

Challenges of surveillance of the private security sector in the Balkan countries

Milan Daničić, PhD
Faculty for law and business studies, Novi Sad
E-mail: milandanicic58@gmail.com

Dragomir Jovičić, PhD
University of Banja Luka
Faculty of Safety Sciences
E-mail: dragomir.pravedna@gmail.com

Abstract

Private security sector on the Balkans has been getting stronger from the beginning of the 1990s, growing into the main carrier and employer in the field of private security services. In the last period of time, activities of private security in these countries, with more or less difficulties, have been developing according to certain legal frameworks and accepted codex of behaviour and management, in order to eliminate praxis that is not conducted by positive regulations and general social normative. On the other hand, there are different problems in the Balkans concerning functions of private security sector, which are often manifested in a very similar way, especially in the countries that did not get far in the process of European integrations. In the near future it will be necessary to completely harmonize legal regulations of the Balkan countries with the standards of international law in this field, which was already done by members of the European Union from this region – Greece, Bulgaria, Romania and Croatia. Actual problems in the private security sector are usually related to informal connections of private security subjects to state security structures, criminal groups and political parties, insufficient financial support and inadequate education of executors, as well as imbalanced development of private security market, especially in

rural and less urbanised areas. The surveillance over the actions of private security sector in all Balkan countries formally exists, but its effectiveness and efficiency is not on the required level. There is no doubt that these questions that are related to the surveillance and the control over the industry of private security are directly connected to the actual condition of reforms of security sector in countries from this area. In praxis, the surveillance over the legitimacy of actions of private security subjects is done by municipal authorities in ministries of internal affairs (less often also by professional associations), while parliamentary surveillance and ombudsman actions are being neglected, which witnesses how the private security in the Balkans is still not considered as a priority to the system of national security.

Key words: private security sector, surveillance, Balkans

1. Introduction

A privatization of security is primarily related to the need of satisfying the feeling of security, respect of human and citizen laws and freedoms and their more effective protection, while assuring that every individual can decide about his ways of personal protection from various types of endangerment. Process of security privatization is being influenced by specific security, historical, cultural and other conditions that are characteristic for one certain state community.

Development of the market with commercial security services imposes necessity of an adequate normative setup, an appropriate supervision and a control of a private security sector, whose actors are trying to achieve legitimacy within the national security system and ensure their smooth actions (Richards and Smith, 2007).

In the case, when subjects of private security are functioning without an efficient supervision or their activities are inadequately regulated, that can represent a significant problem for democratic states, and for the states in transition along with post-conflict societies, this development could mean harder establishment of peace and stable order, interfere with bracing of democracy and disturb plans of a long-term development (Pavlović, 2011). When the private security sector is not controlled enough, it could lead to deepening of existing social conflicts and discrepancy, especially if

security becomes a good available just for the elite, while the most citizens could not afford them services of private security.

A level of responsibility of the private security sector depends on a right legal frame, efficient supervision mechanisms and ways of control that are performed by certain institutions, while the national regulation is a key to efficient supervision over the private security market.

Private security has been positioned for years on growth path in the whole world, starting from a relative anonymity, global popularity, all the way to a pluralistic model, in which public and private actors contribute to the social security (Manning, 1999). According to this fact, a private security politics has following dimensions: legal legitimacy, related to activities performed according to the accepted legal frames, instrumental legitimacy, which is related to efficiency of actions of private security subjects and normative legitimacy, related to methods of harmonization of private security with present norms of the national security system.

2. Types and ways of control and supervision of private security

Control implies a comparison between real actions of state and non-state subjects and results of those activities, along with actions and results that are expected based on in advance established criteria (Tomić, 2002). Control and surveillance have common elements, related to the influence of organs that are supervising, i.e. controlling the one, who is a subject of the supervision, i.e. control. According to that, control represents a one-time or a long-term process within the process of surveillance. Surveillance without control is possible, but not efficient.

Control makes sense if it is performed before the occurrence of harmful consequences, includes all the relevant actors, not performed contrary to other missions, and if it is performed according to economic and legal principles, with sanctioning any deviation from legal procedures (Milosavljević, 1997).

It could be discussed about outer and inner formal means of control of private security. Formal assets of control include parliamentary control, government control, control of non-government organizations, court and prosecution control, while informal outer assets include public, media and non-government sector. Inner formal means of

private security control include hierarchy control, disciplinary responsibility and intern control organs (Born and Leigh, 2007).

