great importance is in meeting experts and exchanging knowledge and experience.

¹¹ Antoliš K., "Strategic prerequisites for partnership in combating terrorism", Conference *Establishing referent laboratory for nuclear-biological-chemical protection and system for bio-monitoring in republic Croatia*, Institute Ruder Bošković, Zagreb, 6 June 2006.

¹² Antoliš K., Introductory speech at the scientific and expert meeting *Human Resources in Fighting Terrorism*, Police Academy, Zagreb, 7-8 September 2006.

In accord with the international responsibilities of the Republic of Croatia, and on the grounds of the MoI's annual tasks and the role of the Police Academy within the MoI, on 7 and 8 September 2006, a two-day scientific meeting 'Human resources in fighting terrorism' was organized at the Police Academy in Zagreb.

Judging by nearly thirty papers presented at the meeting and discussions at the plenary part of the meeting concerning scientific and expert contributions in fighting terrorism, we think that the meeting contributed to the increase in the level of national security of the Republic of Croatia, especially as the meeting started some initiatives included in the following suggestions:

- To start a project of national program of education in the sphere of fighting terrorism;
- To start a project to investigate the needs for new curriculum in the sphere of fighting terrorism in cooperation with Polytechnics and Universities organized at the levels as follows: courses, under graduate and graduate level;
- To start a project-based new and improve the existing legal provisions to encourage the work of the services responsible for security of economic subjects, vital for state interest;
- To make legal conditions for the implementation of university-level education in the domain of fighting terrorism at the Police Academy of the MoI of the Republic of Croatia.

There is also a need for institutional supervision of scientific, expert and research efforts at the level of the MoI of Croatia so that coordinated and targeted projects can improve that aspect of Croatian MoI activities which is in accordance with the planned strategic goals, defined by the program guidelines of the MoI of Croatia for the period from 2004 to 2007.

Conclusion

According to the afore-mentioned, we hold that the issue of human resources should take a prominent place.¹³ High quality solution to the issue of human resources particularly in the domain of fighting terrorism provides a higher level of mutual understanding and cooperation between state bodies, economic subjects and the wider social community, the increase in general security both in the Republic of Croatia and international community being the final goal.

The creation of a suitable legal framework for education and lifelong professional improvement of experts in fighting terrorism is one of the starting prerequisites for building a successful and efficient state system for fighting terrorism and one of the priorities of the police reform.

Overall reform processes, from working out particular programs to concrete projects, must be compatible with the system of strategic targets defined by the program guidelines for the period of 2004-2007, so that the planning and activities of the MoI can be coordinated and obtained results integrated in the consistent system. This is the only viable and balanced approach to the development of the MoI in future.

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¹³ Antoliš.K., "Human Resources in Combating Terrorism", *Modern Traffic*, vol. 26 No 5, Zagreb, September-October 2006, pp. 285-384.

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