



BRIEF

ALERT



Many Weapons, Too Many Words, Too Little Coordination: Institutions' Response to Mass Murders in Belgrade and Mladenovac

Belgrade, June 2023



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ЗА ТЕБЕ**



At the beginning of May 2023 Serbia experienced two mass murders, which – as stated in the [report](#) the Government of Serbia presented before the National Assembly – deeply disturbed the public. [The first](#) took place on 3 May at the Elementary School “Vladislav Ribnikar” in Belgrade, when a 13-year-old pupil killed ten persons (nine pupils and a security employee) and wounded 6 others (five pupils and a female teacher). [The second](#) started in the evening of 4 May in the vicinity of Mladenovac, i.e. the villages of Dubona and Malo Orašje, where a 20-year-old local killed 8 people and wounded 14. Besides the fact that these two events happened one right after the other, and that the damage and the number of victims were enormous, another thing they have in common is they were both committed using firearms. The first was committed using a gun that was in the legal possession of the father of the pupil who committed the murders, which is why both parents were arrested. The second was committed using an illegal weapon, an automatic rifle which - according to the current [Law on Arms and Ammunition](#) - cannot be registered by natural persons. During the investigation, the police found a large amount of weapons and ammunition in the homes of the suspect, his family members and relatives. They confiscated them, arresting the suspect's [father](#), [grandfather](#) and [uncle](#).

The [President](#) and the Government of Serbia quickly reacted following the events, announcing the introduction of a series of measures of problematic character and questionable efficiency. In his address, the President mentioned the death penalty, the introduction of which would be in contravention with the [European Convention on Human Rights](#) ratified by Serbia; however, this idea was allegedly [rejected by the Prime Minister](#) and was not discussed again. Then it was announced that the age limit for criminal responsibility of minors would be reduced from 14 to 12 years.

However, as evidenced by the experiences of other [countries](#), this measure would only increase juvenile crime and recidivism instead of preventing and deterring violence. By the same token, it is questionable whether tougher penalties for gun-related offences would actually reduce their use in acts of violence. [Police officers were assigned to all the schools](#). The state announced the introduction of extraordinary control of weapons in the possession of citizens, additionally burdening the police organisation, as well as other forms of repression against citizens. In addition to the problems related to the announced measures, communication with the public was such that it further disturbed the citizens, revealed details from the investigation, and encouraged [sensationalist reporting by certain media](#).

Citizens expressed their dissatisfaction with the government's response to multiple murders, the actions and work of state authorities that preceded it and the permanent violence in the media by organising protests in the streets, first in [Belgrade](#) and later [throughout the country](#). [Protest demands](#) are related mainly to the regulation of electronic and print media, the responsibility of officials, and the cancellation of reality shows with violent content. The protests were supported by the general public, including [students](#) and the [academic community](#), [artists](#), [civil society organisations](#), [attorneys](#) and [political parties](#). The announced [set of measures is mostly of a repressive nature](#), does not contribute to the improvement of citizens' security, and there is a possibility of expanding the powers and role of the police and intelligence services for the purpose of strengthening the authoritarian power of the government instead of an effective reaction to the problem. Finally, there is no evidence that these measures will actually reduce the number of firearms among the citizens and, more importantly, the consequences these firearms can lead to.

Namely, the large amount of weapons in the possession of citizens of Serbia and the surrounding countries is part of the legacy of the wars of the 1990s and the development of organised crime in the region in the last 30 years or so. The presence of both legal (registered) and illegal (unregistered) weapons is recognised as a problem in both Serbia and the region (the countries of former Yugoslavia and the Western Balkans). The consequence of this many weapons is their use in organised crime and domestic and other interpersonal violence. Although there have been some public policies that spoke of work being done to solve this problem, their effectiveness and the application of the law are questionable. This text deals precisely with the state's reaction to the problem of weapons, the measures that have been adopted, and the communication with the public in these crisis situations.