2.1. Inner means of private security control

Hierarchy control represents a part of a leadership process in the private security system. It is characterized by wide authorizations of controller towards a controlled subject. Hierarchy control is performed in official way (contacts of higher and lower levels), or on the lower level, after complaints of displeased citizens (Tomić, 2002).

Disciplinary responsibility, as a way of inner control, is under surveillance of the private security subjects. If it is predicted, it is established by a leader or special disciplinary bodies.

Possibilities of special intern services for control go beyond the hierarchy ones, when it comes to their conception and reach, and they are present in large and complex subjects of private security. Specificity of this control form is in a narrow specialisation for establishment of illegalities, such as the use of means of coercion and abuse of power, as well as its direct responsibility to management of private security subject.

Inner informal means of private security control include ways of self-control and interpersonal control, as well as control by syndicate and association (Van Steden and Sarre, 2007).

Self-control represents a mechanism of establishment of behaviour norms as a part of conscious reaction in certain situations. Mechanism of self-control is formed by establishment of grading system, development, responsibility and adoption of professional ethics.

Interpersonal control is a mechanism of mutual control in a joint action of more inner work teams within the private security sector, and the relation system of groups with common ideas, which are protected by the work of the mentioned group (Dapčević, Marković, 2010). Characteristics of these ideas are consciousness about the common responsibility, solidarity with consequences that result from the presence of the group and establishment of a special psychology of group behaviour, enabling in that way special programs of group control with principles of solidary responsibility.

In the most of the countries, union and professional associations within the private security sector are usually dealing with issues related to the protection of employee rights, i.e. social and economic position of employees in the private security

sector. Professional control is usually performed by organizations of private security subjects, either within business chambers or independently. Professional surveillance is manifested through issuing of certain certificates to candidates for admission to private security companies, while in the same time, control is possible in the cases of uses of force or subtraction of a company licence (Richards and Smith, 2007).

Inner control assets also include socialization. Namely, contact of private security subjects with citizens influence positively on their complete integration within a social community and their right behaviour. It is considered that close social contacts with the environment make private security subjects more responsible for their actions, because they ensure security culture and make work more transparent. On the other side, there are other opinions that support a limited level of relations between the private security sector with citizens, in order to prevent some certain negative events.

2.2. Extern means of control and surveillance of private security

A parliamentary supervision represents a mixture of politic and legal elements, with the predominance of politic one. Politic element of surveillance actually represents an audit that checks if an activity is performed according to a certain politic decision or a parliament opinion. Legal elements of parliamentary control are related to a validation procedure according to legal principles, aiming to achieve public interest and to correct illegal actions (Dapčević, Marković, 2010). There are two types of the parliamentary supervision of the private security sector. One of them are legal authorizations of parliament, i.e. operations of competent bodies within the parliament. What is more, an important way of control of the private security sector is related to a special independent ombudsman institution, which is chosen by the parliament.

Government influence on the private security sector is achieved by normative authorizations. In that context, government accepts sublegal regulations in order to implement the law that will regulate a certain area (Tomić, 2002). Using ministries, i.e. from central, regional and local government level, government directly controls private security subjects. That control includes issuing of work permits, permits for carrying firearms, inspection surveillance of private security subjects and similar.

Control of the private security sector by ministries of inner affairs is the most common way of the extern control and is present in the most of the countries that have an organized legal regulation in this area. This way of control includes testing if all

conditions, which are needed for private security subjects to start with their activities, are achieved, and what are the reasons for a withdrawal of the approval. The same refers to permits that allow individuals to perform all these activities, legality of the use of authorization and the use of coercion, fulfilment of conditions for acquisition and possession of weapon and munition, and for keeping proper records.

Court control of the private security sector is performed within a usual procedure of competent judicial authorities, related to establishment of illegality in activities and use of authorizations by private security members. That control includes resolving disputes for compensation of damage, a procedure in criminal situations with provision of evidence by private investigators, and a procedure in the cases of criminal and violation responsibility of private security members, related to acts done by performing their normal job activities (Krahmann and Abzhaparova, 2010).

Advisory bodies that are by the rule established on the level of local communities and do not have control authorization, which would possess a mandatory character for private security subjects; but in contrary they act by giving recommendations, proposals and advices in order to achieve public influence on security in communities.

Informal external supervision of the private security sector is performed by public opinion, media and non-government sector. A relation between private security and public is complex because of several reasons: specificity of actions of private security members (use of coercion, limitation of individual freedoms and rights in situations that are legally determined, use of discrete authorizations); the main target of private security subjects cannot be achieved without public support and cooperation; the private sector gets more trust from citizens when it opens itself to public (Lopes, 2014).

Media represents an inevitable way of informing citizens and protection of their rights, and an independent instrument of control of legislative, executive and judicial power. By the time, media is winning more and more social power, which is often misused (tabloids, disguised ownership, control by hidden centres of power, manipulations). Media has a great influence on the general picture of private security, i.e. on building image of private security services (Ignjatović, 2008).

Non-government sector achieves its most important activities in systems that are characterized by freedom of speech and opinion, and where this activity is realized in order to win over the general public. When it comes to domain of activities belonging

to the private security sector, non-government sector has a relatively significant control mechanism that functions through the influence of different interest groups.

3. State of control and supervision of the private security sector in the Balkans

3.1. Actual control of the private security sector in Balkan states that are members of the European Union

As a part of a process of admission to the European Union, the new Law on Private Security has been approved 2003 in the *Republic of Croatia*. In 2010 it was changed and supplemented. Administrative, i.e. inspection surveillance of the implementation of the Law on Private Security is done by the Ministry of Internal Affairs. Beside that, the MIA is also responsible for approval of jobs that are related to personal and property protection, and for issuing work permits for guards and security operators. Activities of the professional association "Croatian security guards (Hrvatski ceh zaštitara)" have a certain significance, as well. (Page and Associates, 2006).

Changes in the Law from 2010 enabled a possibility that jobs in the Croatian private security sector are also available for companies and businessmen from the European Union and from the states that signed the Contract about European Economic Space. As well, relations between the police and the private security sector have been better organized. With the same law, limitations of certain activities of private security companies were withdrawn. The most important change is related to a possibility to offer an adequate private protection to state institutions and local governments (Nadj, 2012).

Detective activities in the Republic of Croatia are defined by the Law on Private Detectives, dating from 2009. The procedure for approval of detective activities and control in the area according to the Law is performed by competent organs of the Ministry of Inner Affairs.

Furthermore, the Law on Private Detectives offers a possibility that private detectives perform their duties also in the case when they have job offers that are issued from some state in the European Union or from a state that signed the Contract about European Business Area. (Nadj, 2012).

It is estimated that a bit more than 150 licensed legal entities (including 20 detective agencies) perform private security and investigation activities in the Republic of Croatia, with over 13 000 employees (almost 35% less than 2009). Private security in Croatia is characterized by grouping trends, a certain monopolisation of this type business (two largest companies- Sokol Maric and Securitas Hrvatska include 47% of employees and 64% of the overall income) and a lot of cases, where licensed security guards go to work in the states of the European Union (Najman, 2016).

Parliamentary supervision over private security subjects in Croatia does not exist, as problems concerning protection and investigation activities are not being mentioned in the scope of working bodies within the Croatian Parliament.

Functioning of the private security sector in the *Republic of Greece* is regulated by the Law on Private Security from 1997, changed and updated in 2008. Services of private security companies include: general protection, security of airports and diplomatic-consular representative offices, maritime security, transport of values and money, surveillance and long-distance control, design, installation and maintenance of alarm systems, personal protection, convoy escort, security consulting and private investigation activities (CoESS, 2012). Nowadays, private security companies have been offered to protect camps that are used for a temporary accommodation of migrants in border areas (Gebrewoldand Bloom, 2016).

Control and inspection of private security companies in the Republic of Greece are performed by the Government along with its competent organs on the national level. The parliamentary control of private security subjects is neither legally organized, nor present in the practice. Authorized organ for initiation of implementation and change of legal regulations in this area is the Ministry of Public Order and Citizens Protection, while work licences are being issued by the Ministry of Inner Affairs. Special licences for weapon use by private security companies are being issued by the Ministry of Public Order and Citizen Protection, which is also a competent organ for criminal and misdemeanour prosecution, and pronouncement of administrative sanctions to private security subjects (CoESS, 2014).

Employees in private security companies have their representatives in associations and syndicates, such as the Greek Federation of Employees in the Private Security Sector (OIYE), the Association of Security Companies (ENEA) and the Greek Federation of Employees in the Personal Security Sector (OMYPAE).

In the Republic of Greece in 2013 around 1.100 private security subjects were operating, with almost 60.000 licensed security guards. As the economic crisis in the country got deeper, overall incomes and profits of private security industry has been going downwards for years. Even in Greece there is a concentration of power in the private security sector, so that three largest companies earn more than third of overall profit in the sector (CoESS, 2014).