The large number of legal and illegal weapons among the citizens of Serbia and the problems of their control

Like other countries in the Western Balkans, Serbia is at the top of the list when it comes to the number of weapons owned by citizens. A [study](#) by the [Small Arms Survey](#), a programme of the [Swiss Institute for International and Development Studies](#), estimates that Serbia has 39.1 weapons per 100 inhabitants, and that it shares the third place in the world with Montenegro, surpassed only by the USA and Yemen.¹ Some of these weapons are gradually legalised, while some are drawn

¹ Although the media has cited data from this study, these data have limitations that are important to understand. First, the research is based on data from 2017 and before. Second, the data represent an estimate of the number of registered and unregistered weapons among the population. As such, they are not exactly accurate and up-to-date, but rather represent the starting point for the assessment of the high number of weapons among citizens in the region, which many media reported as if it were fact. Such a state of affairs regarding the possession of weapons in Serbia and the region is a legacy of the wars of the 1990s.



into illegal flows. Their owners sell them for profit, or because they simply cannot legalise them, placing them in the hands of organised criminal groups or criminals who act independently.

After the tragic events that took place at the beginning of May, representatives of the institutions presented data on the current number of registered weapons in Serbia: approximately **470.000 citizens own 766.000 weapons**, of which 211,000 are used for personal security (pistols and revolvers). There are 400 people have a permit to carry these weapons around. The announced arms control **measures** include the revision of all the licenses, a moratorium on the issuance of licenses for the possession and carrying of weapons, and the tightening of penalties for the criminal offence of 'illegal production, possession, carrying and circulation of weapons and explosives' from Article 348 of the **Criminal Code**. In addition, the Ministry of the Interior (MoI) **called on** citizens to surrender their unregistered weapons and ammunition without any consequences, including criminal liability.

Although it was announced that they would not have to provide any personal data or prove the origin of the weapons, some citizens reported that their information was asked in fact for during the handover; the MoI subsequently **explained** that these were weapons that had remained after the death of their owners and that the reason for asking for personal information was the weapons' deletion from tax returns.

From 8 May to 29 June 2023, the state collected 78,302 weapons, 4,085,000 pieces of ammunition and 25,914 mines/explosive devices, i.e. significantly more than it did during the previous campaigns (see the table). However, it seems that this could have been done earlier, as will be further discussed below. Also, by order of the Minister, the Ministry of Interior **extended** the call for surrender of weapons until June 30. This caused the reaction of **lawyers, who are questioning** the **legality** of such a decision because by-laws cannot suspend the application of the Criminal Code.

Table 1 - Weapons, ammunition and mines/explosives surrendered during MoI campaigns

	2015	2016	2017	2020	2023 (8 May – 29 June)
Weapons	2,138	926	661	147	78,302
Ammunition	160,434	61,755	56,852	2,977	4,085,000
Mines and explosives	N/A	N/A	313	12	25,914

Source: The MoI²

At the beginning, the communication with citizens regarding the call to surrender weapons did not contain instructions explaining that, in addition to bringing the weapons to the police stations themselves, they could also phone the police and ask them to pick the weapons up at the address where they were located. This was especially important in cases involving mines/explosive devices (e.g. unwanted detonation during transport), and in cases of large weapons. Citizens who brought these types of weapons from home endangered both their safety and the safety of others.

Subsequently, the MoI issued a statement informing citizens that they should **call** the police if they wished to surrender these types of weapons. According to the **President's statement and the MoI's announcements**, all collected weapons will be destroyed (except for the trophy ones) and their parts will be used by the "Zastava" arms factory in Kragujevac to produce new weapons.

Another problem related to the control of weapons is the question of how they are stored and how the MoI will carry out the **announced control** of weapons in the legal possession of citizens. According to Article 11, paragraph 9 of the **Law on Arms and Ammunition (LAA)**, weapons can be owned by natural persons who meet the conditions for their safe keeping and storing. However, this issue is not further regulated by the LAA, but rather by the Rulebook on Spatial and Technical Conditions for Safe Storage and Keeping of Weapons and Ammunition, where Article 2, paragraph 1 stipulates the following: "Physical persons who acquire weapons are obliged to provide conditions for the safe storage and keeping of weapons and ammunition so that these cannot come into the possession of unauthorised persons, that is, they must be locked and kept separately in safes, strongboxes or similar cabinets that cannot be easily opened." The fulfilment of these conditions is verified during the issuance of the weapon ownership permit as an integral part of security vetting (LAA Article 11, paragraph 6).

2 Data for the years 2015, 2016, 2017, 2020 were published by *BBC in Serbian*, while data for 2023 were presented by the representative of MoI, Bojana Otović Pjanović, on *RTS on 30 June 2023*.