In *Romania*, the position of the private security sector is organized by the Law on Protection of Objects, Goods, Values and People from 2003, changed and updated in 2010, and by the law on Private Detectives from 2003. Legal regulations also allow use of weapons by private security subjects. Private security services include physical protection of certain objects, persons and manifestations, security of water and air traffic, technical supervision, escort of money and goods in transit (CoESS, 2014). According to legal possibilities, even the state security sector is enabled to offer commercial services, which all together leads to conflict of interests and corruption.

Private investigation activities in Romania is regulated by the Law on Private Detectives from 2003. Private detective agencies and detectives have to possess licences, which are issued by the General Inspectorate of the Police. Detectives in this country are not allowed to perform activities that are under the jurisdiction of the state Police, or to perform activities related to secret supervision of communication (Gallagher, 2009).

Establishment and changes in legal regulations that organize the private security industry are under the jurisdiction of the Ministry of Inner Affairs, while control and inspection surveillance of private security subjects is performed by the authorized General Inspectorate of the Police. For all employees in this sector, the Police and Romanian informative service (Serviciul Roman de Informatii – SRI) perform security checks first. Services of the national security that keep these authorizations are considered as a relic of the past (Born and Associates, 2007). In Romania there is no additional control, which would be performed by parliamentary and ombudsman associations (Page and Associates, 2006).

Development of the private security sector in Romania was related to the rapid transition and inefficient activities of the post-authoritative state. The practice lead to the situation, where a part of members of politic-security structures of the former regime, including Securitate, through privatization of security kept the existing privileges and earned a great fortune. Step by step it came to the fragmentation of

security functions, due to the liberal model of services provision in the private security sector and unfair concurrence of public and private actors (Gheciu, 2015).

Private security jobs in Romania 2013 were performed by approximately 1.860 registered subjects with more than 120.000 employees. Three largest private security companies cover 43% of the market (CoESS, 2014).

Conditions for grounding and way of functioning of private security companies in the *Republic of Bulgaria*, as well as the control of their performances, are regulated by the Law on Private Security Services from 2004, changed and updated in 2011 and 2014. According to the Law, private security subjects can offer various types of services to their clients, including physical and technical personal protection, providing security of meetings and properties, transport of values, protection of critical infrastructure, detective services (Bulgaria has no special law on detective activities), installation and maintenance of alarm systems and systems of electronic surveillance. The Law on Private Security Services enables use of weapons for private security subjects (Dzekova and Kojouharov, 2016).

Any additions or changes in the law that regulates the private security industry in Bulgaria are under the jurisdiction of the Ministry of Inner Affairs. According to the law, a subject has to possess a licence in order to perform private security services, and the companies have to be registered in the Police. Control and inspection of private security industry is done by the Ministry of Inner Affairs. Administration sanctions are proposed by the MIA, the National Tax Administration and Work Inspectorate, while criminal sanctions are under the jurisdiction of the competent courts (CoESS, 2014). Police along with the National Inspectorate checks the activities of private security companies with the accent on work permits, permits to carry weapon, security plans, personnel education, vehicle checks and similar (Page and Associates, 2006).

Significant activities in the private security sector are entrusted to the two trade associations: the National Association of Companies for Industrial Security and the National Organization of Individuals and Associations That Provide Private Security Services. The ethic codex has also been introduced to the private security sector, insisting on the respect for the law, cooperation with the police and professional provision of services.

Even though there are legal authorizations of the Parliament and the Office of the National Attorney for supervision of the private security sector, activities on this plan are not yet visible. A state of control and supervision of the private security sector

in Bulgaria is on the low level, accompanied by overall corruption, grey business zone, conflict of interests and coalition of private security subjects with criminal and parapolic structures (Dzhekova and Rusev, 2015).

According to the data of the MIA from 2014, in Bulgaria there was 2.688 licensed private security companies, while only 500 of them were actually active. The State Institute for Statistics declares that around 67.000 persons were employed in the private security sector (in contrast to 28.000 policemen). However, syndicalist associations from this area claim that number of employees in the sector is impossible to estimate correctly, because including the grey business zone and self-protection activities, this number of employees could also easily be around 200.000 (Dzhekova and Rusev, 2015).

3.2. Control of private security in other Balkan countries

A legal regulation related to private security on the level of *Bosnia and Herzegovina* does not exist, while its entities have unevenly arranged regulations. The private security sector in Bosnia and Herzegovina was formally established in 2002, by implementation of the law in the Federation of Bosnia and Herzegovina and in the Republic of Srpska. In this way, the Federation implemented the Law on Agencies for Protection of Citizens and Properties, while the Law on Private Detectives has not been accepted yet. In the Republic of Srpska, the Law on Agencies for Personal and Property Safeguarding and Private Detective Activities from 2002, changed and updated in 2005 and 2006, regulates the overall sphere of private security. The District of Brčko regulated this area by the Law on Agencies for Personal and Properties Safeguarding and Private Detective Activities in 2004, which was changed and updated in 2005. On the level of both entities later on two new laws in this area were accepted, the Law on Agencies and Inner Services for Personal and Properties Protection in the Federation of BH, dating from 2008, and the Law on Agencies for Personal and Properties Safeguarding and Private Detective Activities in the Republic of Srpska, accepted in 2012.

In entities of BH, a lot of questions in this sphere are legally regulated, such as conditions for establishment and work of private security subjects, rights and obligations of private security subjects, professional educations, inner and extern controls and surveillances over the private security sector, authorizations of employees

in the private security sector, use of force and weapon, relations between the private security sector and the police or other. (Nikač and Associates, 2013).

At the central government level, there are no mechanisms of supervision and control of the private security sector. On the entity level, this function is done by police services of ministries of inner affairs of the Republic of Srpska and the District of Brčko, while in the Federation of BH the police performs supervision at the cantonal level (Pavlović, 2011). The cooperation ways between police services and the private security sector at the entity level are not institutionalized, and the cooperation is achieved from a certain case to other case.

According to some data, in Bosnia and Herzegovina there are 164 private security companies, with around 4.200 licensed members (CoESS, 2014). In the private security sector there are still numerous problems, including the fact that a certain number of the companies and agencies do not harmonize their activities with the valid regulations, while in the same time they also do not bear any sanctions for this kind of behaviour. (Ahić and Associates, 2013).

The actual stage of the private security sector in BH is reflected in a long-term post-conflict division of the country, causing a longer period of time for revitalization and modern standardization of the private security sector (Nikač and Associates, 2013).

Functioning of the non-state security sector in *Montenegro* is regulated by several laws, among which the most important are the Law on Personal and Properties protection from 2014 and the Law on Detective Activities, established in 2005 and changed and updated in 2008. Services of the private security sector in Montenegro include: protection of persons, properties, nature wealth, goods and environment; maintenance of order on public meetings; escort of cash and values; designing, installation and maintenance of alarm, video and other technical systems (Rizmal, Vojinović, 2014).

Issuing of work permits in the private security sector is under the jurisdiction of the Ministry of Inner Affairs. Protection jobs in Montenegro are done by safeguards, protection technicians, bodyguards, employees in escort sector and guards. Each of jobs demands a work permit (Nikač and Associates, 2013).

Detective activities in Montenegro are regulated by the Law on Detective Activities, including conditions and types of detective activities, rights and obligations of private detectives, and supervision of detective work. Detectives are not allowed to

use means of coercion or any other specific operational-technical means (Rizmal and Vojinović, 2014).

Control and inspection supervision of the implementation of the Law on Detective Activities is performed by the Division for Supervision of the Private Security and Private Investigations Sector within the Ministry of Inner Affairs. In this country there is no professional association of private security subjects. The parliamentary supervision of the private security sector does not exist, as the parliamentary Committee for Security and Protection has none of these questions under its jurisdiction (Radević and Kalač, 2012).

75 legal entities in Montenegro owe a permit to work in the private security sector, and over 2.800 individuals possess a permit to work as a personal or property safeguard. Detective activities are performed by two detective agencies.

The private security sector in the *Republic of Macedonia* is regulated by the Law on Private Security from 2012, and the Law on Detective Activities from 1999, changed and updated in 2007. The Chamber of the Republic of Macedonia for Personal and Properties Security was established in Skopje in 2007, having as a target to implement the legal regulations.

The private security sector in Macedonia offers following services: physical and technical protection of properties, persons and manifestations, escort of values, security evaluations and consulting, design of security systems and similar (Nikač and Associates, 2013).

Supervision of the private security sector is done by the Ministry of Inner Affairs of the Republic of Macedonia and the Chamber of the Republic of Macedonia for Personal and Properties Security. Legal entity that performs security jobs is obligated to enable the supervision and to put at the disposal all the needed documentation to the authorized persons, as well as to provide any needed information or notifications (Bakreski and Associates, 2015).

Supervision of the implementation of the Law on Detective Activities is done by the MIA. Detectives are forbidden to perform detective jobs for national and foreign countries or for political parties. During detective activities, they are not allowed to carry weapon or use any other means of coercion, or some other means that are in the exclusive jurisdiction of state institutions. Detective activities in Macedonia are still being developed, and at the time seven detective agencies are in function (Slaveski and Božinovska, 2016).