Practically, police officers of general jurisdiction are to check the authenticity of the “safes, strongboxes and cabinets” in which weapons are stored in the field, i.e. in the place of residence, at the natural person’s address. It is generally required that the person possesses a metal cash register, a safe or a lockable cabinet, as well as keys or a code that only he possesses, i.e. knows.

The problem lies in the fact that this control is carried out initially, when issuing the weapon ownership permit, and possibly also later on, upon a reported event in which a person who owns the weapon has participated. Considering the vast number of registered weapons and the number of natural persons (470,000) that need to be verified as part of the announced extraordinary control, the capacity of the MoI’s resources to implement it is called into question, especially having in mind the burden caused thereto by the presence of police officers in schools and the weapons that have been collected from citizens.

Delay in the harmonisation of regulations and the implementation of the educational campaign on the misuse of firearms in Serbia

Within the framework of Chapter 24 (Justice, Freedom and Security) of the accession negotiations with the European Union (EU), Serbia undertook to advance the fight against the storage, sale and possession of illegal firearms, implement the new Law on Arms and Ammunition and adopt and implement its future Strategy and Action Plan for light and small calibre arms. This implied improvement of operational capacities, additional harmonisation of legislation with the EU *acquis*, and the establishment of a centralised system for the registration, exchange of information on and safe storage and destruction of confiscated weapons.

In the [Serbia Progress Report](#) for 2022, the European Commission (EC) stated that some efforts were being made in the area of integral control of firearms, especially in harmonisation with the EU *acquis*, but that there was still a need to improve the activities set within the objectives for the Western Balkans in the [EU Action Plan on trade in firearms](#), such as those on raising awareness, and informing and educating people about the dangers and risks associated with the misuse, illegal possession and trade in firearms/small arms and light weapons (SALW).

In its [report](#) on the implementation of activities from the revised Action Plan for Chapter 24 from the period July-December 2022, the MoI listed planning, creation and implementation of campaigns to raise awareness about the dangers of small arms and light weapons. It also stated that a Working Group charged with the analysis, planning, design and implementation of these campaigns was formed, that a partnership with civil society was established, and that a social media

platform was developed. However, according to the same report, these activities were still under way. An interdepartmental Working Group was formed as well and three meetings were held to discuss the topic of creating media content for the above campaign: with representatives of the OSCE, regarding the extension of the project until the end of 2024, and regarding the continuation of intensive communication and the public call for the selection of an agency for the needs of the campaign, which was expected in January 2023. At the last meeting, the Minister approved the extension of the project until the end of 2024. However, it seems that the selection of the agency and the campaign itself were delayed.

It is a fact that, after the tragic events in Belgrade and Mladenovac, the most recent call for the surrender of weapons has indeed resulted in a far greater number of surrendered legal and illegal weapons compared to earlier such actions. As a result of these events, more citizens decided to surrender their weapons, but only after realising the extent of the consequences of their misuse. It was precisely the multiple murders in Belgrade and Mladenovac, which were committed using firearms, that confirmed the need to educate the general public about the consequences of the presence of weapons.

Unknown scale of the illegal arms trade in Serbia

Chapter 24 also states that the Criminal Code (CC) needs to be amended so as to effectively criminalise arms trafficking as a separate criminal act. This would enable more efficient monitoring of illegal arms flows through more accurate data and official statistics on such cases. Namely, according to the current legislative solution, the criminal offence ‘illegal production, possession, carrying and circulation of weapons and explosives’ from Article 348 CC is the only one that regulates all illegal actions related to arms trade. However, official statistics and data do not distinguish whether this crime was committed using a weapon that was previously registered or not, or whether the weapon in question was the subject of trade or misuse such as illegal possession or carrying. Consequently, the true scale of illegal arms trade remains hidden in the data on the persons who were reported, accused or convicted in connection with the criminal offence referred to in Article 348 CC. This is precisely what was criticised in the semi-annual May 2022 [report](#) of the EC on Serbia for Chapters 23 and 24 (p. 26), as well as in the annual [report](#) for 2022, which requested the harmonisation of legislation with the [United Nations Firearms Protocol](#). Harmonising the legislative framework and criminalising illegal arms trade as a separate crime will provide a clearer overview and establish grounds for effective evidence-based policies to prevent and combat illegal arms trade. According to what representatives of the MoI said during the meetings with the civil society, these novelties are being considered by the Ministry



of Justice's Working Group charged with amending the Criminal Code. However, the work of this Group is completely non-transparent.