According to the data of the CoESS and the MIA from 2012, over 4.000 individuals possessed licence for security jobs, while only 2.900 of them were professionally engaged. In the same time, 139 legal entities were actively performing security jobs (CoESS, 2014). However, according to the data of the Chamber for Personal and Properties Security, during 2012 only 57 private security companies were performing their tasks in harmonization to the valid Law. These imbalances show how changeable legal regulations and market conjunctures are, but also highlights the presence of illegal business and weaknesses in the supervision system of the private security sector (Vankovska, 2015).

After the stabilization of the situation in the *Republic of Albania*, which was facing the citizen war and chaos in 1997, conditions for establishment of the private security sector were made. This sector is rapidly developed, so that the number of employees is almost equal as the number of the people working in the police sector (close to 11.000). However, a number of active private security companies (265) is being kept constant over the years (Dyrmishi, Madhi, 2015).

According to the Law on Agencies for Private Security from 2014, private security services in Albania include personal protection (also private detective jobs), physical-technical security, security on various manifestations, protection of critical infrastructure, escort of money and values. Employees in this sector must be Albanian citizens and they should not be convicted or fired from the Police for breaking the law (Bakreski and Associates, 2015).

Work permits in the private security sector are being issued by the Albanian Police. Depending on the scope and type of services that are offered by agencies, they are categorized into three groups: A includes companies that provide security of private and public buildings; B refers to agencies that perform physical security services; and C category include companies that do escort of money and values (Bakreski and Associates, 2015). The Law does not regulate use and storage of weapon or munition, but the same regulations for military and police are being obeyed.

Supervision of the private security sector is done by the General Directorate of the state police within the Ministry of Inner Affairs. Work permits are being checked once a year, and if some irregularities are noticed, permits are not being prolonged. Certain control authorizations over the private security sector are possessed by the Ministry of Inner Affairs and the Ministry of Finances. Parliamentary supervision in this sphere does not exist.

The main problem of the private security sector is referred to a weak and non-efficient supervision over the mentioned sector by institutors of executive and legislative authorities, absence of self-control in the private sector, grey market, corruption and politicization in this sphere (Dyrmishi, Madhi, 2015).

Republic of Serbia was until 2013, when the Law on Private Security and the Law on Detective activities were implemented, the only state on the Balkans that did not have legal regulations referred to private detective activities. The deadline for implementation of the Law was extended until the 1st of January 2017, because of the late implementation of sublegal acts and licencing of legal entities and individuals in the sector. Namely, until the November 2016 the Ministry of Inner Affairs issued work licences for only 21 companies and to 3.570 security employees (from estimated 300 companies and 30.000 employees on the day of the law adoption). Beside that, the quality of professional education was rated as weak (Petrović, 2016). Professional education for less number of employees in detective agencies has been performed according to the plans.

The private security sector in Serbia include activities in physical and technical protection, planning, projecting, technical surveillance, montage and maintenance of technical protection systems, money and value escort, monitoring services, self-protection and detective activities (Nikač and Associates, 2013). The process of monopolization is evident, so that the greatest companies in the sphere cover over 70% of the market. What is more, there is a non-transparent connection between the private security management companies and political structures (Trivan and Associates, 2015).

The Association for Private Security within the Commerce Chamber of Serbia has 119 business societies as members (The Association for Physical security has 37, The Association for Technical Security has 36, The Association for Self-Protective Activities has 30, while the Association for Detective Activities has 16 legal entities as members).

The Ministry of Inner Affairs performs inspection and administrative supervision over subjects in the private security sector, but in general the extern control of private security is not satisfying. Parliamentary control of private security does not exist, unless if it is considered that the parliamentary Committee for Protection and Inner Affairs is constantly monitoring the sector, as it is legally monitoring the work of the MIA of the Republic of Serbia.

A cooperation between the subjects of the private security sphere with competent authorities and local government in Serbia is on the very low level, which is the same case with prevention and suppression of criminal (Trivan and Associates, 2015)

A process of professionalization of private security in Serbia is performed slowly, whereby there are structures within the state and the companies that are trying to block it. What is more, demands for these are fewer because of the bad economic situation. All of this leads to lower prices with higher business costs, which questions the survival of the most private security companies (Petrović, 2016).

Private security in the self-proclaimed *Republic of Kosovo* has started to develop rapidly later than other countries from the former SFRY. Only after introduction of international administration in 1999, first agencies providing security services start to operate. There were no greater administrative obstacles for them, and the privatization process and high numbers of foreign investments have increased a demand for these type of services (Qehaja, 2009).

The Law on Private Services from 2011, which exchanged the former Regulation UNMIK from 2000, has created normative conditions for establishment and activities of private security subjects on Kosovo.

According to the data from 2015, there are 90 licensed private security subjects on Kosovo, including some foreign companies. More than a half of the companies have their representative centre in Priština (Emmi, Vrajoli, 2015). The most of the registered agencies are owned by Albanians from Kosovo, with some exceptions where employees from other ethnic communities are employed (Qehaja, 2009).

In 2015 on the area of Kosovo, around 4.900 individuals were licenced in the private security sector, and it is estimated that in general there was over 7.000 workers, who were engaged. It is evident that a certain number of employees is not registered in order to avoid certain obligations that are predicted by the Law on Employment, what witnesses the absence of certain control mechanisms. Beside that, a certain number of persons is engaged in the grey business market for a short period of time or ad hoc, depending on demands for these types of service on the market.

Supervision of the implementation of the Law on Private Security Services is done by the Ministry of Inner Affairs over the Commission for Complaints on the work of private security companies, while licencing and inspection control is under the jurisdiction of the Division for Private Security Companies within the Police of Kosovo (Emini, Vrajolli, 2015)

4. Conclusion

Private security today represents a realistic force, which includes more and more activities, gaining characteristics of power. A level of assigning of traditional business and authorizations, which have been for centuries under state monopoly, to the private sector represents in the same time a level of democracy in a certain society.

The private security sector is differently organized in the Balkan countries. Republic of Croatia, Romania, Montenegro, Republic of Serbia and Republic of Macedonia have two laws related to the area of private security, while Republic of Greece, Republic of Bulgaria, Republic of Albania, Republic of Srpska and District Brcko (Bosnia and Herzegovina) have the unique law that defines the area. The Federation of Bosnia and Herzegovina has only the law about protection of citizens and their property, without organization of detective activities. There is a visible lack of standardized European law related to companies that provide private security services.

The private security sector in the Balkan countries has developed significantly in a professional way over the last few decades. However, problems related to functioning of the sector are present in all countries, even in the European Union members from this area, such as Romania and Bulgaria. In Romania there is a constant conflict of interest between the public and the private security sector, accompanied by a strong corruption. What is more, even though the private security sector in Bulgaria is one of the most developed in the region, there are cases where this sector is connected to organized criminal, illegal private security services, and concurrence between state and non-state sector in this area.

In all Balkan countries there are competent institutions that regulate activities of the private security sector, accompanied by general legal conditions for establishment and action of private security subjects. Control and inspection supervision over the work of private security subjects exist, mostly by ministry of inner affairs, i.e. competent police services. In none of these countries there is no direct parliamentary supervision over the private security sector, but only indirect one (through legal supervision over the work of ministry of inner affairs), while authorizations of ombudsman and their use in practice is not sufficient.

These are the reasons why, along with retaining and strengthening of authorizations of executive institutions when it comes to control and inspection supervision, more interest of public and media, development of mechanism of inner

control within private security subjects, it is necessary to activate more ombudsman and parliamentary committees, which need more precise defined duties. When these private security services achieve the certain professional level, control function should be taken over by professional associations in the private security sector, while the state organizes the certain needed level of supervision.

Literature

1. Ahić J. et. al. (2013), „System of private security in BH – prejudice, challenges and perspectives“. In: *Criminal themes*, year. XIII, n. 1-2, p. 8-30.
2. Bakreski O. et. al. (2013). *Private security – theory and concept*. Skopje: Komorana Republika Makedonija privatno obezbeđivanje.
3. Born H. Leigh I. (2007). *Democratic Accountability of Intelligence Services*. Geneva: DCAF.
4. Born H. et. al. (2007). *Regulating Private Security in Europe: Status and Prospects*. Geneva: DCAF.
5. Confederation of European Security Services (2012). *Private Security Services in Europe - CoESS Facts and Figures 2011*. Wemmel: CoESS.
6. Confederation of European Security Services (2014). *Private Security Services in Europe - CoESS Facts and Figures 2013*. Wemmel: CoESS.
7. Đapčević-Marković, Lj. (2010). *Private security law*. Bar: Faculty for business management.
8. Dyrnishi A. Madhi G. (2015). „Albania“. In: Klopfer F. van Amstel N. (eds), *A Force for Good? Mapping the private security landscape in Southeast Europe*, Geneva: DCAF, p.p.7-30.
9. Dzhekova R. Kojouharov A. (2016). „Mission Critical, Mission Impossible – The role of PSCs in Protecting Critical Infrastructure in Bulgaria“. In: Klopfer F. van Amstel N. (eds). *Private Security in Practice – Case studies from Southeast Europe*. Geneva: DCAF, p.p. 55-66.
10. Dzhekova R. Rusev A. (2015). „Bulgaria“. In: Klopfer F. van Amstel N. (eds), *A Force for Good? Mapping the private security landscape in Southeast Europe*, Geneva: DCAF, p.p. 31-59.