Firearms and minors practicing at shooting ranges – It is necessary to amend the Law on Arms and Ammunition

An additional aspect of the problem with weapons was revealed by the [Minister of the Interior](#) when he announced that the boy who committed the murders in the elementary school "Vladislav Ribnikar" had practiced shooting with his father at the shooting range. The current [Law on Arms and Ammunition](#) (LAA) does not contain provisions regulating the use of shooting ranges and firearms by minors. After the Minister's statement, representatives of the shooting range in question [spoke up](#) and pointed out that, although the LAA does not regulate the matter, their internal acts do not allow the use of firearms by minors. However, they also said that they are not able to control the use of weapons when someone rents a space and brings his own weapon. Also, the [Draft Law on Amendments and Supplements to the Law on Arms and Ammunition](#), which was withdrawn from public debate in December 2022, did not govern the use of shooting ranges and firearms by minors.

After the events that took place in the elementary school "Vladislav Ribnikar", the Government adopted a series of [conclusions](#) that included the MoI's control of shooting ranges and the development of regulations on the conditions and manner of their use, including the prohibition of access to minors. It was also stated that the above mentioned Working Group in charge of amending the CC will develop provisions to prescribe criminal liability for persons who make it possible for minors and other unauthorised persons to gain possession of firearms, and who train minors and other unauthorised persons to handle them.

Failures in communication with the media; violation of the rules of investigation and personal data protection

[Law on Public Prosecution](#) in Article 11 Paragraph 2 regulates that public prosecutors inform the public about crime in general and about individual cases, while accounting for the presumption of innocence and taking care about the interests of the participants in the procedure. As confirmed by the [EC report](#) for 2022, relations with the media – including press releases about ongoing investigations and trials – are still managed by politicians and representatives of the Ministry of the Interior, not by the prosecution and/or the police. One of the examples of the above is the conference that

was organised after the events that took place in the elementary school "Vladislav Ribnikar", when the head of the Police Administration (PA) for the City of Belgrade [presented information](#) from the investigation, including the perpetrator's personal data, and showed the list of persons he was intending to eliminate. Addressing the nation, the President also [disclosed personal information](#) about the boy who had committed the murders, as well as those about his family members, including information about their past, financial status, employment, habits, behaviour and so on. Regarding the list of children intended to be killed, which was made public by the head of the PA for the City of Belgrade, the Prime Minister [said](#) in the National Assembly that an investigation is being conducted to establish responsibility. However, it is not clear whom the Internal Control Sector is investigating, as it was Minister Bratislav Gašić and Chief Veselin Milić that spoke at the conference. In addition, [investigative media](#) demanded information on the responsibility of authorities in these cases, but it still remained undisclosed.

Weak coordination of the authorities and the absence of centralised systems

As noted in the [EC report](#), there are still no adequate centralised systems for managing cases and the workflow in the police and the prosecutor's offices which would connect all relevant data and make it available to all institutions. This was quite obvious in the case of the Mladenovac event, because the murders were committed by a person who was already known to the judicial authorities and the police. Namely, proceedings had been conducted against him for the criminal offence 'assault on an official performing his/her official duties' from Article 23 of the Law on Public Order and Peace, but were suspended based on the opinion of the Centre for Social Work because, under the Law on Juvenile Criminal Offenders and the Criminal Protection of Juveniles, he had the status of a younger adult. This was first announced by the [Minister of the Interior](#) and a [member of parliament](#), although the outcome of the proceedings had been covered by [investigative media](#).

In view of all the above, it is clear that failures and delays in the implementation of activities from the benchmarks contained in EU accession negotiations Chapters 23 and 24 have harmful consequences for the society. Observing and implementing all the activities would reduce the harmful consequences related to the misuse of firearms and improve the control of small arms and light weapons. It would also improve the investigations and coordination between the authorities while working on cases and exchanging information, as well as communication with the public and informing the public in an educational manner and without causing damage to individual criminal proceedings.



Recommendations

It is necessary, as soon as possible, to start a campaign to inform the public about the harmful consequences of the presence of firearms, be they legal (registered) or illegal (unregistered). It is necessary to educate the general public about the danger, misuse and the manner of keeping and using firearms. In this sort of campaign, target groups should be defined very clearly: citizens who are coming, or may come, into contact with weapons. For example, people who legally own guns (hunters and people who own weapons for reasons of personal security) are most often male, belong to various age groups (although they are most often middle-aged), and are members of the middle class. In the case of illegal weapons, it is necessary to target young people who are susceptible to the influence of organised crime (e.g. recruitment by criminal groups for the purpose of distributing drugs or weapons), or those who are susceptible to affective acts of violence (as in the case of Mladenovac). In addition, it is necessary to improve the safety culture of young people, those of school age, who may come into contact with weapons (e.g. by developing programmes and school subjects, not by organising individual lectures by police officers). Of course, in order for these campaigns to be effective, there is a need to conduct further analyses of the problem of weapons and their users.

Arms surrender campaigns should be organised and implemented by applying the law and adopting all legal regulations, so as to fully ensure the rule of law and avoid making such decisions based on acts passed by individuals. Also, to avoid endangering human and material safety, it is necessary to inform the public in a timely manner about the ways they could hand over their weapons, especially in terms of their transfer to police stations. When it is necessary to establish the identity of the person handing over the weapon, this must be done transparently and information must be provided on how records in such cases will be kept. After the campaign, the public must be informed about what happened with the surrendered weapons.

It is necessary to amend the Law on Weapons and Ammunition to regulate the status of minors regarding the use of weapons at shooting ranges and within sports and other associations. Also, it is necessary to regulate in greater detail the conditions for the safe storage and keeping of weapons in the Law on Arms and Ammunition itself, and to provide for regular (initially – at the time of acquisition, and periodically – every six months or every year) and extraordinary control of the storage of weapons

(whenever any event with elements of violence is reported). This would ensure the constant periodic nature of this activity and avoid cases where, after the initially conducted control in the administrative procedure while issuing the weapon ownership permit, it is no longer known how the weapon is handled and who is handling it. This would also prevent legal weapons from being misused in cases of violence. These measures, as well as their adoption and implementation, should be decided upon by police professionals, together with academic and civil experts, so as to avoid introducing measures for the purpose of achieving political influence to the detriment of both the citizens and the police.

It is necessary to introduce illegal arms trade as a new, separate criminal act, as this would harmonise things with European regulations and the United Nations Firearms Protocol, provide a clear overview, and establish grounds for evidence-based policies in the field of prevention and suppression of illegal arms trade.

It is necessary to strengthen the capacity of prosecutor's offices, as those who conduct investigations in pre-criminal proceedings, regarding relations with the public and the media. The prosecutors conducting the proceedings, and possibly the competent police officers, should be the ones informing the public about the investigations of events that are of interest to the public. This is the only way to ensure that information from the investigations do not jeopardise the criminal proceedings, the presumption of innocence and the protection of personal data. Also, this would reduce the harm caused to all victims and their families, and prevent re-victimisation and trauma. This should be carried out by ensuring the autonomy, independence and operativity of the prosecutor's office, as well as by depoliticising the police, i.e. through the [proposed](#) operationalisation of the Police Directorate within the MoI. Also, there is a need to strengthen the capacities of the prosecution and the police by training and teaching them to communicate with the public.

It is necessary to establish adequate centralised information systems to coordinate the authorities participating in pre-criminal and criminal proceedings - primarily the police and the judicial authorities, but also centres for social work and other relevant bodies. This would enable a better and faster flow of information, and identify risks and threats from violence and similar events.

About prEUgovor

Coalition prEUgovor is a network of civil society organisations formed in order to monitor the implementation of policies relating to the accession negotiations between Serbia and the EU, with an emphasis on Chapters 23 and 24 of the Acquis. In doing so, the coalition aims to use the EU integration process to help accomplish substantial progress in the further democratisation of the Serbian society.

Members of the coalition are:

Anti-Trafficking Action (ASTRA)
www.astra.rs

Autonomous Women's Centre (AWC)
www.womenngo.org.rs

Belgrade Centre for Security Policy (BCSP)
www.bezbednost.org

Centre for Applied European Studies (CPES)
www.cpes.org.rs

Centre for Investigative Journalism in Serbia (CINS)
www.cins.rs


Group 484
www.grupa484.org.rs

Transparency Serbia (TS)
www.transparentnost.org.rs

PrEUgovor's key product is the [semiannual report](#) on the progress of Serbia in Cluster 1.



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