11. Emini D. Vrajolli M. (2015). „Kosovo“. In: Klopfer F. van Amstel N. (eds), *A Force for Good? Mapping the private security landscape in Southeast Europe*, Geneva: DCAF, p.p. 61-82.
12. Gallagher, T. (2009). *Romania and the European Union – How the Weak Vanquished the Strong*. Manchester: Manchester University Press.
13. Gebrewold B. Bloom T. (2016). *Understanding Migrant Decisions: From Sub-Saharan Africa to the Mediterranean Region*, London: Routledge.
14. Geciu A. (2015). "Between public and private: Reconstructing the field of security in post-communist Europe". In: Ruzza S. et. al. (eds), *Non-State Challenges in a Re-Ordered World*, New York: Routledge.
15. Ignjatović, Dj. (2008). *Criminology. Belgrade. Official Gazette*.
16. Krahnemann, E. (2010). *States Citizens and the Privatisation of Security*. Cambridge: Cambridge University Press.
17. Lopes da Silva, C. (2015). „Assessing private security accountability: a study of Brazil“. In: *Policing & Society*, Vol. 25, No. 6, p.p. 641-662.
18. Manning K.P. (1999). „A Dramaturgical Perspective“. In: Forst B. Manning K.P. (eds), *The Privatization of Security: Two Views*. Washington: Georgetown University Press.
19. Milosavljević, B. (1997) *Police science*. Belgrade: Police academy.
20. Nađ, I. (2012). *The collection of regulations in the private security sector*. Zagreb: Croatian association of security managers.
21. Najman, D. (2016). "Private protection on a turning point". *Protection*, n. 12, p. 14-15.
22. Nikač Ž. et. al. (2013). „Legal regulations related to private security on the area of former SFRY, with a reference to latest changes in Serbia“. In: *Criminal themes*, year. XIII, n. 3-4, p. 27-52.
23. Page M. et. al. (2006). *SALW and Private Security Companies in South Eastern Europe*. Belgrade: SEESAC.
24. Pavlović, G. (2011). *Private security law- a comparative study*, Banja Luka: Defendologycenter for security, social and criminal research.
25. Petrović P. (2016). *Anatomy of failed private security licencing*. Belgrade: Belgrade center for security politics.
26. Qehaja, R. (2009) *An estimation of condition of private security companies*, Priština: Kosovar Center for Security Studies.

27. Radević R. Kalač E. (2012). "Chapter 6 - Montenegro". In: Klopfer F. et. al. (eds). *Almanac on Security Sector Oversight in the Western Balkans*. Geneva: DCAF, p.p. 159-180.
28. Richards A. Smith H. (2007). *Addressing the role of private security companies within security sector reform programmes*. London: Saferworld.
29. Ризмал И. Војиновић Т. (2014). „Приватнообезбеђењебезјавно-приватногпартнерства и сањим“. У: *Светбезбедности*, број 3, стр. 64-66.
30. Славески С. Божиновска Ф. (2016). „ПриватнатадетективскадејноствоРепубликаМакедонија: искуства и перспективи“. У: *Зборник „Приватнабезбедноство XXI век – искуства и предизвици“*. СкопјеКоморанаРепубликаМакедонијазаприватнообезбедување, стр. 255-268.
31. Томић, З. (2002) *Управноправо-систем*. Београд: Службенилист СРЈ.
32. Trivan D. et. al. (2016). "Private security in Serbia: enactment and amending of the legislation", In: *Private Security in the 21st Century: Experiences and Challenges*, Skopje: Chamber of Republic of Macedonia for Private Security, pp. 55-66.
33. Ванковска Б. (2015). *Приватниот безбедносен сектор во Република Македонија: меѓу потребите и јавната (не)доверба*, Скопје: Комора на Република Македонија за приватно обезбедување.
34. Van Steden R. Sarre R. (2007). „The Growth of Private Security: Trends in the European Union“. In: *Security Journal*, Vol. 20, No. 4, p.p. 222-235.